

A Critical Analysis of the Ghana Police Service and Use of Force in Promoting Security

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DEDICATION

The thesis is dedicated to my parents; to my dear wife, Grace; and to my three children: Joel, Jacquelyn, and Ferdinand.

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ABBREVIATIONS

Motor Traffic and Transport Directorate	-	(MTTD)
Closed-Circuit Television	-	(CCTV)
Independent Police Complaints Commission	-	(IPCC)
Ghana Police Service	-	(GPS)
United Nations Development Program	-	(UNDP)
Recruit Police Training School	-	(RPTS)
Police Training School	-	(PTS)
Human Resource Department	-	(HRD)
National Democratic Congress	-	(NDC)
Deputy Commissioner of Police	-	(DCOP)
New Patriotic Party	-	(NPP)
Member of Parliament	-	(MP)
Metropolitan, Municipal and District Assemblies	-	(MMDAs)
Inspector General of Police	-	(IGP)
Criminal Investigations Department	-	(CID)
Assistant Superintendent of Police	-	(ASP)
Let-My-Vote Count” Alliance	-	(LMVC)
Police Intelligence and Professional Standards	-	(PIPS)
Commissioner for Human Rights and Administrative Justice	-	(CHRAJ)
Standard Operating Procedures	-	(SOP)
Legislative Instruments	-	(LIs)
National Peace Council	-	(NPC)
Regional Police Headquarters	-	(RPHQ)
Police College	-	(POLCOL)
VIII		
Criminal Investigations Department	-	(CID)
International Covenant on Civil and Political Rights	-	(ICCPR)
Universal Declaration of Human Rights	-	(UDHR)
Motor Traffic and Transport Directorate	-	(MTTD)
Marine Police Unit	-	(MPU)
Highway Patrol Unit	-	(HPU)
Rapid Deployment Unit	-	(RDF)
Formed Police Unit	-	(FPU)

Courts and Prosecutions Directorate, Domestic Violence and Victim Support Unit

	-	(DOVVSU)
National Protection Unit	-	(MFU)
Convention Peoples Party	-	(CPP)
National Investigations Bureau	-	(NIB)
Chief Staff Officer	-	(CSO)
Staff Officer	-	(SO)

Abstract

This study examines the Ghana Police Service's mode of operations with particular attention to the use of force and how it could be minimised during police-citizens encounter. To achieve the research objectives, the study adopted a qualitative research approach, using semi-structured interviews and observations to critically examine the current procedures used by the Ghana Police Service (GPS) to: (i) determine whether police officers who use force or excessive force are held accountable for their actions; and (ii) identify challenges faced by the GPS while promoting security. A total of 60 participants were interviewed, comprising 20 police officers (senior and lower ranks), 30 civilians who have had encounter(s) with the police and 10 National Peace Council members. Participants were purposively selected from four regions of the country. Data obtained from the interviews together with the observations were analysed using thematic analysis. It emerged from the study that incidences of police use of force and reported cases of violence during police-citizens encounter have become a serious matter of concern to every Ghanaian, with the government and the police being heavily blamed for not doing sufficient to protect its citizens. However, findings drawn from the study revealed that police use of force can be minimised if there are stringent measures of enforcement such as regular training and prevention of use of force, revision of Legislative Instruments (LIs) according to modern standards, adherence to standard operating procedures, regular in-service training and proper accountability mechanisms to deal with police misconduct. Thus, the study aims to fill the existing knowledge gap in the literature to critically address the relative absence of data in this study area in Ghana. It is intended that the study results will enhance democratic policing and serve as a repository of knowledge for future research into the country's security strategy to minimise police use of force.

Chapter One

Introduction

1.1: Background to the study

In countries that have centralised national police systems such as those that are found in many transitional democracies on the African continent, police-citizens relation is a crucial national issue. As Tankebe (2008a) writes, in such democracies, the police are “key socio-political actors” (p. 67). The conduct and posture of the police in such societies affect the entirety of the citizens. Therefore, to ensure social cohesion, it is incumbent on the police to strive to be as objective, fair, and accountable, impartial, and must be protective of all segments of society (Lipsky, 2010). The police are required to do so because without a doubt, they are the core element of social control in society. Therefore, their ability to obtain cooperation of the entirety of the citizenry in their law-and-order enforcement mandate demonstrates the unique position they occupy in the society. The police in these societies tend to be biased in favour of the state and most often consider the state and its agencies first and the citizens second (Aning, 2006; Adubofour, 2017). This goes against democratic policing principles and undermines the rights of citizens in equality before the law, freedom of speech and freedom of association, and equal protection under the law (United Nations, 1948, Articles 7, 19, 20).

Indeed, policing has always been a subject of interest to the public because police officers play an essential role in preserving public safety, but as a society, we have a crucial role to play by ensuring that their enforcement powers are exercised in accordance with the existing national laws and protocols. In this regard, the determination of reasonable use of force is not an exact discipline since how and why the force was used against a suspect must be established, and this is the most difficult issue to evaluate during police-citizens encounter (Palmiotto, 2017). Wittie (2013: 17-18) noted that the general definition of reasonable or necessary use of force is any action that is in relation to the force used that a prudent person would believe to be necessary to achieve a legitimate duty. Some security experts (Tankebe, 2008; Boateng, 2012; Wittie, 2013) have also indicated that the word reasonableness can easily be determined. However, in a civil or criminal case, the officer is not the one that must determine if the force used was reasonable, rather it is the citizens sitting on the jury that will be tasked to determining the reasonableness of the force used by the officer(s).

Research indicates that police officers have often arrested people because of their demeanour and most of the time verbal confrontations had led to police using force against a suspect who refused to obey orders (Pike, 1985, cited in Hinton and Newburn, 2009). It is arguable that the

boundaries between the application of legitimate force and illegitimate force are invariably unclear since the recurring situations of arrest of a suspect who poses risk to the public or resisting arrest involves varying degrees of force and thus, present many questions regarding its reasonableness or necessary which continues to remain difficult or unclear to answer.

In many situations, an unlawful use of force could be unreasonable, but in other situations it might be necessary to use a substantial amount of force to restrain a subject who is being arrested or potentially having the affinity to harm or cause injury to the officer or society during encounter. The most critical aspect of this enforcement power is the fact that, the officer exercising such authority is often placed in a difficult situation for it is necessary for him/her to achieve his/her lawful objective by arresting a suspect and the force applied should be in direct relation to the resistance force from the suspect. Consequently, it appears there is a growing tendency for some people in society to resist arrest or refusing to obey orders and other public order offences. However, the officer is conscious of achieving his/her objective with the minimum disruption to the citizen. The belief that most of such people will come quietly is not always confirmed and arrest in the public space usually attracts citizens comments and probe. Therefore, the officer effecting the arrest will have to determine the degree of force being used and s/he is fully liable at criminal and civil law if excessive force is found to have been employed. If excessive force is used, it will result in his/her having to account for his/her actions, not only in law, but also under disciplinary regulations which prohibit the use of unnecessary force during encounters.

Palmiotto (2017) argued that the principle of minimum force is highly valued and is at the core of the relationship between the police and the public. He further stated that the restraint shown by police in many situations is evidence of the principle in practice, but it is fundamental to public approval of police actions and complements the principle of policing by consent. In this sense, it is incumbent on the officer to demonstrate that the degree of force used was only sufficient to achieve the objective and the degree of force used commensurate with the resistance emanating from the suspect. Therefore, it would be out of place on the part of the citizens or officers to imagine that the police are required to use force on a regular basis as a means of achieving their objectives and great emphasis must be placed on the term service to distinguish it from the widely recognised use of force.

Though there are some people who are of the view that the very concept of law enforcement, however, implies the ultimate use of force and this is often a compelling reason why so many

people co-operate with the police during encounters and others willingly comply with police requests in routine matters. Consequently, the very word ‘reasonable’ suggests a rational basis for police actions which can be tested objectively and stressed that police powers are often expressed in subjective terms, however an individual officer cannot rely on unreasonable degree of force to justify his/her actions. As such, force must not be resorted to if the objective can be achieved by other means. It is for this reason that the criteria for the application of legitimate force used by the Ghana Police Service should be fully understood and clearly stated, as there are many difficulties associated with such terms as reasonableness, necessary or justifiable and not the least of which is whether the test is subjective or objective.

A considerable number of studies implied that socio-economic and political factors play a critical role in predicting police use of force behaviour because unsafe working environments expose police officers to a constant risk of danger and violence (White, 2001). Although police officers are compelled to use reasonable force, situational factors as well as risks posed by a suspect influence their split-second decision-making ability. Accordingly, it can be assumed that police officers operating in a risky environment are more likely to apply greater force.

Despite the potential impact of socio-economic and political factors only a few studies have examined these factors in analysing use of force in a more comprehensive manner (Lawton, 2007; Terrill and Reisig, 2003; Tankebe, 2008). Other researchers in this field also argued that police training, colonialism and accountability could be an effective countermeasure against use of force. In other words, for a policy to protect police officers and citizens, use of force must be regulated by governments, police administrators, national laws, and court decisions (Hontz, 1999). Police officers’ knowledge of these rules that “control the amount of force used and the circumstances under which it can be used” should be a significant part of police administrators concerns because violations of these regulations can lead to collateral damages to the police (Kappeler, 2006, p. 96).

Similarly, as in any other police service throughout the world, the Ghana Police Service is primarily concerned with upholding the freedoms and fundamental human rights of the citizens as well as with the provision of services to the people considering that policing mainly concerns the provision of services to humanity. In view of this, policing within the framework of protection of human rights must be characterised by transparency in the performance of routine tasks, accountability under the law and to the people instead of state institutions or the ruling government and its officials (Bayley, 1999; Reiner, 2010). Ironically, in many developing

countries' governments have failed in their most important duty to provide the public with an honest, efficient, and effective police service that ensures the application of the rule of law and the maintenance of an environment of safety and security. In a democratic country such as Ghana, police legitimacy is measured in terms of the extent to which the provision of services generates an environment in which the public is free from fear (human security) and the police respect rights of the people because citizens are considered as the primary object of security (Bayley, 2001; Daruwala and Doube, 2005; UNDP, 1994). It is within this framework that the study examines the mechanisms being employed by the Ghana Police Service to minimise use of force during encounters with citizens and how these can improve police-citizens relations and public trust in the police in Ghana.

It was observed in the literature review that the association between compliance and protection of fundamental human rights and the application of physical force by the police has created a need for the investigation of this phenomenon. This is valid especially in this contemporary era where multicultural composition within local societies is increasing and the globalisation of socio-economic and justice issues are prevalent (Waddington et al., 2009). This ongoing process of change made it especially important in this study to critically understand the essence of police use of force and different points of views about what is accepted as a legitimate state intrusion into the human rights and democratic freedoms of their citizens. Clearly, democratic policing principles have become crucial for police reforms and seek to position the GPS in a more functional way because they seek to address potential threats that usually characterised the use of force. Hence, the need for police accountability will promote citizens co-operation, restores confidence in the police and serves as checks and balances between both police and citizens.

Again, the Police Service Act of 1970 (Act 350) and the 1992 Constitution of Ghana, Act (200) which focus primarily on police accountability will enhance democratic policing and give sense of direction of the service from reactive policing during encounters to proactive policing, focusing on preventing crimes from occurring (Alhassan, 2015). As such, use of force cannot be discussed without considering the oversight and accountability mechanism associated with the use of force. Jones (2008) argues that the foundation of democratic and transparent policing is entirely rooted on the notion of public safety and accountability. Accountability in this context is considered in a multilateral domain namely accountability to the state; accountability to the people; and accountability to the law (Jones, 2003; 2008). Police accountability mechanisms therefore assist the police in focusing on the provision of services to the public

while complying with ethical policing and codes of conduct of the profession (CHRI, 2007; Jones 2003; 2008; Gariba, 2014).

According to CHRI (2007), the Ghana Police Service valued an effective police accountability mechanism with established standards of conduct and behaviour as well as internal complaints units aimed at controlling police misconduct. There are organised units such as the Police Professional Standards Bureau (PPSB) that regulates officers' misconduct and prescribed disciplinary measures against officers whose conduct are deemed unacceptable. There is also the Police Council that serves as an independent advisory body to the President of the Republic of Ghana in matters involving appointments, finance, and administration within the Ghana Police Service, existence of the Commission on Human Rights and Administrative Justice (CHRAJ) an external body that receives public complaints against the police. However, the perception that the GPS is very corrupt and unprofessional severely detracts the police from accountability mechanisms. For instance, the UNDP (2007) Country Report on the Republic of Ghana revealed that the Ghana Police Service violated and infringed upon human rights of its citizens.

Also, the Afro barometer (2017) report on citizens perception of the GPS revealed that eighty percent (80%) of the citizens have negative perception about the police, whiles Ghana Integrity Initiative (2017) also cited the Ghana Police Service as the most corrupt institution in Ghana. Consequently, the visibility of both internal and external police accountability mechanisms in terms of their actual contribution to police performance and officers conduct in Ghana appears unclear, and therefore, more needs to be done in the context of accountability, training and in-service training, revision of existing laws on use of force and lack of impartiality if the GPS is to change from force to a service. It is for this reason that this study sought to empirically examine whether mechanisms employed by the GPS to minimise use of force have deepened the trust and legitimacy shortfalls the public have about the police. The study also sought to establish the effect of these shortfalls on the willingness of the public to cooperate with the police while exercising their legitimate duty. Thus, if the public answered these questions in the affirmative, then policies and changes in law that will allow the police to work in a manner whereby they can wean this negative perception and improve public trust and confidence in the police would be addressed.

1.2: Problem statement

In many African countries the legacy of colonialism, ethnic violence, chieftaincy disputes and land related disputes and the multi-dimensional forms of physical violence and widespread political corruption have severely affected public service delivery and the Ghana Police Service is no exception (Duffield, 2001; Rausch, 2006). Human insecurity has become a grave concern to many Ghanaians with the government and the police service being heavily blamed for not doing much to protect its citizens. Police use of force has become a major concern in recent times in Ghana particularly following the July 17, 2018 shooting incident that occurred at Manso-Nkwanta in the Ashanti Region in which seven unarmed civilians were shot and killed by armed police officers under the pretext that they were armed robbers and on January 31, 2019 several people were injured during the Ayawaso West Wuogon by-election due to police indiscriminately firing of tear gas and rubber bullets at some polling stations to deter potential voters from casting their votes (<https://www.bbc.com>, 2019; Graphic Online, 2018).

Clearly, police officers possess overwhelming powers and that differentiate them from the rest of the citizens in society. They perform their duties under conditions that imposed high degrees of physical and mental stress with the public eye upon them. Their general responsibility to preserve peace and enforce the law carries with it the power to arrest and to use force, including deadly force (United States Civil Rights Commission 1981: 481 – 482; Palmiotto, 2017). However, these overwhelming powers have become highly contentious in policing debates as incidents of use of force are often interpreted differently by both police and the public, resulting in public perception that police usually abuse the use of force power and use it inappropriately to discriminate against citizens who have no such powers to protect themselves. This implies that use of force can be misinterpreted in certain situations but there are other critical issues that deserve proper attention; the difficulty to examine the nature, the extent and the causes of force used and whether the force used was distributed fairly or unfairly, and who were at the receiving end of the continuum – the state or the poor and marginalised in society? (Worden, 1995; Geller and Toch, 1995: p. 99-112). These are fundamental questions that need to be investigated further if the power to use force by the police will continue to be considered as part of police work.

There is no doubt that the reputation of the Ghana Police Service in providing effective policing to Ghanaians has been in contention since the early days of Ghana's independence in the early 1950s due to numerous allegations ranging from ineffectiveness, poor organisational skills, inadequate and oversight accountability mechanisms, lack of appropriate skills and training,

use of force and excessive use of force, abuse of power and of peoples freedoms, lack of impartiality in the performance of duties and outdated colonial cultures and brutality with deep rooted corruption rate have been levelled against police officers and these tendencies have seriously affected the image of the profession (Afari, 2004; CHRI, 2007; Tankebe, 2008; Aning, 2006; UNDP, 2007; Adubofour, 2010).

There are many instances where police officers have been accused of using unlawful force against citizens who posed no risk or resisted arrest. For instance, on May 9, 2001, at the Accra Sports Stadium, police indiscriminately fired tear gas and rubber bullets during a local match killing about one hundred and twenty-six civilians (BBC-News/Africa, 2001). Other recent examples include April 21, 2006, in which four persons were shot and killed by police officers at Dansoman Estates in Accra as well as July 17, 2018, shooting incident that occurred at Manso-Nkwanta in the Ashanti region where seven unarmed civilians were shot and killed by armed police officers under the pretext that they were armed robbers (Graphic Online; July 2018). All these incidences coupled with the January 31, 2019 incident where several people were injured during Ayawaso West Wuogon by-election due to police indiscriminately firing of gunshots at some polling stations to deter voters from coming out in their numbers to vote are indications of the fact that, the GPS nature, character, and mode of operations of modern-day policing has not changed from that of the colonial policing era since the country attained independence from the British many years ago (Aning, 2006; Tankebe, 2008a).

Sadly, these problems have received little attention in Ghana to the extent that this study seeks to question the procedures that have been adopted by the Ghana Police Service to protect individual's security needs during encounter more especially on the use of force as this portrays the institution as exercising extraordinary powers and being unaccountable to the citizens for their actions (Tankebe, 2011). It is in light of what has been discussed above that this study examines the GPS and use of force in promoting security and explores the extent to which use of force policies and procedures can influence the GPS mode of operations to minimise use of force during police-citizens encounters.

1.3: Aims and objectives of the study

This study examines the concept of the use of force in policing by considering procedures and standard practices being employed by the Ghana Police Service to minimise use of force during police-citizens encounters. Based on historical and contemporary analysis, this study examines use of force in the GPS and the extent to which procedures and standard practices can influence

police use of force. This could be achieved by examining: the general definition of use of force in policing; the concept of use of force; the police culture; accountability mechanisms and code of conducts and largely, issues of police use of force in Ghana. Again, this research explores the current training curriculum of the GPS to ascertain whether it equips police officers at the various units and departments with the requisite knowledge and skills.

The main objective is to determine the extent to which police use of force could be minimised through the application and enforcement of processes, procedures, and standard practices. Therefore, the specific aim of the study is to achieve the following objectives:

- (a) To critically understand the use of force in policing and examine the procedures adopted by the Ghana Police Service to minimise use of force during encounters.
- (b) To ascertain whether police officers who use unlawful force are held accountable for their actions.
- (c) To critically examine the challenges faced by the Ghana Police Service and their effect in the maintenance of law and order.

1.4: Research questions

The main research questions examine the extent to which standard procedures is related to various forms of police use of force in Ghana. To achieve these objectives, police officers (both senior and lower ranks) as well as citizens were interviewed.

Based on the objectives of the study the following research questions were formulated to guide the study:

- (a) Whether there are standard procedures in the Ghana Police Service to minimise the use of force during police-citizens encounters?
- (b) To what extent can police become accountable to citizens while performing their lawful duties?
- (c) Whether the challenges faced by the GPS are the causes of lack of professionalism?

1.5: Significance of the study

The police by all standards are integral part of the society and therefore, anything that concerns them should also concern stakeholders of democratic governance and policymakers as well. Police officers main aim is to maintain law and order in our society, protecting the rights of individuals, their property, preventing crimes from occurring, reducing the fear of crime, and improving the safety and dignity of all citizens. Based on this assertion, the findings from the study would be useful to stakeholders in the security architecture and state institutions for good governance. The results drawn from the study will add to extant literature of policing to address the relative absence of data in this research area in Ghana and assist curriculum developers of the police training programmes in fashioning out new ways of training the police on use of force to meet the challenges ahead. Again, the study will be relevant to policymakers, security experts and government, and would be considered as a credible source of data to formulate and implement policies. Finally, findings from the study will also serve as a resource base for future research into the country's overall security strategy to improve police-citizen relationships, lack of impartiality, occupational culture which permeates the GPS, lack of accountability and improve public confidence and trust in the police.

1.6: Organisation of the study

The study is divided into six chapters in addition to references and appendix sections. Chapter One of the study is devoted to the background of the study, statement of the problem, objectives of the study, research questions that guided the study, significance of the study, and limitations of the study. Chapter Two of this study is dedicated to the review of related literature which gave impetus to the study. This review covers the theoretical and the empirical aspects of police use of force and associated concepts. Chapter Three of the study also is concerned with the methodology and methods that were used in data collection. Chapter four contains analysis and interpretation of data that were gathered from the field. The respondents were categorised into three, representing police officers, citizens who have had encounter with the police and members of the National Peace Council, respectively. Chapter Five discusses the results from the analysis and the interpretation of the data primarily on the objectives of the research namely, the strengths and weaknesses of police use of force especially in democratic countries, and its impact on individuals' fundamental rights in Ghana; and a discussion on whether some means could be used to minimise the use of force. Chapter Six is the final part of the study. It is divided into three sections. These are the summary of findings, conclusion and the recommendations made by the researcher to improve upon police use of force in Ghana.

Chapter Two

Literature review

2.1: Introduction

Over the years, much of the academic literature and public criticisms have been written on how police officers in general carry out their duties in law enforcement and provide people with protection and security (Eck & Rosenbaum, 1994; Gillespie, 1955; Goldsmith, 2005; Hahn, 1971; Jackson & Sunshine, 2007; Manning, 1978; Marenin, 1982; Nagin, 1982; Tyler & Fagan, 2008). In recent times, there has been a persistent public attention on the work of the police, and they are constantly judged by the people regarding their attitude towards civilians during encounters. Such assessment is also based on the effectiveness of the police in fighting crime and providing people with protection. Their methods of operation during encounters with the citizens are now being closely scrutinised especially in Ghana and the rest of the world. Quite recently the police in the United States for example, have faced intense scrutiny for their policing practices, particularly following the death of George Floyd (Davis, 2015; Department of Justice, 2015; Sweeny, Gorner & Hinkel, 2017; Wamsley, 2017; Tyler and Luban, 2020).

This chapter specifically discusses the relevant conceptual theories that have guided the study of policing and use of force in the extant literature, beginning with studies of policing in some developed democracies such as the UK and US and other developing countries (South Africa, India and Kenya), and focusing on Ghana from precolonial, colonial to postcolonial era. The use of force has been adopted to critically understand its relevance in police work and how it could be minimised during police-citizens encounters. The chapter reviews a broader literature on the use of force in different countries contexts, specifically from civilians' and officers' perspective in both developed and developing countries and situates the phenomenon under investigation in the context of democratic policing, which is the crux of modern-day policing, specifically in democratic countries such as Ghana.

2.2: An overview of the concept: policing and use of force

Clearly, policing functions are vested in a group of selected individuals officially organised and coordinated by the state. The justification for state control of policing otherwise known as the social contract theory which was originally developed by philosophers such as Thomas Hobbes (1588 – 1679) and John Locke (1632 – 1704) appears notable and credible in the sense that, the source of police authority is believed to originate from this theory and forms a coherent pattern to strengthening police-citizens relationships. As such, there is the need for members of the society to trade off some degrees of their freedom to the state in return for a measure of

protection that provides primary justification for policing (Kleinig, 1996). The principle suggests that there is a deep-rooted bond between the police and civilians that guarantees individuals freedom with the caveat that, citizens will forfeit some degree of their freedoms in return for a maximum protection from the state security agents such as the police. This theory also suggests that police officers can only function effectively with the consent of the people. In other words, the police successes depend to a larger extent on the approval of the citizens' willingness to cooperate with the police and this social bond reinforces the mutual agreement that exists between the police and citizens of Ghana and the rest of the world.

Bowling and Foster (2002) in their work on 'Policing and the Police' emphasise the importance of policing in a society as follows: 'human beings in a state of nature were prevented from enjoying their basic rights: the right to life, to liberty and to property because of ignorance, powerlessness, insecurity and arbitrary violence. To preserve these fundamental rights, it was necessary to set up a civil government, and having set up a legislature to make laws and then a judiciary to apply it in individual cases, law enforcement agencies were required to give it due execution' (Bowling and Foster, 2002:981-98). This underscores the need for every society to have police officers so that individuals' rights and well-being could be protected from violators of the law so that officers could have absolute control over a situation that will be inimical to the survival of citizens. In order to achieve this objective, the review suggested that every police officer must be able to protect the integrity and sanctity of the institution and to ensure that citizens are accorded with the necessary respect irrespective of their political or socio-cultural affiliation. But this requires a collective responsibility from both the police and citizens so that citizens can go about their normal duties in a free and safe environment.

Empirical findings have shown that an authority's legitimacy is linked to people's satisfaction with the procedural justice aspect of an encounter they have with authorities, including the police (Mazerolle, Antrobus, Bennett, and Tyler, 2013; Mazerolle, Bennett, Antrobus, and Eggins, 2012; Murphy, 2005; Tyler and Lind, 1992, 2001). It became evident from the study that when people are treated fairly, they tend to be more satisfied with authorities than when they are not treated fairly. Thus, a citizen of Ghana is likely to say that s/he has been treated with respect by the police if s/he was listened to in the first place, and his or her fundamental rights were highly respected and protected to the letter during any encounters (Pryce, 2016; Tankebe, 2008). When the majority of the civilians believe that the police dealt with them in a fair manner, they are more likely to trust the police, hold them in high esteem, and support and

co-operate with them during interactions (Sunshine and Tyler 2003; Tyler and Huo 2002; Tyler and Wakslak 2004; Palmiotto, 2017).

Thibaut and Walker (1975, cited in Pryce, 2016) also emphasised that when people are offered an opportunity to voice their opinions or whether they were treated fairly, they will judge the procedure and the outcomes of that procedure fairer and more positive even if the outcome did not go in their favour. In this situation the key factor shaping public perception about the police is the fairness of the processes that police officers use when dealing with members of the public. This reaction occurs both during individuals' personal experiences with the police and when the general public are making general evaluations and assumptions of the use of force situations and accountability based on specific incidents that have occurred in the past. Thus, policing is concerned about the preservation of valued way of life and protection of vulnerable in society against any threats that will be detrimental to their survival. Thus, the true meaning of policing is to ensure that there is absolute absence of threats in our public space (Reiner 2000, p. 89; Booth 2007).

Essentially, police officers in the developed and developing countries such as Ghana, India, South Africa and many others have responsibility to control crime, hold it in check, stop it from spreading and provide citizens with protection from law violators or individuals who refused to obey police orders or who resisted arrest (Reckless 1955; Pryce, 2016). Following a series of public demonstrations, ethnic violence and chieftaincy disputes in Ghana, which had often lead to injuries, loss of lives and damages to properties, often placed the police in a very demanding situation where most of the time they had no option than to use force or excessive force to bring a situation under control. Most often than not they are being accused of using excessive force or brutality even when they had no option than to use force to subdue subjects who posed as threats to them and other civilians. Though Ghana is privileged to have an active judiciary that shows great concern for the rights of citizens, the media too is independent and willing to confront the government and other security agencies for lack of professionalism. Also, there are robust civil society organisations and human rights activists that pursue use of force issues in Ghana. Sadly enough, little has changed, and this is reflected in the works of Atuguba and the UNDP Ghana country Report on issues such as use of force, excessive use of force, corruption, lack of accountability and unprofessional conduct among the police consistently undermine citizens trust in the police in Ghana (UNDP, 2007; Atuguba, 2007).

A critical case in point is the October 2018 students' demonstration that occurred at the Kwame Nkrumah University of Science and Technology campus in Ghana, where aggrieved students were demanding the removal of the Vice-Chancellor for what they considered to be his ineptitude and the decision to integrate traditionally all-male residential halls with the aim of increasing female intake into the university. This peaceful demonstration later turned into violence, as armed police officers clashed with the students who were going around destroying the university's properties and boycotting of lectures with the aim of preventing the university authority from implementing this policy (Ghanaweb, October 2018; The Daily Graphic, October 2018). Ironically, the ensued behaviour of these students was culminated with pelting of stones and sticks at the police and officers were forced to use water cannons, rubber bullets and CS spray in order to gain absolute control of a desperate situation. This typical incident falls in line with other studies where most often issues of this nature usually places officers in a threatening situation when making arrest and securing public safety and sometimes, they do so by applying force and is often perceived by the public as excessive or inappropriate (Fyfe, 1997; Alpert and Dunham, 2004).

In trying to understand the use of force powers in this situation and whether the force used was appropriate or inappropriate, it was found in the literature review that police officers are always open to criticisms and formal charges of misconduct regardless of how they handled a particular situation (Alpert and Dunham, 2004; Tyler and Wakslak 2004). The police are often accused of violating the legal rights of citizens and allegations of excessive use of force and aggressive behaviour have been levelled against them. Although some of these accusations may often be erroneous according to a reporter of the Daily Graphic, however it must be emphasised that police have the responsibility to use their legitimate authority within the prescribed legal and constitutional restrictions to bring threatening situations under control and that appears to be what the police did in this circumstance (The Daily Graphic Newspaper, October 2018).

Pollock (2012) uses Packer's (1968) crime control and due process model of the criminal justice system as a case in point to illustrate how the police role is more often seen as a crime fighter, where controlling crime is prioritised over other duties, than as a public servant whose primary mission is public service. Skolnick and Fyfe clearly stated the important aspect of the use of force: if some members of the society do not comply with law and resist the police, force will remain an inevitable part of policing. Anyone who fails to understand the centrality of force to police work has no business in police uniform (Skolnick and Fyfe, 1993; Hinton and

Newburn, 2009). Inferring from this assertion indicates that police officers face numerous challenges while exercising their legitimate obligations and sometimes it requires the use of physical force in order to control behaviour of others to ensure that there is peace and security in our society. It can be argued therefore that this authority is believed to be the key feature distinguishing policing from other agencies with the capacity to use legitimate force, including deadly force for the maintenance of law and order (Bittner, 1990; cited in Jones and Newburn, 1998; Palmiotto, 2017).

Even though opinions may differ more specifically on Skolnick and Fyfe assertion on legitimacy of the use force. Some critics believe that police actions and inactions must reflect on the legal principles of the use of force doctrine which gives clear guidelines on how far force could be used in certain situations against subjects who resist police orders (Kuhns & Knutsson, 2010). Consequently, the level of force that police are legally allowed to use to control and apprehend subjects who are perceived as threat to society is defined by law. For example, the verdict of the US Supreme Court - *Graham vs. Connor* (1989) and *Tennessee vs. Garner* (1985) give clear guidelines on how use of force can be applied in a threatening situation. In *Graham vs. Connor* (1989), the Court stated emphatically that the use of force in any arrest must be 'objectively reasonable' in view of all the facts and circumstances of each particular case including: the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officer or others, and whether the suspect is actively resisting arrest or attempting to evade arrest by flight (Alpert and Dunham, 2004: 21; Palmiotto, 2017).

Conversely, the difficulty associated with the discussion above is the objective reasonableness, which practically seems contentious especially where an officer needs to apply a split-second decision in order to bring a threatening situation under control, as everyone perceives situations differently. As Adams (1985, p. 63) puts it, 'even when a situation appears unambiguous to some, their views may not be shared by others'. In other words, what one considers reasonable might not be reasonable to another. For instance, Judges may apply standards to determine whether force used by an officer was appropriate or inappropriate, the police administrators may apply professional conduct to determine the same issue and the public may also apply common sense and emotions to express their views on whether the force used by an officer was reasonable or unreasonable. All these demonstrate that the use of force is not an isolated issue in law enforcement actions, though it is linked to police work, but it must be justified by law.

Kuhns & Knutsson (2010) indicate that “police officers are expected to use individual judgment in applying force while at the same time working within appropriate legal and organisational parameters” (Kuhns & Knutsson, 2010: 6). They however argued that when police misused force, it challenges public trust and threatens legitimacy of policing delivery services. In this sense, police officers’ functions can be viewed as being engaged in a continuous balancing act in which concepts like service, judgment, fairness, and justice are weighed against the use of force principles, abuse of authority, lack of accountability and other concerns that might impact the ideals of legitimacy in a given democratic society (Kuhns & Knutsson, 2010).

It is acknowledged that recent media condemnations as well as some security experts’ objective criticisms against the police have exposed serious gaps in the existing operational policies, strategies and approaches applied by the Ghana Police Service on crowd control. This came to light during policing of public demonstration by a pressure group - Let My Vote Count Alliance and the May 9, 2001, Accra Sports Stadium disaster in which 126 people died due to police indiscriminately firing of tear gas in order to maintain law and order (BBC News/Africa, 2001; The Africa Report, 2015). It is alleged that the protesters of the Let My Vote Count Alliance were on their way to petition the independent electoral commission chairperson, Shallotte Osei to ensure that a new voters' register is used ahead of the 2016 general elections. However, while approaching the Commission’s premises the demonstrators were whipped, tear gassed and shot with rubber bullets after they allegedly diverted from the approved route for the march. Reports also indicate that about 20 activists including a leading executive member of the New Patriotic Party (NPP – a party in opposition then), Gabby Otchere-Darko were arrested and manhandled leading to scores of injuries (The Africa Report, 2015). This violent behaviour nonetheless calls for a critical evaluation of the Ghana Police Service’s mode of operation on use of force during public encounters and impress upon measures that could be taken to reduce the use of force.

Research shows that in the developing countries there is what we call ‘regime centred’ policing especially in countries that were colonised by the British. Police in these countries have been accused of brutality, misconduct, corruption, failure to perform basic tasks, refusal to register complaints, excessive use of force, poor investigations skills, impunity, torture, bias, partisan, callousness to complainants and a failure to provide adequate security to the people (Aning, 2006, UNDP, 2007, Tankebe, 2008, Hills, 2000; Commonwealth Human Rights Initiative /Uganda, 2007). For such countries to catch up with the rest of the developed democracies such as the UK and US, any operational policing strategy that the police adopt must focus on the

operational environment based on sound democratic policing principles that do not infringe on the rights of individuals, while at the same time protecting the vulnerable and marginalised in society against any other threats of violence. Such a strategy must be supported by enabling democratic and legal principles such as fairness, reasonableness and proportionality which are weighed against the use of force doctrine. In short, police officers in developing countries such as Ghana, must hold their offices on trust by strictly adhering to established codes of conduct that will not only increase their professional ethos but also ensure that citizens continue to have trust in the organisation.

In the attempt to draw a contrast between the police in developing democracies (in this context Ghana) and the developed democracies the difference will not be exaggerated. This stems from the fact that developed countries use the police to control crimes, protect citizens from violators of the law, protect citizens rights, and contribute to public order maintenance (e.g., mediating and arbitrating disputes, regulating traffic and helping in emergencies). These functions are similar to that of the police in many developing democracies such as Ghana. In the past, the police were central elements of democratic societies, and they continue to play the same role and even bigger role than in the past. Indeed, one element in defining such a society was or is a police service that is subject to the rule of law, rather than the wishes of a powerful leader or a ruling government and its officials; and the police can intervene in the lives of citizens only under limited and carefully controlled circumstances and they are publicly accountable (Das & Marenin; 2000; Reiss, 1992; Walker, 1977; Oppong, 2011). However, conditions under which police officers operate, the means they use and the ends they seek vary greatly between the developed and developing countries. For instance, unlike many developed countries, the police in many developing countries struggle to provide accurate and reliable data on use of force situations, lack research resources, have varying culture-specific definitions of policing and in many cases, seriously under-report certain types of force used such as officer presence, verbalisation, empty hand control, less lethal force and lethal force (Higginson, 2013).

Generally, researchers have highlighted the reasons for relying on comparative criminology in order to understand the relevance of use of force powers, excessive use of force, cross border crimes, policy making, and investigating another country's policing system and adapting it into one's own system. For instance, institutions like the police in developed countries such as the UK, US and Canada have found a way to improve police-citizens relations, relying on policing by 'consent' (UK context), check criminological theories in a different country's context, and where they originated for proper policing system. This doctoral thesis provides a robust

justification for a review exclusively focused on the developing countries (such as Ghana, South Africa and India) and developed countries (the UK and US) evidence; as those strategies that have been considered successful in policing and use of force situations in the developed countries are not necessarily applicable in developing countries, as the latter often have low police professionalism, different cultural and linguistic backgrounds, poor relationships between the police and citizens, under-equipped and unstable political and socio-cultural situations, and in some situations, low community enthusiasm and participation (Eijkman, 2006; Frühling, 2007, 2011; Higginson, 2013). It is in the light of this that the research for this doctoral thesis critically examines the Ghana Police Service's mode of operation specifically on the use of force and examines measures that could be employed to reduce its occurrence during police-citizen encounters.

2.3: Police use of force

Basically, the role of the police in our various societies is one of authority with the right to use force in specified circumstances to fulfil their legally mandated obligations of maintaining law and order in our society. This follows on from the earlier works of Bittner (1975) where he defines policing as the application of the state's claim to the monopoly of force. Bittner emphatically stressed that police are defined by their capacity to use force, including deadly force. According to him, the use of force is at the core function of the police role and their authority to use force or excessive force against civilians who refused to obey police orders or attempted to escape arrest, is what sets them apart from every other security agent of government, including the military. Bittner further argued that it is the use of coercive force that distinguishes the field of policing from all the other professions (Pete & Fridell, 1993). As phrased by Klockars (1985: 9 -10), "no police anywhere have ever existed, nor is it possible to conceive of some genuine police ever existing that does not claim a right to compel other people forcibly to do something. If it did not claim such a right, it would not be a police officer". It is in light of this that the use of force powers can be considered as the biggest difference that distinguishes the police from other security agencies and the rest of the citizens.

The defining feature of the police is their capacity to use force, including deadly force (Bittner, 1990), which describes their unique role in society (Crank, 1998), and is the subject of research in the US, UK, and Canada (Manning, 2005; Manzoni & Eisner, 2006; Palmiotto, 2017; Philips, 2010). In the views of Philip's, force includes officer's presence, verbal commands, or physical controls, non-lethal method to lethal force (Garner, Buchanan, Schade, & Hepburn, 1996; Philips, 2010). As a result, the use of force is assumed to be constrained by the force

factor, a continuum for determining the use of force relative to the actions of a citizen (Alpert & Dunham, 2004). For example, if a suspect used verbal resistance an officer might use strong language. If a suspect physically resists an officer by struggling when being handcuffed an officer might use a 'takedown' approach to control the suspect. However, there is a reason to question if the force used by the officer is completely acceptable and can be justified in any court of competent jurisdiction. Research suggests that use of force is acceptable in police work as they perform their duties in a legitimate work environment (Philips, 2010; Manning, 2005; Palmiotto, 2017).

The United States Civil Rights Commission (1981: 481 – 482) stated the following about the police: “police officers possess awesome powers. They perform their duties under conditions with the public eye upon them. Police officers are permitted only a margin of error in judgement under conditions that imposed high degrees of physical and mental stress. Their general responsibility to preserve peace and enforce the law carries with it the power to arrest and to use force -even deadly force”. In principle, the use of force can be justified in law enforcement only when it is necessary to achieve a legitimate course such as making an arrest, detaining a suspect, or protecting an officer or others from threatening situations. However, the amount of force used should not exceed what a reasonable person considers as necessary or reasonable, as incidents of use of force are often interpreted differently by both the police and the public, resulting in the public perception that the police abuse this power and use it inappropriately against citizens who have no such powers to protect themselves (Alpert, 1994; CHRI, 2007).

Clearly, police officers have the authority to use force to control crimes in society, to maintain law and order and apprehend suspects who refused to obey police orders. Despite its relevance in the work of the police, it is argued that due to the negative effect that usually characterised use of force and its associated consequences due to its complex nature, which requires a subtle judgement in determining its reasonableness, it appears the decision to use this legitimate authority typically rests with an individual officer, as there are various challenges that they face when it comes to when and how to apply force (Parry, 2017; Palmiotto, 2017). For example, an officer's decision to apply force is occasioned sometimes due to citizens' inability to cooperate with the police or follow orders or due to how officers perceived the situation and the level of threat that posed to them and others in society (Waddington, 1999; Palmiotto, 2017; Belur, 2010). Therefore, it can be argued that the use of force powers seems to be the most difficult and controversial decision that an officer will make during his/her duty regarding the

use of force doctrine, which regulates actions of the officer and balances security needs with ethical considerations for the rights and well-being of citizens (Skolnick and Fyfe, 1994).

Alpert and Dunham (2004) reaffirm this assumption and stress that the police are well trained in the use of force and that they will continue to use their skills and ability to accomplish their obligations, while using minimum force where necessary to restrain subjects who refused to comply with officers' directives during encounters. This shows that use of force is unavoidable in policing and forms a coherent pattern in the work of the police. In certain situations, officers' or bystanders' lives may be taken if officers failed to use force where it is appropriate or using it inappropriately. They however argue that while police have the right to use force, it appears the boundaries between the application of lawful force and unlawful force remained unclear in assessing the level of force that would be acceptable in certain situations more importantly if this authority is believed to have been misused, it can have serious implications for public trust especially if it appears to have been used disproportionately or unreasonably (Alpert and Dunham, 2004; Philips, 2010).

According to the International Association of Chiefs of Police (IACP), physical force is used as a technique designed to gain compliance from suspects who are posing resistance and who represent a threat to the safety of the public (IACP, 2012). Researchers have chronicled less humane motives for officer's use of force, such as punishing offenders who they perceive to disrespect either the officer or the department, gaining status within the department, punishing those seen as guilty, as well as the release of built-up emotional stress or frustration (Hunt, 1985; Skolnick & Fyfe, 1993; Van Maanen, 1978; Westley, 1953; Parry, 2017). Legitimately, these other reasons and motivations for police use of force are often denounced by departmental administration as not typical practice and against official policy (Skolnick & Fyfe, 1993). When an officer wishes to use force, several things come into play. These include whether or not the force used is appropriate, whether or not the officer has been adequately trained to use force, and whether or not the police would be found responsible if the force used is inappropriate?

Research suggests that police use of force has been defined differently among police officers, researchers, medical professionals, government agencies and the general public with no single definition accepted amongst all. According to Mitchell (2000), police use of force is defined as any act of unmerited excessive force, aggressive behaviour, physical, mental or emotional abuse, above and beyond the law, enacted upon by an individual or groups of individuals in law enforcement (p. 2). This definition is critical due to its incorporation of not just physical

force but also mental and emotional abuse that is often unaccounted for. Mitchell further intimated that police physical abuse can have serious detrimental effects and can undermine individual's physical well-being. According to Mitchell, while police use of force can come in various physical forms, physical injuries may develop from the officer's action as serious as shootings and baton beatings to restraint holds. "Police physical abuse can result in skin abrasion/laceration, bone fracture, asphyxiation, parenchymal nerve injury, skull fracture, epidermal & subdural hematoma, pneumothorax, and haemothorax" (Mitchell, 2000: p.2).

Research suggests that physical abuse can have damaging negative consequences to the body, and this can contribute to a traumatic experience for the victim due to the psychological effect associated with it which is quite detrimental and can become a stigma. When issue of this nature occurs, citizens begin to lose confidence in the police and instead begin to have a negative perception about them. Mitchell (2000) further argues that "the psychological trauma that victims go through can also manifest itself in many ways such as stress, anxiety, fear, paranoia, distrust, insomnia, anorexia, and depression" (p. 2). It was that psychological stress in general often consumes many areas of life including job performance, ability to sustain employment, and everyday interactions with family and people in the community (Mitchell, 2000).

Families of the fatally injured victims often suffer many of the same psychological traumas as most of the victims were the breadwinners in the family. For example, following the 2001 Accra Sports Stadium disaster in which about 126 people died, due to police indiscriminately firing of tear gas, the affected families who lost their dear ones, had to appeal to the state government for financial support to look after the affected victims' children. According to the family members, the victims were the breadwinners in the family and once they are no more their daily up-keeps have become their responsibility. In view of this, they appealed to the government for support and a National Fund was set up to cater for the victims' children from the basic school to senior high school. Surprisingly, the government could not sustain the fund and these children have now become a burden to the affected victims' families.

Indeed, the term use of force in this situation appears to be problematic and defining it involves value judgement. Accordingly, various criteria could be applied to an instance of uses of force depending upon who is making this judgement and also the context Adams 1999: 62). As Bittner puts it, the use of force is at the core of the police role, however, the true skill of a well-trained police officer is the ability to accomplish its legitimate duty while avoiding the use of

force or excessive use of force or only using minimal levels of force as situationally demanded (Bittner, 1975, 1990). Indeed, the use of force is not necessarily synonymous with excessive force - it has more to do with perception of the observer of what is considered unacceptable behaviour. As some of what may be considered excessive force (for example, use of abusive language) is not necessarily excessive force and in certain circumstances use of force as what the law defines as excessive may be perceived by the observer as justified and thus, not an instance of police uses of force.

In an attempt to identify when police use of force becomes excessive or unreasonable, it was found in the literature that no single definition of excessive use of force exists (Garner, Maxwell, & Heraux, 2002; Terrill & Mastrofski, 2002). Scholars often rely on an inaccurate measure of force, such as the use of complaints against the police, because they lack a clear definition of excessive force (Adams, 1999). Others use subjective measures, such as citizens' perceptions (Durose, Schmitt, & Langan, 2005). 'Excessive use of force' is described as using more force than necessary to gain compliance in an incident (Adams, 1995, 1999; Worden, 1995). By this standard, an officer might use reasonable force, but at some point, in the encounter the officer goes beyond reasonable force (Alpert & Smith, 1994). 'Unnecessary force' is described as the force that precedes citizens' resistance or continues after a citizen has stopped resisting (Adams, 1999; Worden, 1995). By this definition, an officer may use physical force against some types of suspects before it is justified or 'beat' a suspect who is under control (Skolnick & Fyfe, 1993).

Scholars seek to explain the variation in the use of force by examining the relationship between force and the characteristics of a suspect, the officer, or situational characteristics of an incident. Recent studies examined the relationship between police belief systems and use of force (Terrill & Mastrofski, 2002; Terrill, Paoline, & Manning, 2003). Most use of force studies focus on legitimate force officers might use as part of their work environment, rather than excessive force (Garner et al., 2002, for a review), but there are exceptions (Carter, 1985; Friedrich, 1980; Worden, 1995; Philips, 2010). The ability to use force may be a central feature of policing, however, physical force is not often used by police officers (Adams, 1999; Langan, Greenfeld, Smith, Durose, & Levin, 2001). When force is used the level can be characterised as excessive in only a few of the police-citizens incidents (Skolnick & Fyfe, 1993).

In recent times, due to several controversial use of force incidents across the world, police use of force has received public reactions by both politicians, and academia and even across the

media landscape. Court cases such as the US jury verdict on April 20, 2021 regarding Derek Chauvin who was found guilty of murder over the death of George Floyd, Rodney King incident in 1991, Tennessee vs. Garner (1985) and the US Supreme Court verdict on Graham vs. Connor (1989) have all demonstrated that law enforcement officers have violated their departmental policies and procedures in using force, and this has prompted a critical review of the use of force prevention and training concepts (Palmiotto, 2017: 170; Bella, Bellware and Kornfield, 2021). Such concepts demand immediate reassessment in a broader scale from recruitment, selection, discretion, ethical standards, and retaining of personnel who will apply use of force powers appropriately and will minimise any potential problems with the citizens in mind.

According to Hinton and Newburn (2009), the coercive capabilities of the police highlight the tension that present in both the developed and developing countries context between the state's power to compel through force and representative, consensus and liberal character. Considering the centrality of the police to newly emerging democracies, as the police are themselves a reflection of the fairness of government and criminal justice system, it is worth mentioning Sen's (2010) features of democratic policing. Sen argues that democratic policing is both process and an outcome with the following features: fairness. The major features of democratic police are fairness, unbiased, accountable and willing to consent to the security needs of the citizens (Hinton and Newburn, 2009; Sen, 2010). On the other hand, Goldstein (1997: 1) indicates that, 'the police, by the very nature of their function, are an anomaly in a free society...The specific form of their authority – to arrest, to search, to detain, and to use force, including deadly force – is awesome in the degree to which it can be disruptive of freedoms, invasive of privacy, and its impact upon the individual. 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.' This implies that the authority to use force in order to gain citizens compliance and to protect their rights contains real potential for the abuse of this power and this appears to be a global issue (Kuhns and Knutsson, 2010).

Arguably, police functions are bound to be contentious and imperfectly aligned with a broader procedure and practices in a given democratic environment especially the use of force. Unlike the developed countries where reports regarding over policing, under protection, racial and ethnic profiling, lack of respect for legal procedures, submission to political pressure, and arbitrary and abusive practices are quite unusual. Consequently, if these issues are found to be the major challenges in developing countries, then, the study of policing and use of force is

quite crucial, as the majority of the world's population is concentrated in these countries, and therefore, deeper knowledge and understanding of conditions pertaining to the use of force are quite critical to individual's security needs (Hinton and Newburn, 2009). It is of worthy to note that one of the major challenges involved in conducting comparative study specifically in the developing countries is lack of statistical data, as much of the literature on use of force is often not available in a published, peer-reviewed journals and often essential information are not reported.

The paucity of data in this field of endeavour gives credence to the fact that no systematic review has combined investigational evidence in developing countries on the use of force and its associated complexities especially in Ghana. As such, this study is considered as urgent and important enough to warrant a full systematic review of police use of force and how it could be minimised during police-citizen encounters (Tankebe, 2011; Willman & Makisaka, 2010; Bennett, 2004).

Consequently, in order to understanding how various policing systems work (in terms of use of force) one can propose effective linkages among those systems for effective control of global use of force issues. In the light of this comparative research will enable us to understand how policing systems specifically the use of force is exercised in advanced democracies and devise strategy for helping developing countries to strengthen their policing systems and use of force for best practices. Similarly, comparative studies allow for the examination of variable that have limited range within a particular source (country). For instance, policing systems varies in almost all the countries in the world, however a theory can be developed from comparative research because theory can be tested in varying environments and then modified or adapted to explain similar policing systems worldwide, or a theory can be considered as a limited ad hoc explanation of a culture-bound phenomenon (Bennett, 2004).

Additionally, comparative research will shed light on today's most pressing global use of force issues, as the inherent difficulties of use of force in developing countries contexts can certainly be reduced due to developed countries influences and a shift in their policy direction from the state-centric to people-centred approach in their policing systems (Kaldor, 2007; Palmiotto, 2017; Hinton and Newburn, 2009; Bennett, 2004). The study also indicates theoretical models developed in the UK and US concerning police use of force specifically in the case of the UK, policing by 'consent' (in the case of the UK) fits well when applied to developing countries (Bennett, 2004). Thus, considering the development and operationalisation of various policing

systems and the use of force issues throughout the world, and theorising the similarities across both the developed and developing countries, a comprehensive policy on use of force could be developed to minimise the phenomenon.

2.4: The use of force continuum

Arguably, police use of force can be interpreted differently depending on the situation at hand, however there are other critical issues that deserve proper attention; the difficulty to examine the nature, the extent, and the causes as well as determining whether the force used was appropriate or inappropriate and who were at the receiving end of the continuum – the poor and marginalised who usually become victims of this circumstance (Worden, 1995; Geller and Toch, 1995: p. 99-112) need to be examined properly. These fundamental issues require urgent attention specifically if the use force by the police will continue to be considered as part of police work. Therefore, it will be professionally wrong and unethical for the police to assume that the only way by which they can achieve their lawful duty is the application of force, while there are other means such as the force continuum mechanisms and the organisation's codes of conduct which the police can explore when dealing with the public without necessarily using force.

The use of force powers could be conceived as a continuum, “consisting of a range of control tactics commencing from body language, oral communication through physical control, to non-lethal weapons, and finally to lethal measures” (McKenzie, 2000;182). The force continuum was implemented as a guideline to afford police officers the chance to understand procedures involved when using force against subjects who may refuse to comply with police orders or resist arrest during encounters. The guideline was designed to facilitate an officer's understanding of what ‘reasonable’ or ‘necessary’ force means and seeks to clarify how much force is acceptable. This guideline offers both the police and citizens an appropriate explanation regarding the amount of force that an officer could legitimately use in a specified circumstance, and as a policy guideline to resolve any acrimony that may occur as a result of exercising this legitimate power (National Institute of Justice - use of force continuum, 2009; Palmiotto, 2017: 29).

The continuum of force

<i>Non-violent options</i>	<i>Tactical communication</i>
<i>Use of physical force only</i>	Ranging from restraint techniques up to defensive strikes
<i>Non-lethal options</i>	Handcuffs
	CS spray
	Batons
	Use of dogs
<i>Less-lethal options</i>	Plastic baton rounds
<i>Lethal options</i>	Firearms

The table above was derived from the main options available to the UK police officers. Source: Newrout and Beckley (2012), Policing, Ethics and Human Rights; Routledge Publication, Third Avenue New York.

Wellentine (2009) provides a common-sense approach to police officers in their use of force powers. In his view, the best approach for use of force decision making is a solid understanding of the law governing the use of force, linked with sound threat assessment skills and adequate training on use of force procedures, specifically on the continuum of force guidelines. He however recommended that obtaining the advice of the department's legal counsel can provide officers with the legal understanding of risks involved in decision making, deficiencies in departmental policies, and constant training pertaining to use of force will help officers to be circumspect when using force during encounters. Similarly, Garner et al., revealed interesting data of the use of force. Researchers in their study about use of force continuum stated the following: "force is a continuum and that understanding the use of force by and against the police requires systematically and collected representative samples of incidents where different amount of force – including no force at all – are used" (Garner et al., 1995: 165, cited in Palmiotto, 2017: 26).

The researchers provided significant recommendations of the use of force; there are times when force may be used with no arrest being made, and that the arrest involving physical force are higher than reported in police-citizens encounter studies (Garner et al., 1995: 165). It has been argued that the use of coercive force is what distinguishes the field of policing from all other professions, including the military (Pete & Fridell, 1993). As phrased by Klockars (1985: 9 - 10), "no police anywhere have ever existed, nor is it possible to conceive of some genuine

police ever existing that does not claim a right to compel other people forcibly to do something. If it did not claim such a right, it would not be a police officer”. It is for this reason that the use of force powers can be considered as the biggest difference that distinguishes the police from other security agencies and the rest of the citizens in our society.

2.5: The legal basis for the police use of force

United States of America (USA)

While there is no universal agreement on police use of force, most police departments have policies set in place expressing when and how force can be employed against citizens who are perceived as threats to society (IACP, 2001; Terrill & Paoline, 2013; Parry, 2017). In view of this the US Supreme Court offered guidelines on assessing the appropriateness of ‘reasonable force’ that an officer can apply in a threatening situation for the maintenance of law and order (Graham vs. Connor, 490 U. S. 386, 1989; Tennessee v. Garner, 471 U. S. 1, 1985). In Tennessee vs. Garner (471 U.S. 1, 1985), the Court dictates when officers may use lethal force against citizens, specifically, it requires that for lethal force to be justified a citizen must pose a significant risk to the safety of the officer or others.

The US Constitution, for example, the 4th, 8th and 14th Amendments pronounced the treatment of citizens when suspected of crime during and after arrest or while in custody. In Graham vs. Connor (490 U.S. 386, 1989) the Court set up an “objective reasonableness standard” for the use of force by law enforcement officials under which their actions could be judged. Pronouncing his verdict, Chief Justice Rehnquist stated that police officers must consider three things when using force against a suspect: “the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he is actively resisting arrest or attempting to evade arrest by flight.” While officers are asked to take many factors into account when using force, their actions are judged by the Court on a case-by-case basis, examining the totality of the circumstances but heavily weighing the perceptions of the officer in the situation. In principle, the fundamental issue underlying the US Supreme Court decision dictates that any amount of force used by an officer must be objectively reasonable, and the officer must be able to prove beyond any reasonable doubts whether the amount of force used will be acceptable in any court of competent jurisdiction. In this sense, the court must always evaluate the Constitutional limits on use of force as stated in the Fourth Amendment of the US Constitution (cited in Palmiotto, 2017; 27).

Similarly, the origins of citizens' rights in the US society are established in the US Constitution, specifically in the Bill of Rights, which constitutes the first ten amendments of the Constitution. The Bill of Rights was adopted to protect citizens from governmental abusers from the federal government and their agents. This is similar to that of Canada, where the Constitutional Act of 1982 refers to Section 7 through to 12 of the Charter of Rights and Freedoms that constitutes Part 1 of the Act, setting out use of force components that apply to government and citizens' relationships. The Constitutional legislation in developed democracies creates citizens' rights and freedoms that override any other legislation that does not conform to the Constitution (Palmiotto, 2017). However, despite its policy guidelines, the most critical issue relating to the US Supreme Court guidelines go beyond 'reasonable' force, as there are many explanations and factors that worth considered, including a high violent crime rate, organisational culture, tough-on-crime politics, residential segregation, gun-culture, poor officer training, situational and individual factors and inadequate screening of police recruits (Byrd, 2017; Garrett and Slobogin, 2017).

Consequently, after the Rodney King incident in the early 1990s, law enforcement agencies across the country began to re-evaluate their use of force policies and training. Many officers had to change their beliefs about the treatment and mistreatment of suspects. A Gallup poll in March 1991 concerning mistreatment by police in the US and the use of excessive force during encounters with the public, asked respondents if they had ever been abused or mistreated by the police. Of the respondents, 5% of the total polled and 9% of minorities said they had been abused or mistreated. In addition, 20% said they knew someone who had been physically abused by the police (Alpert & Smith, 2001). These numbers indicate an alarming trend of mistreatment by police and the use of excessive force during civilian encounters. The public outcry over the 1991 Rodney King incident and others thrust police conduct regarding the use of force into public scrutiny.

Recent events in the US have also underscored the fact that the police in the US resort to force, including deadly force, far more often than in many of the other developed countries (Cheatham and Maizland, 2021). This is because the law governing the use of force which was derived in large from the Fourth Amendment to the US Constitution, prohibits unreasonable searches and seizures, as interpreted by the US Supreme Court, however the law provides police flexibility in using force, including deadly force, making custodial arrests, and stopping and searching individuals. Garrett and Slobogin (2017) note that there appears to be enough room for the State and local police departments to come up with more restrictive laws and regulations, but

they often fail to do so. The remedies for violations of these rules, according to the scholars are weak. The civil and criminal sanctions have significantly been limited by the Supreme Court, particularly through the doctrine of qualified immunity (Sobel, 2020). Evidently, this minimal regulatory regime is one reason police-citizens encounters in the US more often result in deaths or serious physical bodily injuries, especially the black minorities.

England and Wales

Currently the law allows the police in England and Wales to use reasonable force when necessary, in order to carry out their role of law enforcement. In England and Wales, the use of (reasonable) force is provided to police and any other person under Section 3 of the Criminal Law Act 1967, which states: "A person may use such force as is reasonable in the circumstances in the prevention of crime, or in effecting or assisting in the lawful arrest of offenders or suspected offenders or of persons unlawfully at large". Persons serving with the police (as with all citizens), may use such force as is reasonable in the circumstances for the purpose of self-defence, defence of another, defence of property, prevention of crime, and lawful arrest. Additionally, the Crown Prosecution Service (CPS) states that where force is alleged to have been used in the prevention of crime or for the arrest of an offender, necessity may not equate with reasonableness. Therefore, the following factors must be considered when force is being used: the nature and degree of force used, the seriousness of the offence which is being prevented or in respect of which an arrest is being made, and the nature and degree of any force used against an officer by a person resisting arrest. Information about guidance or training which an officer has received may be used to assist in determining what is reasonable (IPCC, 2015: 6; Varghese, 2010).

Police officers are also guided by three core questions when determining when, and to what extent, force may be used and this should be considered alongside the 'Ten Key Principles Governing the Use of Force by the Police Service'. These are: Would the use of force have a lawful objective (e.g., the prevention of injury to others or damage to property, or the effecting of a lawful arrest) and, if so, how immediate and grave is the threat posed? Are there any means, short of the use of force, capable of attaining the lawful objective identified? Having regard to the nature and gravity of the threat, and the potential for adverse consequences to arise from the use of force (including the risk of escalation and the exposure of others to harm) what is the minimum level of force required to attain the objective identified and would the use of that level of force be proportionate or excessive (IPCC, 2015)?

Manning (1977: 40) argues that British policing is synonymous with “legal monopoly on violence and is protected to the point of legal sanctioning for the use of fatal force”. However, this assumption appears to be polemical in the sense that the British police do not have a legal monopoly of violence, rather they have greater legal powers than ordinary citizens which have been granted to them by the state (Criminal Law, Act 1967, section 3), but these powers are subject to justification. For example, when an officer wishes to use force, several things come into play. These include whether or not the use of force is appropriate, whether or not the officer has been adequately trained to use force, and whether or not the police would be found accountable if the force used is inappropriate? This suggests that in England and Wales the police are not necessarily protected for the use of force or deadly force and their protection is dependent to a larger extent on the circumstances surrounding the incident at stake.

For instance, the Criminal Law Act, 1967, section 3 in England and Wales does not exonerate police officers from using this power unlawfully, rather it reinforces the police to be more accountable to the public especially when a citizen files a complaint against officers for abusing his or her fundamental rights (Human Rights Act, 1998). Police officers are not necessarily protected for the use of force or deadly force as they are not above the legal sanctity of the regime, and their immunity is dependent on the degree upon which the use of force was exercised. For example, in August 2012, a police officer at West Midlands was found guilty of attacking a teenager whom he wrongly suspected of drugs offences, using force which the Judge said, was totally unnecessary. Therefore, the justification for use of force can be considered as the most relevant decision-making tool that every officer would consider before force can be applied (Palmiotto, 2017; Wittie, 2013; www.bbc.com, August 2, 2021).

The legal framework for the police use of force in Ghana

Article 15, section 1 of the 1992 Constitution of Ghana explains that (1) “the dignity of all persons shall be inviolable, (2) No person shall, whether or not s/he is arrested, restricted or retained, be subjected to – (a) torture or other cruel, inhuman or degrading treatment or punishment; (b) any other condition that detracts or is likely to detract from his dignity and worth as a human being.” So, neither the police, National Investigations Bureau (NIB) nor the public effecting arrest have the authority to abuse citizens’ fundamental rights or liberties. When any court of competent jurisdictions rule on any point of law, their primary focus will be on comparing the situational circumstances of the matter before them to constitutional correctness. Thus, the level of force that police are legally allowed to use in certain situations

to control and to apprehend a suspect is defined by the legal system (The Constitution of Ghana, 1992, Act 15, section 1).

While democratic policing legislative frameworks regularly contain a statement of police values, this is clearly absent in the Ghanaian context. Something close to it appears to have rather been provided, not in law, but in a May 2010 Ghana Police Manual under the heading: *“policing in a democracy, ethical and legal conduct.”*

It states as follows:

- i. Police officers must behave impartially and in conformity with applicable legislations which must be applied without prejudice to all manner of persons.
- ii. Police officers must honour and defend human integrity, as well as preserve and safeguard the rights of all people.
- iii. Police officers must carry out their duties without favouritism or bigotry against others.
- iv. All offenders must be treated politely, fairly, and appropriately by police officers.
- v. Officers of the law must honour and enforce the rule of law.
- vi. Police officers must ensure that they treat all people with respect and that their behaviour is admirable and compliant with the demands of the career and the society they serve.

The Ghana Police Service regulates its officers by the Police Service Act 1970 (Act 30), Police Service Regulation 1974 (L.I. 880), Constitutional Instrument (C.I. 76) and the Police Force (Disciplinary Proceedings) Regulation 1994 (L.I. 993). However, the Service Regulations outlines standards of conduct whiles the Police Force Regulations defines the process for disciplinary measures against officers of the organisation. In addition, the Commonwealth Human Rights Initiative (2007) report argues that since Ghana is part of the international community, international agreements that govern policing, such as the UN Code of Conduct for law enforcement officials 1979 (section 3) and to which Ghana has subscribed to should be reflected in Ghanaian law and practices.

Currently, laws governing the use of force situations can be found in a series of constitutional legislations and regulations, in particular the Criminal Procedure Code, 1960 and the Criminal Offences Act, 2012. Ghana also has separate regulations for police use of force: Police Force

Regulations 1922 (No. 7). Under Section 36 of the 1960 Criminal Procedure Code, which governs the use of force in arrest, detention, or recapture of any person according to law.

The Act states as follows:

Whoever by law may, with or without warrant or other legal process, arrest and detain another person may, if the other person, having notice or believing that he is lawfully arrested, avoids arrest by resistance or fight or escapes or endeavours to escape from custody, use any force which is necessary for his arrest, detention, or recapture, and may, if the arrest is made in respect of a criminal, use of force, including deadly force, if s/he cannot by any means otherwise be arrested, detained, or retaken (<https://www.policinglaw.info/country/ghana>).

Apart from the section 36, there are serious concerns about the permissiveness of the right to use force to disperse an unlawful assembly, as set out in section 37 of the 1960 Criminal Procedure Code: *For the prevention of, or for the defence of himself or any other person against any crime, or for the suppression or dispersion of a riotous or unlawful assembly, a person may justify any force or harm which is reasonably necessary extending in case of extreme necessity, including deadly force (Criminal Procedure Code of Ghana 1960, Act 29, section 37)*. These legal provisions thus provide a wide array of powers to the police without providing limitations to the extent to which force could be used.

The law also grants extraordinary discretionary powers of arrest to police officers. General powers of arrest are, for example, provided to the police in the Criminal Procedure Code (1960, Act 29). Section 36 states that a police officer may arrest a person without obtaining a warrant if there is reasonable cause to believe that the suspect has an intent of or about to commit a crime. Section 10 of the Criminal Procedure Code 1960, Act 30 states: *any police officer may arrest without a warrant ... such person of having committed an offence or of being about to commit an offence, where there is no other practicable way of preventing the commission of the offence or of being about to commit an offence, where s/he finds such person in any highway, yard, building or other place during the night or of being a person for whom a warrant of arrest has been issued by a court*. The law thus, leaves the determination of grounds for arrest entirely at the discretion of the police involved. What constitutes ‘reasonable or necessary’ force is not spelt out and is said ‘to depend upon circumstances of the particular situation’ (Commeey, 2020; Parry, 2017).

Furthermore, Section 4 of the Criminal Procedure Code 1960, Act 30 extends this discretion and stipulated that no formal complaint is necessary for an officer to make an arrest under this

clause, neither is it necessary that an offence be committed before an arrest can be made (CHRI, 2006; www.police.gov.gh). Police even have the authority to make preventive arrests in order to avert suspected future offences. At the same time, Article 14 (2) of the 1992 Constitution of Ghana guarantees that a person who is arrested, restricted or detained shall be informed of the reasons and of his right to a lawyer, all of which must be communicated in a language that he understands. In addition, no person under any circumstances shall be subjected to torture or other cruel and inhuman treatment. Also, the Police Service Act 1970 (Act 350) gives officers instructions on the use of firearms in section 97 of the Police Service Instructions (CHRI, 2006).

The Standard Operating Procedures (SOP) of the Service (GPS-SP004-15) refers to the use of force by the police. It is important to note that, the Standard Operating Procedures (SOP) also spells out requirements necessary to be met when justifiable force is used: It also states that the use of such force should be justifiable when:

- *Defending themselves and others against imminent threat of death or serious injury*
- *Preventing the commission of a serious crime*
- *A person resists arrest, fights, escapes or endeavours to escape from lawful custody.*
- *The force will be in proportion to the seriousness of the offence and the legitimate objectives to be achieved.*
- *The force will be minimised to preserve human life.*

One would have expected that if the Ghana Police Service had followed their specified slogan, ‘Service with Integrity’ the above code of ethics, and legal frameworks they would have been a world class institution within the sub-Saharan African and beyond. Contrary to this expectation, and unfortunately, non-adherence to such democratic values has been a defining characteristic of Ghanaian policing for many decades (Boateng & Darko, 2016; Tankebe, 2008a). As a result, Ghana's police have been accused of undemocratic activities, and their excessive use of force has been a source of concern for many security experts, citizens and the media in recent years. The Ghana Police Service is widely regarded as the most despised state agency in the world, owing to widespread corruption, lack of accountability, partisan and continuous use of force, including deadly force (GNA, 2014; Daily Graphic, 2017; Daily Guide, 2011; Osei-Adubofour, 2017; UNDP, 2007).

Indeed, the scantiness of this rule is demonstrated by incidences such as the May 9, 2001, Accra Sports Stadium disaster in which about 126 people died due to police indiscriminately firing of tear gas during a local match in Accra (BBC-News/ Africa 2001). Other examples include April 21, 2006, in which four persons were shot and killed by police officers at Dansoman Estates in Accra as well as the July 17, 2018, shooting incident that occurred at Manso-Nkwanta in the Ashanti region in which seven unarmed civilians were shot and killed by armed police officers under the pretext that they were armed robbers (Graphic Online; July 2018). These incidences coupled with others give credence that the GPS nature, character and mode of operation of modern-day policing has not changed from that of the colonial policing era after 64 years of independence from the British (Aning, 2007; Tankebe, 2011). Ansah-Koi (1986, p. 56), indicates that internal organisational and institutional inadequacies pertaining to the police set-up per se, along with definite historical, socio-economic, and cultural causes, account for the occurrence of police use of force or excessive use of force in post-colonial Ghana. This is an excellent feature, but it might not be effective in understanding conducts or actual behaviour at the level of individual officers.

There are some scholars in the field of policing who argued that police officers have extensive discretionary powers that can be used appropriately or inappropriately, others also argued that the discretionary powers are too wide and should be curtailed by law and by departmental rules and regulations. Others were also of the view that placing limits on discretion is the only feasible option but acknowledge that enforces these limitations can be problematic (Prenzler, 2012; Manning, 2010). While several studies have concentrated on use of force to understand how best this can be minimised, there are some who believed that police officers, researchers, civil society organisations and academia need answers to the following thought-provoking questions: For instance, when does the use of force becomes excessive or a misconduct? When is the use of force can be justified as reasonable or necessary? It is only when these questions have been addressed that the use of force can be understood properly especially by the civilians as a means by which individuals fundamental rights can be protected from violators of the law or suspects who posed imminent threat to the safety and well-being of the individual or the officer in the helm of affairs.

Therefore, it is not out of place to assume that public lack of trust in the police is associated with use of force powers and non-universality of policing. Almost all the developing countries that were studied considered this as a major issue. This study suggests that in all the countries that were mentioned in the study, the potential for police violence and the rhetoric that will

justify it are endemic (Chevigny, 1995: 26), and particularly in settings where violent crime, social instability, inequality, insecurity, and impunity are problems of a large magnitude (Hinton, 2006: 33). In Ghana, for example, the rules or legal frameworks that govern the use of force are usually so vague or unclear that it is difficult to specify a clear situational standard for police behaviour against which to hold officers accountable after a particular incident where it is alleged that inappropriate use of force or excessive use of force has occurred (Tankebe, 2011, Aning, 2006).

Attempting to find a lasting solution to the issue under consideration, it was found that police training and accountability could be an effective countermeasure against the use of force during police-citizens encounter. It was noted that over the years use of recruit training is not sufficient and in-service training has not been validated in the same rigorous manner as academy training, and that the level of accountability is far different for officers when approaching in-service training – as they do not fear failure or loss of job based on poor performance during these exercises (IACP, 2012; Plamiotto, 2017: 176). According to Palmiotto, traditional models of the use of force training rely on static repetitions of standard defensive tactics and techniques which can prepare officers to some degree to deal with resistance on the street (Ashley, 2003). Similarly, Newstrom (1993), indicates that 40% of skills learned in training are transferred immediately; 25% remain after 6 months; and only 15% remain 1 year later. Averagely, 20% of the critical skills needed to do a job are provided by training programmes; 80% are learned on the job. He further reiterated that in the past, training was largely focused on the development of isolated technical skills (such as firearms target practices and defensive tactics), rather than decision-making practice. Accordingly, this traditional approach generally dominates the use of force training realm in recruit training (Palmiotto, 2014; Newstrom, 1993).

In order to protect officers, citizens, and even suspects, the use of force must be regulated by governments, police administrators, national laws and court decisions (Hontz, 1999). Police officers' knowledge of these rules that “control the amount of force used and the circumstances under which it can be used” should be a significant part of police administrators concerns because violations of these regulations can lead to collateral damages (Kappeler, 2006, p. 96; Mitchell, 2000). Also, a review of the literature indicates that the impact of police training and accountability and the way and manner police officers use force has not been researched much especially in the developing countries such as Ghana, as police continue to use force including deadly force against innocent people without any form of justification (UNDP, 2007). Thus,

the research gap on the association between police legitimate and illegitimate use of force is astonishing given that the word 'reasonableness' has been a frequent focus in studies of police conduct and police liability issues (Haar, 2001; Huisman et al., 2005; Lee and Vaughn, 2010; Lonsway et al., 2001).

2.6: Justification for the use of force

Bittner (1990) indicates that police use of force helps police officers to effectively achieve their main objective of maintaining law and order and seeks to explain the unique role that the police play in society. Again, it symbolises an authority to reassure the public that the police have what it takes to protect individuals from any existential threats of violence. As such, the United States Civil Rights Commission (1981: 481 – 482) states the following about the police: “police officers possess awesome powers. They perform their duties under conditions with the public eye upon them. Police are permitted only a margin of error in judgement under conditions that imposed high degrees of physical and mental stress. Their general responsibility to preserve peace and enforce the law carries with it the power to arrest and to use force - even deadly force”. Thus, the use of force powers possessed by police officers is considered as the biggest difference between them and the citizens in society.

Additionally, the use of force can also be considered as an integral aspect of police work with the capacity of officers to appropriately perform their functions in accordance with acceptable norms and standards. Specifically, it questions whether police officers have the requisite skills and competence, and ethical standards to perform their duties while adhering to relevant codes of conduct. In principle, police use of force is considered to be necessary during arrest, to detain a suspect, or to protect the officer or other citizens from threats of violence (Wittie, 2013) and using such authority appropriately in accordance with rules and regulations; acceptable ethical conduct to justify its usefulness. Blair et al., (2011) recommended realistic incident-based training to increase officer safety on the use of force incidents as well as training officers on how to avoid confrontations (p.339). White et al., (2012) appealed for more detailed investigation reports on use of force encounters in order to improve civilians understanding of the use of force (p. 19). These assumptions if well implemented will clear any doubts associated with police use of force and improve public trust in the police.

Another way of approaching the problem of understanding the use of force decisions according to Belur (2007), is by considering policing situations in which good ends can be achieved by dirty means. When the ends to be achieved are crucial and undeniably good and only a dirty

means will work to achieve them, police officers face a genuine moral predicament. A ‘classic police predicament’ is the ‘Dirty Harry Problem’ (Klockars 1991; Belur, 2007). According to Belur, the Dirty Harry problem originates from the film Dirty Harry (1971) where Inspector Harry ‘Dirty Harry’ Callahan placed in a series of situations where he has to make decisions about whether unconstitutional means can be justifiably used to achieve ‘good’ ends. The most difficult aspect of this problem is not “whether under some utilitarian calculus a right choice can be made, but that the choice must always be made between at least two wrongs and in choosing either the policeman inevitably flaws or tarnishes himself” (Klockars 1991: 415; Belur, 2007). Thus, by deciding either to act or not act, police officers are accused of wrongdoing.

Belur (2007), indicates that policing involves situations where the use of force is legitimate and necessary, not only in the eyes of the police officer employing it but approved of by the general public in which legitimate means are employed to achieve approved goals, as there are other situations that call for the use of dirty means, including the use of force as a last resort in order to achieve a good end. Accordingly, a genuine moral predicament results, is considered genuine because it is a situation from which one cannot emerge innocent, no matter what one does—employ a dirty means, employ an insufficiently dirty means, or walk away (Klockars 1991: 413). Such a moral predicament is a situation that involves a choice and recurring one to police officers the world over, and the danger, according to Klockars (1991, cited in Belur, 2007) lies not in being wrong (that will be the inevitable result), but in deluding oneself that one has found a way to escape an inescapable predicament. The resultant effect for officers could be loss of sense of moral proportion, failing to care, turning cynical, or allowing their passions to lead them to employ force indiscriminately, or inappropriately.

2.7: History of the Ghana Police Service

Available records indicate that policing started in the year 1831 in the Gold Coast after Captain George Maclean who was appointed by Her Majesty as the Governor, trained the Militiamen as policemen to ensure efficiency in handling civil disturbances and serious rioting especially in the capital town of Cape Coast. Prior to the arrival of the Europeans, maintenance of law and order which was considered as a social cohesion where each one was his brother’s keeper (Afari, 2004; Boateng, 2012; Tankebe, 2008; Osei-Adufour, 2017) was performed by traditional rulers such as local headsmen and chiefs. These traditional authorities employed unpaid messengers to perform both executive and judicial functions in their respective communities. In 1894, the Police Ordinance Act was passed and gave legal authority for the

formation of real police force in the Gold Coast, and this led to the establishment of standard police stations in various areas of the country under the authority of the British

Immediately after Ghana attained independence from the British the Gold Coast Constabulary was renamed the Ghana Police Service (GPS). The first president of Ghana, Kwame Nkrumah took the initiative to Africanise the Service. Boateng (2012), intimated that this initiative changed the administrative structure and Ghanaians began to occupy positions of the police top hierarchy which was formerly occupied by the Europeans. Many Africans were enlisted into the Police Force as junior officers. In 1958 the first Ghanaian Police Commissioner, Mr. E. R. T. Madjitey was appointed to direct the affairs of the police organisation in Ghana.

Despite the attainment of independence and many reforms that have taken place in the Police Service with the aim of changing the negative colonial legacy left by the British, sadly enough, it appears all the reforms have failed to achieve its purpose, as the Service continues to operate in the existing colonial structures, uses existing colonial laws and kept the same organisational structures and ranks introduced by the British. Again, the Service continues to struggle on its professional image as many Ghanaians consistently describe the Service as repressive, brutal and politically motivated force that serves the interest of the state and the political elites first and the citizens second. This explains the nature of relationship that exists between the police and citizens in Ghana. Even today, the GPS comprised Ghanaians only, yet the police remain oppressive, aggressive and described as worse than the colonial police force (Boateng, 2015; Atuguba, 2007; Adubofour, 2017, Tankebe, 2008; Killingray, 1991; Gillespie, 1955; Ward, 1948; Atuguba, 2003; Tankebe, 2008; Boateng, 2015).

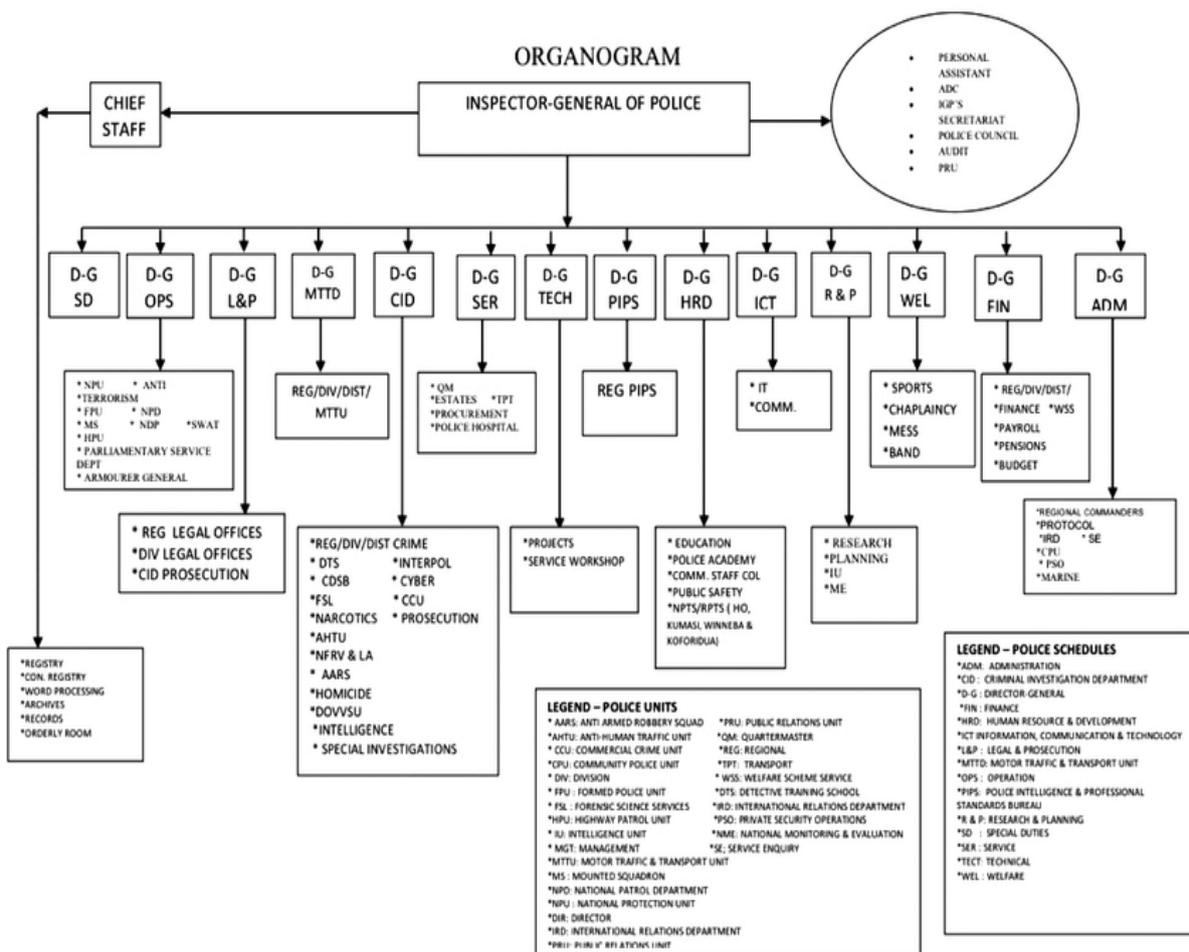
Bayley (2006: 19-20) indicates that in order for the public to accept a drastic reform in the police system the following features must strictly be adhered to: First, the police must be accountable to the law rather than the state. What this implies is that the police must always perform their duties within the confines of the law and not succumbed to external pressures which in effect can undermine the ethical standard of the profession. Second, police must protect the rights of citizens. In this sense, individual's security needs must be protected to the letter and should be the utmost priority in policing. Individuals must be the referent object of security rather than the state. Third, police must be accountable to the citizens. Accountability will strengthen police-citizens' relations and restores citizens' trust in the police. In a country where there are no rule of law and there is a possible absence of accountability, police could

resort to crude ways of exercising their duties and this can be in the form of using force or excessive force against citizens who challenge their authority (Gyimah-Boadi, 2010: 137).

The structure and administration of the Ghana Police Service

Considering the mode of appointment of the Inspector General of Police by the President (1992 Constitution Act, 202) and its functional duties, the GPS have a unified administrative system to manage its day-to-day activities. Officers are recruited across the country from all the seventeen administrative regions in Ghana. In each of the administrative regions there is a Regional Commander and is assisted by the Deputy. The Regional Commander reports directly to the Police Headquarters in Accra. The Service also has District Commanders in all the 179 police stations across the country. The GPS have a staff strength of 34, 982 representing 1:808 police to civilians’ ratio, grossly falling below the United Nations benchmark of 1:500 for a model police staff strength (Ghanaweb, February 8, 2020; <http://www.police.gov.gh>).

Organisational chart of the Ghana Police Service



Source: www.police.gov.gh (Accessed – August 15, 2018).

The unified administrative system of command with a well-defined structure as found above is headed by the Inspector General of Police. The police command structure is based on top-down approach. Officers in-charge of the police stations report directly to the district commander who in turn report to the Divisional Commander and to the respective Regional Commanders. The Regional Commander reports to the Inspector General of Police at the Police National Headquarters (Ghana Police Service Handbook, 2010). According to Gariba (2014), the main idea behind the distribution of commands into regions, divisions, districts as well as towns is in reference to the concept of decentralisation so that every citizen irrespective of their political, religion, culture and ethnic affiliation or location can have access to police. It is assumed that this kind of system will promote efficient and effective police service delivery in Ghana.

Service ranking structure in the Ghana Police Service

The current service ranking structure was inherited from the British colonial policing model. The ranks consist of two groupings (senior and junior ranks) and these are shown below:

1. Inspector General of Police	IGP	Senior ranks
2. Deputy Inspector General of Police	DIGP	
3. Commissioner of Police	COP	
4. Deputy Commissioner of Police	DCOP	
5. Assistant Commissioner of Police	ACP	
6. Chief Superintendent of Police	CSOP	
7. Superintendent of Police	SOP	
8. Deputy Assistant Superintendent of Police	DASP	
9. Assistant Superintendent of Police	ASOP	
10. Chief Inspector		Junior ranks
11. Inspector		
12. Sergeant		
13. Corporal		
14. Lance Corporal		
15. Constable		

Source: Police Service Regulation 2012, C. I. 76 (<http://www.police.gov.gh>).

2.8: Policing in various contexts – South Africa, India and Ghana

The existing South African Police Service was established following the country's first democratic general election in 1994. This was accomplished by a merger of the South African Police (SAPS) and all the homeland and self-governing territory police forces. The functions and tasks of the South African Police Service are governed by the South African Constitution (Act No. 108 of 1996) and the South African Police Service Act (Act No. 68 of 1995). The organisation's mission is to "prevent and combat crime that may threaten the safety and security of any community; investigate any crimes that threatening the safety and security of any community; ensure that offenders are brought to justice; and participate in efforts to address the causes of crime." As a result, personnel of the service work hours and perform overtime duties to ensure that there is safety in the country (Pruitt, 2010; Ofcansky, 1986: 58-67).

However, the South African Police Force presently faces many challenges: high level of violent crime, distrust in the police, lack of funds, and political interference have severely affected policing and effective service delivery of the South African Police Service. It appears the historical influences on policing in South Africa, including the major changes that took place after democratisation in 1994, have also contributed to the ineffective nature of policing and the current lack of professionalism. In view of this, South African Police Service continues to be plagued by inefficiency, poor working environments, shortage of simple logistics such as stationery, vehicles and communication gadgets (Kempen and Bezuidenhout, 2021). These problems outlined in the discussion are quite similar to the other developing countries as mentioned, and therefore a thorough discussion with the aim of improving police service delivery as can be found in this study will enhance efficiency of the police across the world.

The Indian police are faced with similar challenges as can be found in most of the developing countries such as Ghana, Kenya and South Africa. The need for coercive policing to maintain order has been a constant theme of Indian rule (Rai, 1999). Skewed economic development generates feelings of neglect, exclusion, and injustice, which commonly bring people onto the streets to protest. Demonstrations against government policies, rallies against development projects, and frequent sectarian, caste, and communal riots regularly lead to confrontations with the police (Shah, 2002, p. 18; Verma, 2007). A prominent scholar once called this a 'crisis of governability' (Kohli, 1990). Over several years of reforms, little has changed. Maintaining order to support the stability of the state and the protection of citizens' rights, remain more important for every country's police. As Verma describes, 'the ideal of a civilian police force has not materialised' (yet) in the country (Das and Verma, 1998, p. 365). The Police Act V of

1861 is still applicable and the organisational structure, culture, ethos and even most of the rules and regulations introduced by the British remain unchanged (Arnold, 1992; Hinton and Newburn, 2009).

According to Hinton and Newburn (2009: 123), despite the independence and the establishment of a democratic government and considering the bitter and protracted struggle against British rule in which the police were used ruthlessly to deal with local people, Indian police still choose to continue this British-made machinery and administrative structures without fundamental changes. Barley (1969: 45) indicates that no further structural changes in the police administration in India have been made except for some “tidying up, tinkering with and elaborating upon the existing arrangements,” a remark true even today. He stressed the police, and the justice system remains functionally the same as designed in 1861.

The current police service in these developing countries continue to struggle on their image as the public describe the police in these democracies especially those that were borne out of the British colonial rule as repressive, brutal and politically motivated force which serves the interest of the state as well as political elites first and the citizens second (Boateng, 2015; Atuguba, 2007; Westmarland, 2001). Most of the countries are still using laws which have not been updated ever since. For instance, the police in Ghana is still operating with the Police Service Act of 1970 (Act 350) and the Criminal Procedure Code of 1960 (Act 29/30). Similarly, Indian Police Service Act V of 1861 still remains unchanged as of today.

In India, according to Hinton and Newburn (2009: 128), the Indian Police were designed as the ruler’s police and have no provision for local accountability. The Act V of 1861 created a centralised police organisation with command, control and decision making concentrated at the top which similar to the Ghana Police Service. Furthermore, the colonial government, unsure about the loyalty of the native subordinates, also developed a policy that no government functionary could be transferred to another post. This system continues unchanged as of today. Such a provision prevents police officers from developing local links and effectively creates a situation where an officer has no stake in the local community (Hinton and Newburn, 2009), and prevents any form of local accountability to the people.

Hinton and Newburn (2009) suggest that the only option for an aggrieved citizen who has a complaint against an officer is to go for an internal inquiry through the police headquarters or to approach the courts for civil damages. Unfortunately, there is no system of local monitoring by some kind of citizen body and no input from the citizens to determine the nature of policing

for their area. Police actions are guided by laws and organisational regulations and in principle every police action has to be publicly accounted to the citizens. However, in practice the design and organisational ethos is such that police officers operate beyond the principles of law and are seemingly not accountable to the people. This is because in Ghana for example, the police is directly controlled by the ruling government and its party officials and are used for political objectives (see the 1992 Constitution of Ghana, Act 202; Osei-Adubofour, 2017).

Despite been touted as one of the most qualified and well-trained police within the sub-Saharan Africa, the GPS continue to suffer from internal and external controls. The independence of the police leadership is heavily compromised, and they are not only ineffective in maintaining discipline over the citizens, but they are unable to prevent politicians from using the institution to achieve their political ends (Verma, 2005; Hinton and Newburn, 2009; Osei-Adubofour, 2017; Parry, 2017). Therefore, it is not out of place to assume that the apparent public lack of trust in the police is associated with the use of force powers and nonuniversality of policing. It appears almost all the developing countries that were studied considered this as a problem. Indeed, in all the countries that were mentioned in the study (with the exception of the developed countries mentioned in the study), the potential for police violence and the rhetoric that would justify it are endemic (Chevigny, 1995: 26), and particularly in settings where violent crime, social instability, inequality, insecurity, and impunity are problems of a large magnitude (Hinton, 2006: 33). In Ghana, for example, the rules or legal frameworks governing the use of force are usually so vague or unclear. That is why it is difficult to specify a clear situational standard for police behaviour against which to hold officers accountable after a particular incident where it was alleged that use of force or excessive use of force has occurred (Tankebe, 2011; Aning, 2006).

2.9: Use of force: officers' opinions

Scholars suggest that officers believe use of force or excessive force can be acceptable under proper circumstances (Carter, 1985; Crank, 1998; Herbert, 1998, 2001; Reiss, 1972; Skolnick & Fyfe, 1993; Van Maanen, 1985; Westley, 1953). Research in Indianapolis, IN, and St Petersburg, FL, examined the use of coercive force and included police attitude dimensions (Terrill et al., 2003). The relationship between the use of increased levels of force and traditional views held for officers who possessed attitudes that are aligned with 'pro-culture' or traditional tenets of policing (e.g., aggressive law enforcement role, willing to violate a citizen's rights) and officers who held average quality beliefs of policing (e.g., aggressive but selective law enforcement, favourable view of citizens) observed that those officers closely

embody the values of the police culture are more coercive compared to those that differentially align with the culture, suggesting that police use of force is a function of officers varying attitudinal commitments to the traditional view of police culture (Terrill, Paoline III, Manning, 2003). Carter (1985) found almost two-thirds of the officers believed use of force or excessive force could be used for retaliation, not just for self-defence.

Weisburd and Greenspan (2000) also analysed survey data from 925 police officers in 113 different police departments. The majority of the officers disapprove of excessive use of force, but ‘a substantial minority believed that officers should be permitted to use more force than the law currently permits and found it acceptable to sometimes to use more force than permitted by the laws that govern them’ (p. 3). Some studies implied that socio-economic, cultural and political factors play a critical role in predicting police use of force behaviour because risky working environments expose police officers to a constant risk of danger and violence and these factors usually necessitated to the use of force (White, 2001).

Even though police officers are compelled to use reasonable force, unsafe environments as well as risks posed by a suspect influence their split-second decision-making ability. It can therefore be argued that police officers working in risky areas are more likely to apply greater force. Despite the potential significance of socio-economic, cultural and political factors, only a few studies have examined these factors in analysing use of force in a more comprehensive manner (Lawton, 2007; Terrill and Reisig, 2003; Tankebe, 2008). Earlier research, however, drew its conclusions based on a single or few police incidents, potentially limiting the generalisability of the study’s findings. It is for this reason that the study critically examines procedures use by the Ghana Police Service to minimise the use of force, ascertain whether police officers who use force or excessive force are held accountable for their actions and to identify the challenges faced by the institution during police-citizens encounters.

2.9.1: Policing in Africa

There are many predispositions regarding the African states, and these include notions relating to religion, culture, colonialism and ethnicity. Concepts formed by hasty judgments and special interests which, subsequently, disseminate among intellectuals and general public, lead to comparisons between what is to be seen from the developed world viewpoint and analyses of African societies based upon developed countries models (Bellucci, 2010). Over the years, such views have led to stigmatisation of the African States, by affirming that, having been established by colonial law, they merit such descriptions as “external”, “quasi-state”,

“artificial” or “pseudo-state”. In contrast to this view, Bayard (1989) proposes a historical view of the African States built upon the bases of pre-colonial state traditions and on the colonial experience. In the African state, seldom is ethnicity and politics far removed from policing; at the same time, however, it does not provide the impetus for adequate security protection. Within the scope of the contemporary state, ethnicity and politics serve, principally, as a police violence in itself, and as a channel for expression in encounters for the acquisition of adequate legitimacy, power and status (International Peace Academy, 2002; Clapham, 2010; Bayard, 1989).

Although African states appear to have failed as an administrative instrument, due to weak and artificial boundaries, lack of internal coherence and dysfunctional institutional systems, and the gradual disintegration of many of these institutions that are commonly make up the states. It appears all these states since independence have (or had, in the case of Somalia) a national police system. All the African states both post-independence (high degree of legitimacy, and proper democratic values with a centralised administrative and legislative functions, examples include South Africa, Nigeria and Ghana) and fragile states (quasi or failed states, no public authority or pretence of legitimacy or democratic values, example, Somalia) still need coercive agents because politics since the 1950s has been for the most part a contest for survival and control of resources (Hills, 2000). From this perspective the state is considered as a structure of domination and coordination that include “a coercive apparatus and the means to administer a society and extract resources from it” (Fishman, 1990; 4-5). The police are part of that society even as they act on behalf of the regimes, they are not neutral arbitrators but agents of the state, and at the same time are a distinct societal group with a distinct set of interests. In this case, police are not exempted from the established laws in the country and therefore, any decision that would be taken to apprehend a suspect is answerable to the law.

Hills (2000) defines policing in two-fold: first, policing concerns the enforcement of a state’s (or regime’s) appropriate public order and behaviour. In other words, policing is internal as underscored by most conventional definitions of sovereignty. Hills indicates that this definition excludes “action groups” employed by ambitious politicians and others to achieve their socio-economic and political interest. Clearly, the role of the police from this perspective highlights the essential feature of most postcolonial African states. The struggle of regimes to ensure their own survival in the face of competition from rival groups and a population that does not accept the regime’s claims to legitimacy is fundamental influence on the police. Second, policing in the African context refers to a *de jure* (if not *de facto*) exclusive monopoly on the use of force

within a sovereign authority's territory. What this implies is that no police officer is above the sanctity of a regime or a democracy and therefore any use of force employed during encounters is subject to the interpretation of the existing laws (Hills, 2000).

According to Hills, policing in Africa is inherently political; this is evident in police decision making, usually allowing political authorities to act in support of specific regimes concerns, such as survival. In supporting Hills's assertion regarding the partisan nature of policing in Africa, brings to focus the politics involved in police service delivery in Ghana. This issue has become crucial in the sense that the police in Ghana is challenged by the dilemma of demonstrating its impartiality to politicians and the general public (Osei-Adubofour, 2017). It is an undeniable fact that Ghanaian politicians have made the police service even more unpopular and exposed them to public ridicule. The two main political parties in Ghana (National Democratic Congress (NDC) and the New Patriotic Party (NPP)) that have alternated in power since the inception of Ghana's Fourth Republic in 1993, continue to taint the image of the police service as engaging in politics of patronage and customer-relationship with the ruling government. This accusation comes mainly from political parties in opposition.

For example, through press conferences and demonstrations, the NPP since 1992 repeatedly have accused the police of being biased and of engaging in preferential policing for the NDC government and its cohorts and a crackdown and intimidation on the activities of the opposition political parties. The same accusations were also levelled against the police by the NDC since 2000 when the NPP won the general elections. For the eight years the NPP was in power (2000 to 2008), the opposition NDC then consistently accused and vilified the Ghanaian police for being manipulated by the NPP government to make arbitrary arrest and intimidate members of the opposition. As a result of the puzzle of accusation and counter accusations of bias against the Police Service, its duty stations were/are usually besieged by supporters of the two main political parties (NDC and NPP) whenever a member of either party was invited or arrested for allegedly flaunting the law. The actions and inactions of these politicians have further eroded the police capacity to enforce the law without looking over their shoulders (Braithwaite and Mbowura, 2014; Osei-Adubofour, 2017).

Additionally, the 1992 Constitution of the Republic of Ghana, the Act 202 (1) has contributed to the politicisation of the police in Ghana. The Act 202 gives the President power to appoint the Inspector General of Police acting in consultation with the Council of State. The Act 201 also gives the President power to appoint the Chairman of the Police Council and is headed by

the Vice-President. The Police Council shall advise the President on matters of policy relating to internal security, including the role of the police, budgeting and finance, administration and the promotion of senior police officers above the rank of Assistant Commissioner of Police. All these developments ostensibly reinforce Critcher and Waddington (1996) work in which they expressed fear about the overt attempts by the ruling government to exert political pressure on state institutions such as the police and other government officials in order to pursue their vested interest by manipulating and controlling the system to achieve their political ends. That is exactly what is happening in Ghana and not until the Act 202 is amended, allowing the police to elect their own Inspector General of Police as it is happening in other public institutions, the public will continue to perceive the police as a by-product of a political entity.

Furthermore, policing may also affect public perceptions of a regime by its manner and means, by its manipulation of fears, norms and symbols. A sustained repression may in turn legitimise regime rule itself. The transformation of power into authority is accomplished by conditioning the greater majority of people to accept power relationships as real, inevitable, unavoidable, and perhaps even right (Turk, 1982). For instance, in countries such as South Africa under apartheid, it was simplistic to argue that the police automatically supported regime policies and interests at the expense of the citizens. Africa's political traditions since 1960 suggest that the boundaries of policing have always been broad. Indeed, most countries lack the institutional capacity required to systematically define and act on specific interests in a way that will constrain police actions. Though it is quite obvious that certain generalisations can be made about the police, however, regardless of the situation policing tends to be recognisable as such in all African countries.

In an attempt to analyse policing in terms of power and discipline, Foucault (1991) intimated that it is more relevant to focus on African policing systems than any view of policing as crime-fighting or law enforcement as such. It is more likely that the postcolonial loss of government command over security forces, combined with the willingness of police to ignore formal rules, has led to a declining legitimacy as policing standards are widely repudiated by the citizens. Foucault has been incredibly instrumental in shaping understandings of power, leading away from the analysis of actors such as the police who use power as an instrument of coercion, and even away from the discreet structures in which those actors operate, toward the idea that 'power is everywhere', diffused and embodied in discourse, knowledge and 'regimes of truth' (Foucault 1991; Rabinow 1991).

Power according to Foucault, is what makes us what we are, operating on a quite different level from other theories: ‘His work marks a radical departure from previous modes of conceiving power and cannot be easily integrated with previous ideas, as power is diffuse rather than concentrated, embodied and enacted rather than possessed, broad rather than purely coercive, and constitutes agents rather than being deployed by them’ (Gaventa 2003: 1). Foucault is one of the few scholars who has demonstrated that power such as police use of force, is not just a negative, coercive or repressive mechanism that forces us to do things against our wishes, but can also be a necessary, productive and positive force in society for example to protect citizens fundamental rights. As Gaventa (2003: 2) puts it, “We must cease once and for all to describe the effects of power in negative terms: it ‘excludes’, it ‘represses’, it ‘censors’, it ‘abstracts’, it ‘masks’, it ‘conceals’. In fact, power produces; it produces reality; it produces domains of objects and rituals of truth. The individual and the knowledge that may be gained of him belong to this production” (Foucault 1991: 194). As such, power such as the use of force is a major source of social discipline and conformity.

In shifting attention away from the ‘sovereign’ and ‘episodic’ exercise of power, traditionally centred in African states to coerce their subjects, Foucault pointed to a new kind of ‘disciplinary power’ that could be observed in the administrative systems and social services that were created in the 18th century Europe, such as prisons, schools and mental hospitals. Their systems of surveillance and assessment no longer required force or violence, as people learned to discipline themselves and behave in expected ways. The key issue central to Foucault’s approach to power is that it transcends politics and sees power as an everyday, socialised and embodied phenomenon. This is why state-centric power struggles, including revolutions, do not always lead to change in the social order. Foucault’s ideological position on the concept of power has been hugely influential in pointing to the ways that norms can be so embedded as to be beyond our perception – causing us to discipline ourselves without any wilful coercion from others or using excessive force to achieve vested interest (Foucault, 1991).

2.9.2: Police culture

Researchers are of the view that the creation of a culture or subculture happens when groups of people gather to focus on a function in a society and wherein all share the same common experiences. According to them, culture is defined as the foundation of values, attitudes, and beliefs upon which a social group operates within the world around it and researchers have long noted the link between police culture and coercion (Feemster, 2010; Marche, 2009; Paoline & Terrill, 2005; Terrill & Paoline, 2003). Coercion is a significant link that is shared

by all police officers everywhere as mandated by their specific society. Culture of a society defines how the police are going to execute their work or behave in a certain situation (Waddington, 2009). The police apply coercive powers of the state to stop activities viewed as threat to society, through making arrests and deterring illegal activities (Marche, 2009). Through these unique patterns of behaviour along with other features of police work, the police subculture is created. According to Westley (1970), the police subculture is a critical term in explaining police actions and attitudes. In his opinion, the subculture portrays the citizens as militant, untrustworthy, and inherently violent; this perspective necessitates secrecy, shared assistance, and unity on the part of the police. According to Manning (1990), the intrinsic instability of police work, along with the need for intelligence management, leads to police teamwork, which in turn creates collective relations and reciprocal dependence.

The term 'police culture' has in itself been a topic of some discussion with sociologists being divided over what the definition should and should not include as there isn't an established, concrete definition of the concept. For example, one contributor who has attempted to rectify this problem is Reiner (1992) who describes it as 'the values, norms, perspectives and craft rules which inform police conduct' (Reiner 1992 quoted in Loftus 2009: 3). Whereas another definition comes from Manning (1990) who defines it as 'accepted practices, rules, and principles of conduct that are situationally applied, and generalised rationales and beliefs' (Manning 1990 quoted in Loftus 2009: 3). Although these definitions do not appear too different at first glance, there is in fact a clear distinction between the two that should and must be made – mainly the fact that Manning stresses that such principles of conduct are 'situationally applied', which of course suggests that 'police culture' is not always necessarily influential to an officer's conduct. He went on to say that some officers can and do hold a certain level of professionalism when taking to the streets and any values which may corrupt such professionalism remains behind closed doors in the organisation of their colleagues only (Manning, 1990). The idea of 'cop culture' specifically emerged as a means of understanding the practices of the police. Researchers sought to understand the perspectives and views of the police over the social world and their role in it. A considerable number of studies pertaining to police culture has shown that contrary to general belief, there is not a one relationship between attitudes and behaviour. Waddington (1999) noted that many observational studies has suggested that officers fail to enact the attitudes they express in canteen or interviews and in practice.

Reiner (1999) distinctions between the terms ‘police culture’ or ‘cop culture’ and ‘canteen culture.’ He noted that Canteen culture represents the beliefs and values more typical to an off-duty officer. Reiner (1999) noted that, in writings about policing, a tendency of assuming that the ‘banter’ the officers have during the off-duty hours in interviews or pubs or canteen, reflects the beliefs and values the police officers have during hours. ‘Canteen culture’, as mentioned by Reiner is understood to be the norms and values held by police officers whilst off-duty, whereas ‘police culture’ is the norms and values which are expressed during the course of their occupational lives (Reiner, 1999 cited in Joniova, 2020; Crank 2004: 16-17). Newburn (2007) also makes this a key point by explaining that there is a common tendency to assume that what police choose to say and how they choose to act when off-duty is not only indicative of how police officers think, but also how they act in public (Newburn 2007: 216). Even though Waddington has a problem with such assumptions, as he claims that this is not the case all of the time. The way officers’ act and the views they hold whilst off-duty, whether in the pub with friends or work colleagues is but a safety valve to release the pressures of the realities of life as a police officer (Waddington, 1999). Such an argument claims that in experiencing somewhat controversial views outside of the working sphere, a person is opened up to new perspectives which sociologists such as Waddington would argue helps to avoid them from being over-exposed to a particular ideology which could then influence the way in which they carry out their duties. But what also must be considered is just how valid Waddington’s argument actually is. Indeed, in some instances exposure to different attitudes and values can be beneficial to an officer in terms of becoming more aware of the possibility of potential new threats, but there are also some officers who would then, due to any extreme views which they may have been subjected to, may target an individual or a group of people because of the stereotypes attached to such persons and not because of genuine suspicion.

According to Foster, police officers are trained to depend on one another to work together in the fight against violence, which is a core feature of policing. The formation of unity starts during training, where recruits are told that they must trust one another due to scepticism from outsiders (Foster, 2003). Similarly, soldiers are taught to act as squad rather than as individuals, and look after each other (Foster, 2003). Since they want to be known, police officers seek recognition from their colleagues (Westmarland, 2008). This unity among police officers may cause issues when recruits can find themselves expressing biases when their colleagues do (Foster, 2003). Police officers need solidarity because they must work together and depend on one another for help, especially in more dangerous circumstances (Reiner, 1992).

Obviously, the existing training for police agencies to a larger extent produces tactically sound police officers, but what about the psychological well-being of officers during and after career? In managing the psychological well-being of officers and uncertainties of police work, officers have turned to their co-workers for comfort. These mental and physical health might be due to police officers occupational and organizational stress for which there are few resources to help them deal with these stresses, manifesting in behavioural issues including the use of force and excessive use of force (Feemster, 2010; Critcher and Waddington, 1996). Police work is known to be burdened with a wide range of dangerous and difficult situations. These include high-speed automatic chases, highly emotional and menacing domestic situations, the stress dealing with people who are irrational due to alcohol, drugs or mental instability, and the unpredictable armed confrontations with criminals. The participation of police in these high-risk activities is taken for granted and regarded as being part of their job. The police are assumed to be carefully selected for their resilience to coping with dangers and it is assumed that they have received adequate training to ensure that skills protect them from these occupational hazards or stress (Buhrmaster, 2006; Mangwani, 2012; Adegoke, 2014: 304 -305).

Many officers focus on the field training and probation as particularly important times of socialisation. This is due to the high value placed on experience. Officers focus on direct experience as the primary means of learning how to become an officer; “expert” police officers are viewed as those with the most experience (Bayley & Bittner, 1984; Britz, 1997; Chan, 2001; Conti & Nolan, 2005; Fielding, 1984; Fielding, 1988; Westley, 1970). Field training itself assumes that recruits must learn through experience (Sun, 2003); field training and probation give the recruit the opportunity to learn how to be a police officer in real-world settings while still under the supervision and guidance of a more experienced officer. It is at this time that many officers develop a view that academy training is useless and out of touch with “real” policing (Chan, 2001). Bayley and Bittner (1984) claim the experiences recruits have during training teach them about the goals, tactics, and presence of policing. That is, experience teaches recruits about the expectations of supervisors and the department, how to best implement skills and force, and how to maintain a level of internal alertness.

It is in the light of the above that the need for efficient, impartial and accountable policing is central to service delivery. The degree to which police use of force could be reduced in Ghana may depend on the nature and context of police culture within the Ghana Police Service.

Recently, researchers claimed that police socialisation is much more dynamic and variable than previously conceived (Chan, 2000). Instead of viewing recruits as unquestioning receptacles for police culture and information, Chan (2000) claims recruits are active participants within the socialization process. Recruits actively reflect upon the information they receive, using experiences with what they perceive to be “good” policing and “bad” policing to inform their judgment about the type of officer he or she would like to be (Chan, 2000). Further, researchers who view socialisation as a fluid process claim socialisation does not have clear-cut stages or endings as Van Maanen (1975) suggests. Instead, socialisation as a fluid process would contend that socialisation continues throughout an officer’s career; therefore, a recruit could experience a socialising event similarly to a veteran. Practically, police socialisation has been thought to transmit the traditional police culture. Police departments commonly use some combination of schooling (such as through an academy), field training with an experienced officer, and probationary status for new recruits. These measures pass along the accepted ideals of the department. New recruits do not create their own culture within the department; instead, recruits often align themselves with the existing ideals (Britz, 1997; Conti, 2006; Conti & Nolan, 2005). Further, new recruits are taught not to question the practices of the training officers (Chan, 2001; Westley, 1970). Because experienced officers train recruits, the traditional police culture is allowed to be passed from one generation to the next through measures of informal socialization (Conti & Nolan, 2005; Fielding, 1988; Haarr, 2001; Paoline, 2003; Reuss-Ianni, 1983; Sun, 2003; Toch, 1976).

Chan (2000) describes police occupational culture as a ‘penal culture’ (Garland 1991) that constructs and supports a notion of justice that legitimates violence as a form of punishment, even though punishment is not the role of the police. Garland (2001: 163) discusses the culture of control of ‘high crime’ societies (mainly the UK and the USA) and the ‘crime complex’ - a “distinctive cluster of attitudes, beliefs and assumptions” which produces a series of psychological and social effects that influence politics and policy. In such ‘high crime’ societies people exhibit high levels of fear and anxiety about crime and their irritation, frustration, and aggravation and the criminal justice’s inability to deal with criminals appropriately prompts the demand for action and for greater punitiveness. Garland accepts that the instrumental and expressive nature of these punitive strategies differ according to national, historical, and cultural differences (see Sutherland 1939; Belur, 2007). Thus, allowing us to extend his explanation to account for the populist and politicized ‘approval’ accorded to use of force as punitive sanctions against hardened ‘criminals’ or violators of the law in Ghana.

Conversely, Melossi (2004) argues that the cultural embeddedness of the discourse on penalty is confirmed by his analysis in the Italian (Catholicism) and North American (Protestant ethic) cultures, but in a way that appears different from any cultural determinism, making this a more complicated argument than would appear in its face value.

Chan (2000: 105) suggests, “the three social dimensions - position (field), disposition (habitus) and interaction - combine to provide an explanatory framework for understanding police violence”. Adapting Chan’s approach, in this thesis it is suggested that police violence arises out of a combination of factors: at the conjunction between the point of interaction (situational factors), the police officer’s dispositions (a combination of personal traits and attitudes cultivated within the police subculture) and the context (structural, political and historical factors) within which they operate. This thesis is primarily an empirical analysis of the habitus of police violence in Ghana, though it also considers the field that made this possible.

In summary, the normalisation of the cultural components of police attitudes and values seems incapable of allowing some officers from recognizing the abnormality of offensive behaviour. This could be the point where conflict between citizens and the police evolve. Researchers note a “stylistic difference among officers, which calls into question the homogeneity of attitudes of the traditional culture” (Paoline and Terrill, 2005, p.2). The prevailing view of the police is that they are bound by a single culture (which is described in a variety of ways) regardless of where and for whom they work with. This often results in scholars taking sides between the popular characterization of police as a single “brotherhood” and those who believe that the collectiveness has been overstated. In effect, the knowledge base has suffered since researchers have been caught up purely in the “homogeneity versus heterogeneity” debate. Understandably, there are probably dimensions of culture that officers share, but there are also cultural features that exhibit variation among officers, especially in an ever-changing police world.

2.9.3 Minimising use of force powers- Theoretical explanations

The theoretical framework underpinning this study is derived from the concept of human security (Critical) to crucially address use of force during police-citizen encounters in Ghana. Human security has become relevant in this context to redefine the state-centric notion of security that focuses on the state rather than individuals and attempts to highlight substantial changes that have taken place after the end of the Cold War. In addition, human security theory seeks to present a well-thought-out security definition that enhances the protection of individual’s fundamental rights and focuses on preventing any existential threats of violence

such as the use of force. In other words, the main principle of the concept is to adequately protect vulnerable in society to ensure that individual's well-being and survival to life are not undermined or compromised ('freedom from fear') by state institutions such as, the police in any circumstances.

Human security theory

The human security concept is most often associated with the United Nations Development Program (UNDP) 1994 Human Development Report. The main purpose of the UNDP (1994) report focuses on the following: 'freedom from fear' and 'freedom from want', and its four major principles; universality, interdependence, prevention, and people-centeredness. First, the concept must be applied universally which means the entire world must focus of protecting the rights of persons. What it means is that the concept is critical to the survival of individuals security needs and applicable everywhere in the world. Second, the components that make up the theory are based on interdependence. What this implies is that, when security of the people is endangered anywhere in the world, all the nations are likely to get affected. Third, human security is more easily obtained through early prevention than later intervention. In this sense, the concept seeks to offer opportunity to assess the levels of threats and suggests preventive measures to mitigate its occurrence before the situation gets out of hand. And finally, the primary objective of security should focus on the individual, rather than the state, as the concept is people-centred (UNDP 1994, p. 22-23; Rothschild, 1995: p. 23).

Therefore, human security policy and action will empower police officers to act in consonant with article 55 and 56 of the United Nations Charter which enjoins states institutions to promote universal respect for individual's fundamental rights as well as the UN Code of Conduct for Law Enforcement Officials 1979 (Article 2 and 3) which require law enforcement officials to respect the dignity of persons with respect to individual's rights and freedom from fear. These obligations are what human security concept strives to enforce so that citizens' security needs can be protected from any internal or external threats (Kaldor, 2007). Kaldor (2007) in one of her write-ups also emphasis that human security is critical to respond to the complexities and interrelatedness of both 'Old and New' security threats that could be considered as a global vulnerability. She however stressed the importance of the concept and stressed that, the fundamental principle that established the concept of human security is based on ideas that state-centric realism has failed to protect citizens' fundamental human rights and their survival, and this needs to be broadened to safeguard the well-being of individuals in a state. Kaldor

therefore called for a new paradigm shift to security that will change the nature of insecurity that seemingly exposed the flaws of the traditional state-centric security which occurred after the end of the Cold War, and rather concentrate on the individual as a referent object of security as ascribed in the human security concept to promote the rights of individuals

In practice, state-centric approach is not existentially there to deal with the challenges faced by human society across the globe especially in this contemporary era where rule of law, protection of individual's fundamental human rights and good governance have become a guiding principle for states security agents (police) to protect their citizens from all forms of non-traditional threats such as police use of force. State-centric for better understanding was to provide security to many people living under its sovereignty but it ends up providing insecurity with statism to legitimise insecurity internally. For instance, Booth and Vale (1995: p. 285-304) pointed out that in South Africa for example, under the apartheid era, majority of the black population though survived under inhuman treatments, but their conditions could not be equated to adequate security protection, as many lived under constant fear of violence and oppression from states institutions such as the police and the military (Booth 2007: p. 106). Similarly, other example is the Rwanda genocide in 1994 where more than 800, 000 people were killed and millions of people became refugees in other parts of the world due to government and state institutions inability to guarantee the safety of the people and instead, became a source of insecurity to the very people they have sworn to protect (Booth and Jones, 1991). In addition, research conducted by Rummel also indicates that within the last decades (20th Century) approximately about forty (40) million people were killed in wars between states, whilst one hundred and seventy (170) million people were killed by their own governments (Rummel 1994: p. 21).

Booth (1991: 319-320) gives three reasons why states should be seen only "as means and not the ends" and why they are "unreliable, illogical and too diverse in their character" to be the primary referent objects of security. Firstly, states are not always those that guarantee security for individuals but quite often they are also the main violators of their citizens' security. Threats of any magnitude are likely to take place in an environment where the state lacks legitimately some institutional resources to protect individuals. Secondly, individuals create them to serve their purposes, thus they are only instruments and nothing more. Thirdly, there were different kinds of entities that were called states in the past even till today. There were too many different types of them to build a coherent theory on the concept of the state which invariably create a state of discomfort to ordinary citizens. In Booth's view, states and implicitly governments

must no longer be the primary referents of security because governments which are supposed to be "the guardians of 'their peoples' security", have instead become the primary source of insecurity for the many people who live under their sovereignty. This approach challenges the very idea of a state as an effective and adequate provider of security to its people (Booth 1991: p. 318).

As such the study has adopted human-centric approach to address issues of all kinds of uses of force in all situations. Human security focuses on promoting 'freedom from fear' and other forms of threats and draws state institutions (police) attention to the negative effect of their actions and inactions on the vulnerable and marginalised in society who most often are the primary targets of violence or victims (Hough2004). The human security concept therefore is an answer to people's security needs as indicated in the Human Security Report (2005) and due to its introduction, there has been a significant decline in the number of conflicts in the world and the number of people who were killed in conflicts in the First five years of the Twenty-first century has also been declined (Kaldor 2007). This is what distinguishes human security (critical security) from the state-centric approach to security.

It is acknowledged that human security theory appears to offer a very successful way of dealing with 'new' global threats such as the use of force, however, there are numerous challenges which make it difficult in moving from a state-centric to a human-centred approach. Lukes's power knowledge theory indicates how the most effective forms of power operate. Lukes calls it the three-dimensional power (Lukes, 1974: 23). According to Lukes, for this form of concept (human-centric security) to operate effectively, requires an acceptance of the status quo because of an accepted underlying ideology (Lukes, 1974: 23). Those who hold power within the system will be accepted by the people, due to the peoples' belief in the system (Lukes, 1974: 23). In such a situation the preferences of the people can be manipulated to fall into line with the agenda of the rulers (Lukes, 1974: 23). Lukes calls his three-dimensional viewpoint the "supreme and most insidious exercise of power" as it allows rulers to shape the preferences and perception of the masses as well as prevent them from having grievances (Lukes, 1974: 23). Hence, the state is still considered as supreme by the people because, as Lukes argues, the people will "see or imagine no alternative" to the existing order "or because they see it as natural and unchangeable, or because they value it as divinely ordained and beneficial" (Lukes, 1974: 23).

Lukes three-dimensional power reminds us of how powerful or supreme an institution of a state could be due to its legitimate form of power, as it gives rulers almost totalitarian power over the masses (Lukes, 1974: 23) such as the police use of force. It helps us to explain why despite the destruction that the state-centric action has done to the environment, socio-political life and the disregard for humanity, that characterises the system, it has survived and still thrives, making it difficult to allow the human-centric approach to be promoted.

Despite the difficulties involved, human security can be considered as the alternative form of security, as it addresses all kinds of uses of force issues. The theory also supports programmes such as Millennium Development Goals, in which some aspect focuses on freedom from fear, humanitarian interventions, peacekeeping operations, implementation of international rules and laws, and setting up institutions that enforce violations of those laws, because respecting human rights are at the core of protecting human security (Obserleitner, 2005). Human security values the prevention of excessive use of force, freedom from fear and political stability than the state centric. It realises the crucial meaning of development, innovations, and personal well-being. Human Security is also the leading policy of the UN programmes and had its contribution in the establishment of the Geneva Convention, Responsibility to Protect Report, and the Ottawa Treaty (UN Commission on Global Governance, 1995: 81; Dannreuther, 2007; Collins, 2016; Annan, 2000; Human Security Report, 2005). It is in the light of this that human security theory in opposing manner tries to challenge the ‘new’ global security threats.

Thus, human security theory is the ultimate solution to assess the root cause of uses of force or excessive use of force and proposes adequate policy guidelines that will promote the dignity and wellbeing of people within the state. In order to achieve this enviable objective, human security or critical security, upholds the dignity and well-being of people and stresses on tolerance as adequate conceptualisation of security which in principle, seeks to define security as prospects of human equality and absence of threat (Booth, 1999; p. 55-56). This alone, if put into constant and universal practice across the world, will go a long way to strengthen police-citizens’ relations and it will minimise police use of force especially in Ghana.

2.9.4: Current study

Over the years, due to several controversial use of force incidents across the world particularly in the US, police use of force has received public reactions by both politicians, and academia and even across the media landscape in the entire world. Court cases such as the US jury verdict on April 20, 2021 regarding Derek Chauvin who was found guilty of murder over the death of

George Floyd, Rodney King incident in 1991, Tennessee vs. Garner (1985) and the US Supreme Court verdict on Graham vs. Connor (1989) have all demonstrated that law enforcement officers have violated their departmental policies and procedures in using force, and this has prompted a critical review of the use of force powers during police-citizen encounters (Palmiotto, 2017: 170; The Washington Post, 2020; Terrill, Paoline and Gau, 2016). These incidents demonstrate how police use of force (even when legally justified) can spark outcry among groups and communities that believe officers could and should have resolved the situations without resorting to lethal mechanisms.

Nonetheless, while the public are much concern over perceived police mistreatment of citizens, it is well founded in some cases, these events are not accurate representations of day-to-day interactions between police and citizens. The vast majority of encounters between the police and the public do not involve the use of physical or deadly force (Reiss, 1971; Terrill, 2003; White, 2001). Moreover, when officers do utilise forceful mechanisms, they often rely on less-lethal forms than what the existing laws and organizational policy would permit based on the circumstances of the encounter (Terrill, 2001, 2005), and this coercion is more likely to be lower levels (i.e., verbal commands and threats) than hand- and weapon-based tactics (Klinger, 1995; Terrill, 2001, 2003; Terrill, Paoline and Gau, 2016). What is conspicuously missing from the literature is an examination of the procedures that could be adopted to minimise use of force and effects of police-citizen encounter depicting how police use of force act as a new type of relayed experience through which citizens' perceptions of police can be shaped. This is particularly challenging given the clear effect that police use of force has had on communities, as evidenced by rioting and protesting that followed the release of highly publicised incidents such as those depicting the deaths of Eric Garner, George Floyd and Rodney King.

In Ghana, for example, a review of the literature on police use of force revealed three major areas that deserve major attention: (i) colonial policing structure, (ii) sociological and structural theories and (iii) legal frameworks.

i. Colonial policing structure and contemporary police culture

Contemporary policing in Ghana is a direct creation of the British colonial powers (Atuguba, 2002). Although efforts were made to rebrand the police force, all that changed was the name and to some extent, the composition of the personnel. However, the service retained all existing units and divisions. Post-colonial policing in Ghana had a shape and character similar to those of colonial policing (Tankebe, 2008; Boateng and Darko, 2015). Atuguba (2003) remarked that

the GPS kept the same basic objectives established by the imperialist powers. The police continue to use repressive measures and other paramilitary tactics in discharging their civil mandates. Criminal and non-criminal suspects are constantly being beaten and tortured during interrogations. This is coupled with continuous harassment and disrespect of fundamental human rights of innocent citizens.

The abusive behaviour of the police, especially during interrogations and citizen encounters, according to the Commonwealth Human Rights Initiative report (2007), has marred the experiences that Ghanaian citizens have with the police and the criminal justice system in general. In 2007, the Commonwealth Human Rights Initiative reported that corruption, illegal arrest and detention, excessive use of force, and failure to respond to complaints were widespread among police officers in Ghana. These claims were later supported by another human rights report initiated by the U.S. Department of State in 2010, which echoed the apparent brutality, corruption, and negligence of the police. These human rights reports have unmasked the dark side of the Ghana police, which has damaged their relationship with the public. The violent and abusive tactics employed by the GPS today were learned from their colonial masters. Colonial police forces operated in an environment characterised by violence, brutality, and abuse, which was carefully nurtured by the British colonial authorities to oppress the indigenous citizens (Atuguba, 2003; Killingray, 1991). For instance, the recruitment of the Hausas from Northern Nigeria paved the way for suppression of the local people through violence. The use of the Hausas, who were noticeably aliens and oppressive, made the Gold Coast Constabulary unpopular (Ward, 1948). The police in Ghana today, are an exact replica of the colonial police that had no respect for the rights and dignity of the indigenous people.

ii. Sociological and structural dimension

Structurally, the Ghana Police Service (GPS) is a centralised and hierarchical agency divided into 12 administrative regions, 51 divisions, 179 districts and 651 stations. GPS employs about 30,635 officers, giving a police-population ration of 1:784 (Graphic Online, November 2017). Police scholars have lamented that the current number of personnel falls short of the United Nations standards for ideal police staffing. Demographically, the force is currently about 79% male and 21% female (GPS, 2016). While GPS inherited its structure and practices from the Gold Coast Constabulary, the service upholds civil police duties as its core functions (Police Force Act, 1970). Police legitimacy in social terms has also become a determining factor in assessing police authority, and depends on numerous factors, including effectiveness and

efficiency of the police, respect of citizens, satisfaction with police performance, level of accountability, and how the police adhere to procedural rules when interacting with citizens (Flexon et al., 2009; Goldsmith, 2005; Mazerolle et al., 2013; Tyler, 1990; Tankebe, 2008).

The public would comply to authorities and directives of the police when they perceive the police to be effective in using procedural means to accomplish their goals, and when they are satisfied with the services provided by the police. Unfortunately, these preconditions for voluntary acceptance of the police are largely absent in Ghana. Consequently, the GPS suffers from a drastic deficit of legitimacy and support (Boateng and Darko, 2015). Citizens often disrespect the police, challenge their authority, and rate the police very low on all measurable dimensions (Afro Barometer Survey, 2012; Aning, 2006; Boateng, 2012, 2015). For example, results from the 2012 Afro Barometer Survey revealed that, among all the respondents who participated in the study, only 18% claimed to have a lot of confidence in the GPS. This result was corroborated by Boateng's (2012) study that found a lower rate of trust among Ghanaians.

Indeed, the issues regarding the use of force by the police are quite complex and require considerable ideas from many disciplines. Social psychology offers insights to the selection of police officers who have the intellectual and psychological stability and the qualities that are apt for the work required of a law enforcement officer. This offers understandings into the socialisation and learning of police officers after recruitment and initial training that may influence an individual officer's ability to make appropriate decisions regarding the use of force. In addition, cognitive psychology also offers understanding to the decision-making processes and the limits of officers in making decisions in high-intensity situations, as well as training approaches to improve the cognitive performance of officers. These understandings offer pieces of the problem of use of force by the police, while understanding the absolute necessity for an officer to act in a manner that reduces risk for officers while on duty.

When police officers are better able to manage their emotions under stress, understand which emotions they are experiencing, and communicate well despite being in high-stress situations, they will be better able to de-escalate complex situations rather than to react by using force or excessive force. Specifically, there is a tipping point at which use of force begins to be used, and this tipping point can be called backward when police officers receive adequate support for their mental health needs.

Self-control has been observed to play a key role. Staller et al. (2018) found that when police officers' self-regulation resources are depleted, weakening their self-control, they show less patience and react earlier to provocative resistance by using force. This phenomenon was defined by Baumeister (1998) as "ego depletion", based on the theories of Freud (1961), and it can be seen to affect police officers' decisions to use force. This may be correlated with personality traits or the officer's ability to regulate emotions. Further research is required to elucidate this point. Anxiety, whether due to a personality trait (Renden et al., 2017) or generated by officers' awareness that they will be held accountable for their actions (Verhage et al., 2018), could also be a notable factor in decision-making. For some researchers, accountability leads to increased stress that could affect the quality of decisions made by officers in the most difficult situations (Verhage et al., 2018), while for others, stress does not affect decisions, and it is only the intensity of the threat that affects the decision to use force (Renden et al., 2017). However, stress could affect the effectiveness of the response, making the implementation of coercion less than optimal (Renden et al., 2017).

iii. Legal factors

Per constitutional provisions in Ghana's 1992 Constitution, the leadership of the Ghana Police is under the command of the president of the republic. The president appoints and removes the Inspector-General of Police (IGP), who is under the supervisory authority of a Police Council that is chaired by the president's deputy, the vice-president. Of the nine members of the Police Council aside the vice-president, seven are appointed to the Council directly or indirectly by the president of Ghana. The president uses the powers vested in him under Article 202 Clause 3 and Article 203 Clause 1 to appoint all the top leadership of the Police Service.

These constitutional arrangements situate the Ghana Police Service under the command and control of the President of Ghana. Thus, the police have been legally structured in such a way that they appear not to have any administrative autonomy of their own that is without political influence from the political leadership of the country. This has led to the common practice that among the first acts of any new President since the start of the Fourth Republic on January 7, 1993, is the compulsory retirement of the Inspector-General of Police (IGP), regardless of the IGP's age or years left for him or her to retire. The lack of independence and secure tenure for police leadership, devoid of political influence - a situation mandated by strictures in the Ghanaian Constitution (Chronicle Editorial, 2013; Daily Graphic, 2016; Latest News from Myjoyonline, 2012; Peacefmonline, 2016; Osei-Adubofour, 2017). One critical issue that the

study identified as a gap in the literature is the Criminal Procedure Code of 1960 (Act 29, section 36) which authorises the police to use minimum force in extreme situations, but failed to define when and how force can be used, and at what level can use of force constitutes a misconduct? Thus, the study proposed that in order for police officers to minimise the phenomenon under consideration the Ghana Police Service must prioritise international protocols such as the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials 1990 (section 20), UN Code of Conduct for Law Enforcement officials 1979 (Act 3), human security concept – ‘freedom from fear’ and other protocols related to human rights issues should be enforced to minimise its incessant occurrence in Ghana.

Chapter Three

Research methodology and methods

3.1: Introduction

This study adopted a qualitative research approach (including semi-structured interviews) with the aim of answering the proffered research questions under consideration. A qualitative in-depth semi-structured interview has been adopted to critically examine procedures adopted by the Ghana Police Service (GPS) to minimise use of force, to ascertain whether police officers who use force or excessive force are held accountable for their action and lastly, identify some of the challenges faced by the Ghana Police Service while promoting security. A qualitative research approach is particularly useful for this study because it offers an appropriate mechanism to gain access to a variety of opinions that are typical of all the essential information required to achieve the research aims and objectives (Punch 2005; Bryman 2016). In view of this, an in-depth semi-structured interview with open-ended questions was conducted with police officers (senior and lower ranks) and citizens who have had encounter(s) with the police in four selected regions (Greater Accra, Northern, Upper East and Upper West) in Ghana. Participants (officers) were selected through purposive and snowballing sampling approach for the identification and selection of individuals that have knowledge and insights about the phenomenon being investigated (Silverman, 2013; Patton, 2002). Additionally, observations strategy was also used as part of the data collection method to seek explicit evidence through the eyes in instances where police officers came into contact with citizens, determine how use of force usually occurs during police-citizens encounters, whether the force used by the police against citizens was appropriate or inappropriate and how citizens react towards the police. Marshall and Rossman (1989) define observations as "the systematic description of events, behaviours, and artifacts in the social setting chosen for study" (p.79). Observations enabled the researcher to describe existing situations using the five senses, providing a "written photograph", field notes and recordings of the situation under study (Erlandson, Harris, Skipper, & Allen, 1993). Observations has been regarded as the basis of everyday social life for most people, as we are diligent observers of behaviours and of the issues surrounding us (Robson, 2002; Cohen et al., 2000: 305).

This research study specifically focused on police officers in Ghana who are mainly in active service since they are highly exposed to dangerous and unpredictable situations and have a wide margin of discretion (Brown cited in Halvorsen, 1996; Terpstra, 2002) while citizens who have had encounter(s) with police were selected to determine the kind of perception they have

about police use of force powers and its impact on individuals' fundamental rights. Within that group of police officers and citizens the researcher attempted to gain sufficient information as possible about how they perceive the nature of use of force and how police and citizens perceive the GPS as an institution while maintaining law and order (Flick 2003; Mortelmans, 2007; Noppe, 2018; Williams and Stahl, 2008).

The chapter therefore discusses the methodological approach and methods adopted through qualitative aspect of the research which focuses on conducting semi-structured interviews with police officers who are in active service (senior and lower ranks), citizens who have had encounter(s) with the police, as well as members of the National Peace Council due to their competence, knowledge and experience in matters relating to peaceful conflict resolutions and non-violent strategies in four selected regions (Greater Accra, Northern, Upper East and Upper West) in Ghana. This chapter focuses on procedures to arrive at conclusions for the stated objectives. The methodology further provides details on the study design and framework with emphasis on the study population, research design, sample size and sampling techniques used to select the required respondents for the study. The chapter finally provides an overview of the appropriate methods used in collecting and analysing of the data as well as limitations of the study, and the concluding section of the chapter outlines ethical issues associated in the research process.

3.2: Methodology

The study has adopted a qualitative research approach (including semi-structured interviews and observations) with the aim of answering the proffered research questions. The research questions addressed in this study included:

- (d) Whether there are standard procedures in the Ghana Police Service to minimise the use of force while maintaining law and order?
- (e) To what extent can police officers become accountable to the citizens while performing their lawful duty?
- (f) Whether the challenges faced by the GPS are the causes of lack of professionalism?

Both primary and secondary data were used for the study. The choice of the study areas as indicated was informed by police use of force and excessive use of force, crime trends, as well as trust and confidence reposed in the researcher by both the police and citizens. Greater Accra whose capital is Accra, was chosen because of its urban characteristics, high crime rate and

other reported cases of police use of force or excessive use of force during an encounter with citizens (Ghana Crime and Safety Report, 2017) and the presence of the Headquarters of a significant number of non-governmental organisations such as the Amnesty International, Commonwealth Human Rights Initiative (CHRI), United Nations Development Programme (UNDP) including the Headquarters of the Ghana Police Service while the three northern regions (Upper East, Upper West and Northern) were selected because of persistent chieftaincy, ethnic and land disputes, which usually resulted from lack of a clear chain of succession, competing claims over land and other natural resources, and internal rivalries and feuds, continued to result in deaths, injuries and destruction of properties and loss of lives (Ghana Country Report on Human Rights Practices, 2020).

In all, a total sample size of 60 comprising twenty (20) police officers (both senior and lower ranks), thirty (30) civilians who have had encounter(s) with the police and ten (10) members of the National Peace Council were selected from the above-mentioned regions in Ghana. More details about how and why the samples were selected can be found in the “Sample and Sampling techniques” section starting on page 14 of this chapter. Participants were asked series of semi-structured interview questions based on pre-determined topic areas of the Ghana Police Service’s mode of operations during an encounter with the citizens on the use of force, democratic policing, accountability mechanisms, ethical standard and practices, police legitimacy, political interference, public perception about the GPS, challenges faced by the GPS and its impact on their service delivery. The themes and sub-themes that emerged from the pre-determined interviews enabled the researcher to answer the proffered research questions being investigated.

3.3: Qualitative approach

This research has espoused a qualitative approach including semi-structured interviews (open-ended questions) with in-depth strategy to reach out to individuals who have had encounter(s) with the police and significantly understand their lived experience and the kind of perception they have about the police especially on the use of force, as well as some security experts who are always concerned about the protection of individual’s rights and how institutions of the state carry out their duties by exhibiting high sense of professionalism to explore their views of the phenomenon under consideration. This form of approach enables the researcher to listen to participants’ lived experience in their own words and how they perceived the Ghana Police Service as an institution. As Thomas puts it, in the study of human experience it is essential to know how people define their situations: ‘If men define situations as real, they are real in their

consequences' (Thomas, 1949: p. 301, cited in Marshall & Rossman, 1999: 60). Qualitative research focuses on sensitive issues and processes to typically understand lived experience of the affected persons by getting closer to them, identify their problems based on in-depth knowledge gathered and finding ways of interpreting the data to generate ideas for policy implementation and reforms within an institution or a particular phenomenon (Punch, 2005).

In an attempt to explore police uses of force in Ghana and its effect on accountability, training, police effectiveness and the application of procedures, survey mechanisms for this research could have been implemented either by way of consensual survey of participants or by covert means (Maxfield and Babbie, 2001; Punch, 1979, 1998; Gariba, 2014). This methodology would have provided the researcher with the required information on use of force, police accountability, training, and standard procedures in Ghana. Additionally, case studies on police accountability in Ghana (CHRI, 2007) could have been suitably used to conduct the study. Bryman (2016) defines case study as a research design that considers the comprehensive and detailed analysis of a single case but in most cases could be broadened to contain the study of two or three issues in comparative thoughts. The case studies approach could have involved reviews of previous works done on police accountability by the Commonwealth Human Rights Initiative or police legitimacy by Tankebe (2008) and other appropriate research institutions.

Content analysis could also have been conducted through examinations of feature articles and newspaper reviews of the police in Ghana. However, each of the foregoing approaches was critically considered and found not to be sufficient to appropriately address the research objectives of the study. In view of the current situation regarding the phenomenon, none of the individual approaches was able to throw light on the peculiar situations of police use of force in Ghana. Also, exclusive reliance on any single approach would have involved the analysis of data from within and without Ghana, which, obviously would not reflect the Ghanaian policing context. The fact of the matter is associated with the complexity of the case study approach and the difficulty of gathering data in a police environment as suggested by Punch (1979, 1998). In this sense, it is worthy to note that the researcher had to overcome many institutional hurdles in order to gain entry and access to information within the police organisation (Gariba, 2014: 84-85). Punch (2005) was of the view that qualitative research approach has a greater flexibility than quantitative approach and this can be used in different ways for wider range of purposes.

According to Punch, qualitative research design is quite interactive and has flexible structure as the design can be constructed and reconstructed to a greater extent. Thus, the thorough and

appropriate analyses of an issue such as ‘reasonable force’ can be generated by utilising qualitative methods, which suggest that participants have sufficient freedom to determine or describe what constitute reasonable force in their own view point and how complex issues can be understood easily (Maxwell, 2012; Flick, 2011). Qualitative methods explore participants views in ways that cannot be achieved by other means of research and report findings in as near as reasonably possible in their own words.

Potentially, this can be modified as the research study progresses to respond to the needs of participants and develop a strategy that will resolve the issue under investigation. For this reason, and due to its flexibility, it can be used to study real-life situations of persons or operations of an institution such as the Ghana Police Service (Punch, 2005). Punch went further to suggest that qualitative research focuses on the social study of social life or individuals in a natural setting. What this seeks to emphasise is that there are many other ways of examining social realities or individual’s lived experience, and for this reason, there are several procedures or viewpoints and practices by which the analysis of this qualitative research study data will be of immense benefit to the study, as real-life issues could be identified and based on participants responses, lasting solution could be found to address the problem under consideration.

Briggs and Coleman (2007: 27) also gave a comprehensive overview of the use of qualitative approach in their study and emphasise that all human life is experienced and constructed from a subjective perspective to draw people’s attention to a situation. In other words, subjective interpretation stems from a perspective of an interpretivist ideological position which has been argued that there cannot be an objective reality that exists as there are different meanings and descriptions assigned to it by individuals or groups of people in a setting. Apparently, for instance, there may be differences in opinions about the extent to which reality is redefined by other researchers; however, the data that has been collected and analysed necessarily have qualitative rather than quantitative interpretations. This exposes trends in thoughts and opinions and dig deeper into the issue at stake and develop ideas that will lead to a lasting solution. It was established in the literature that qualitative research approach eliminates biases as there are no predetermined set of expectations on the part of the researcher as in the case of quantitative method. Interview (semi-structured) questions are open-ended which enables participants to interact freely and willingly express their thoughts or opinions without fear or favour. This process offers interviewees the relevant sources of information to express their views on the phenomenon and offer suggestions to resolve the issue being studied. Interviews facilitate and coordinate events, experiences and ideas of the selected population and enable

the researcher to understand and interpret results derived from the interviews based on participants own experience by generating themes and concepts to formulate ideas (McQueen and Knussen, 2002: 36).

To strengthen McQueen's and Knussen's (2002) position on the relevance of qualitative research study, Lincoln and Guba also expressed ideological position on the relevance of qualitative research approach and emphasise that a qualitative research enables researchers to comprehensively understand real life situations, have first-hand information from participants who had become victims of a circumstance and speak to the issue about the complexities of the phenomenon of which many people are not aware of, and require urgent attention to investigate and develop appropriate mechanisms to address the situation (Lincoln and Guba, 1985: 208). According to them, qualitative research operates on the basis that knowledge is contextual to address issues that affect individual's way of life and therefore, adopting semi-structured interview approach will ensure that relevant contexts are brought into focus so that situated knowledge can be generated to address urgent issues that affect peoples' way of life.

According to Mason (2002) there is contesting evidence that suggests that knowledge is at the very least reconstructed rather than facts being simply re-counted as it is usually experienced during interview process. Mason therefore focuses on the relevance of qualitative interview and emphasises on the meanings and understandings that are generated during the interview process which effectively highlights productive ideas emanating from participants to explain the situation under investigation and offer means of solving the problem. Additionally, qualitative approach with semi-structured interviews was chosen based on ontological position of the study which suggests that people's knowledge, views, understandings, interpretations, experiences and interactions of affected persons of a particular phenomenon are meaningful properties of social reality, which research questions are designed to investigate. This demonstrates the epistemological position of the research which denotes that a legitimate way of generating data on the above-mentioned ontological position is to interact or talk freely with people, ask them questions, listen to them and by so doing, gain access to hear more about their lived experiences or expressions and seize the opportunity to learn and analyse their use of language, construction of discourse which aid in the generation of data for analysis (Mason, 2002: 63-64).

On the contrary, Denzin and Lincoln (2003) expressed a different perspective about Mason's epistemological position on the subject of a qualitative approach to research: They argued that while it is appropriate to use qualitative approach to investigate a phenomenon, there are other complexities associated with qualitative data and these include: the difficulty associated with data analysis; the acceptance of uncertainty of having clear outlines and the perception that qualitative approach attracts less credibility from non-researchers which according to them undermines reliability and the validity threshold. Therefore, the researcher could have simply developed and administered questionnaires based on hypothetical scenarios on police use of force in Ghana as described by Bayley (1999), and the responses could have been captured and used as primary data for the study. This strategy could have produced some very interesting outcomes, but a serious challenge would have been whether participants understood what constituted police use of force and the extent to which accountability, ethical standards, political interferences, and training could impact on police use of force in Ghana.

Another major challenge would have been whether those hypothetical definitions would have appropriately reflected the realities of the Ghana Police Service especially on the use of force. For instance, in Ghana, a considerable number of studies have revealed that confidence and trust in the police are influenced by a number of factors which include police effectiveness, procedural fairness and procedural justice (Tankebe, 2010; Osei-Adubofour, 2017). In 2018, Tankebe conducted two studies on the Ghana Police Service to critically understand why police continue to use force against citizens during encounters: It was revealed that most police officers supported the use of force for a number of reasons. First, they did not have strong bonds with the service and the rules about when and how to use force do not have legitimacy in their eyes, so they disregarded them. This lack of legitimacy was due to the fact that there are high levels of corruption and lack of professionalism in the police service. Second, the study revealed that officers were treated badly by their supervisors or superiors. The resultant effect is that officers take their frustrations out on civilians and the supervisors lose credibility in encouraging good behaviour. Improving police use of force against civilians therefore requires paying attention to the moral climate within police departments in Ghana (Tankebe, 2018).

Similarly, an approach involving a focus group interviews (Maxfield and Babbie, 2001; Gariba, 2014) of police officers' perceptions regarding accountability mechanisms, training, political interference and ethical standards in relation to the use of force could have been used. Again, such an approach in this context involving the police could not have been realised in view of

strict police culture and applicable restrictive procedures when dealing with senior officers and lower ranks. Apart from recruits being trained as police officers who have not had encounters with the citizens before, getting officers of the same rank together at the same time was a key challenge because exclusive reliance on officers of the same ranks approach would have involved the analysis of data from within and outside Ghana, which, clearly, would not reflect the specificity of Ghanaian policing. The reality here is associated with the complexity of the focus group approach and the difficulty of gathering data in a police environment as suggested by Punch (1979). It is of worthy to note that the researcher had to overcome many institutional obstacles in order to gain entry and access to information within the police organisation in Ghana.

There is strict adherence to ethical standards and codes of conduct in the police especially on the issue of whether senior officers could be gathered with the lower ranks for purposes of a focus group interviews. It was anticipated that even in circumstances where it was possible to overcome this challenge, the behaviour of the lower ranks before their superiors would not reflect the reality. The extent to which the lower ranks would be comfortable in responding to questions in the presence of their superiors could have been marred, hence putting the credibility and authenticity of this study into question. Besides, the researcher cannot also ignore the effects of strict adherence to confidentiality among police officers and the oath of secrecy sworn by police officers on the outcome of the focus group interview. In addition, the various ethical dilemmas arising from strict compliance with those obligations among police officers did not permit the use of the focus group interview approach in this investigation, hence, the adoption of the chosen methodology. As Punch (2005: 238) stated: 'qualitative research approach enables researchers to have access to individuals to account for their lived experience of a particular phenomenon, how they perceive the situation, persons or institutions involved and what expressions or meanings they attach to the phenomenon that makes it critical to investigate'.

Method

Firstly, an initial systematic literature review on police use of force was carried out to critically understand the concept of policing and use of force and elaborate a rationale to crucially analyse the current procedures being taken by the Ghana Police Service to minimise the use of force during an encounter with citizens. The literature review revealed what has already been studied in this research area, research methods adopted, recommendations to resolve the issue,

and as an added on, to fill a gap in the existing literature so that future research on this phenomenon can be conducted in a more scientific way in Ghana. It is based on the literature review that the researcher acquires knowledge and understanding of the phenomenon, what has already been investigated, how the research was conducted and what were the key issues that emerged from the study? Themes and concepts derived from the literature review form the basis of the theoretical ideas which the Ghana Police Service could adopt in their day-to-day encounters to minimise use of force in the course of exercising their legitimate duty.

Therefore, the theoretical framework (human security) adopted for the study was to explain the phenomenon under investigation (Strauss and Corbin, 1994: 278) and identify key concepts of socio-political, cultural, ethnic and psychological distress that citizens who have experienced police use of force usually go through during and after the encounter, how the affected persons perceive the GPS as law enforcement agent in the country and what are policy guidelines that have been adopted to ensure that this phenomenon or behaviour could be reduced. As such, this initiating function demonstrates original contribution to knowledge (Rossman and Wilson, 1994). Bryman (2016) argues about the relevance of theory in research study and stresses that in collecting data for analysis, a theory will emerge as an added-on to enable the researcher to collect further data which could be in the form of interviews or observations to test the theory under investigation and give meanings or answers to the research questions under investigation. This is what the research seeks to achieve in a foreseeable future to contribute to a needed paradigm shift in policing in Ghana.

Silverman (1993) also indicated that researchers have increasingly become interested in testing of theories to answer their research questions and it is a clear manifestation of the fact that the qualitative method adopted for this study is more appropriate and more beneficial in understanding real life situations. Based on this, the study adopted human security concept as a theoretical framework to shape the methodology that has been chosen, proffered research questions and their significance in the light of analysing the data collected and using findings to formulate policies that will reform and transform the GPS's mode of operations specifically on use of force during an encounter with citizens. According to Blumer, one can see the empirical world only through some scheme or image of it. What this implies is that the entire act of scientific study is oriented and shaped by the underlying picture of the empirical study that has been conducted (Blumer, 1969: 24-25, cited in Silverman, 2010: 103).

Thus, the theory (human security) adopted is considered as a means of reducing police use of force and protecting the rights of citizens from any existential threats of violence that are inimical to their survival. Human security explains the enigma associated with police actions such as use of force specifically ‘freedom from fear’ and suggests means of finding solution to address this problem (Argyris & Schon, 1974). In this sense, the quest for extraordinary powers and the search for adequate security protection should be geared towards conditions of those people who do not have institutional powers or have suffered police use of force or excessive force in the past because of their vulnerability, and this is what the concept of human security seeks to achieve (using human-centred approach rather than state-centric).

To address the research questions under investigation, semi-structured in-depth interviews capable of collecting the needed data were designed to elicit information from the chosen population and this enabled the researcher to reach out to participants who wanted their voices to be heard and understand in more detail their lived experience, social and psychological effects associated with police uses of force and its impact on individuals’ fundamental freedoms. Semi-structured interviews with open-ended questions demonstrate that qualitative approach does not compel participants to adapt to preconceived answers, rather it offers participants the opportunity to express their experiences and thoughts in their own words and how they perceive the issue under discussion and offer suggestions to address police use of force in Ghana.

Significantly, this assumption has been reiterated by Frankfort-Nachmias and Nachmias (1996) who indicated that once participants understand the intent of the questions posed to them, they can express their thoughts freely, spontaneously and in their own language without fear or favour. They further stressed that, if the answers to an open-ended question are unclear, the interviewer could probe further by asking the participant to explain his or her answer or to justify the reason behind what he or she has stated earlier. Vygotsky (1987: 236-237) also supported this analogy and explicitly emphasised that every word that people use in telling their stories is a microcosm of their consciousness. What this implies is that individual's consciousness gives access to most complex social, cultural and security issues because these are abstractions based on the concrete experience of the people (Seidman, 2013). For example, during the interviews participants (citizens) were asked to discuss perceptions and experiences they have had with the police on use of force and its impact during and after the encounters. In a situation where citizens have experienced police use of force or brutality and those officers have not been reprimanded for their illegitimate actions, recollecting such episode will be more

traumatic to some participants. However, the need for the interviews is due to the fact that the research study is concerned with this issue and is actively seeking for a means to curtail its continued occurrences, therefore this engagement offers the participants (citizens) the chance to express their pains and offer suggestions through which police use of force can be minimised in Ghana.

Following the above discussion, it would not be possible to undertake well-rounded research of this kind that allows investigations of police use of force without obtaining this important information. Clearly, there is likelihood that participants may experience psychological or emotional distress, and in order to mitigate this risk all participants will be provided with information about how to seek for appropriate support if they are psychologically or emotionally distressed as a result of their participation. In short, a qualitative approach with semi-structured interviews enabled the researcher to clear any doubts or misunderstandings associated with the research questions during the interview process and forms the basis of enhancing good relations, that encourages participants to express their thoughts freely and offers rich source of information to investigate the phenomenon under consideration in a more pragmatic way, and formulate policies that will address police use of force in Ghana (Frankfort-Nachmias and Nachmias, 1996; McQueen and Knussen, 2002: 36).

Bryman (2016) pointed out that research design offers the basis for the collection and analysis of data on a specific subject matter being investigated. In this sense, the selection of a research design is fundamental in arriving at conclusions regarding the scope of the research and the phenomenon being investigated. It is assumed that a good research process ought to have two key fundamental criteria, namely: reliability and validity (Bryman, 2016; Mason, 2002). Therefore, this study has been founded on the principles of reliability and validity and this may be achieved through the research questions: (a) whether there are standard procedures in the Ghana Police Service to minimise the use of force while maintaining law and order?, (b) to what extent can police become accountable to the citizens while performing their lawful duty? and whether the challenges being faced by the Ghana Police Service are the causes of lack of professionalism? These questions are fundamental to police work in that the level of force that police are legally allowed to use to control and apprehend subjects is defined by law. From the verdict of the US Supreme Court - *Graham vs. Connor* (1989) the court stated that the use of force in any arrest must be 'objectively reasonable in view of all the facts and circumstances of each particular case, including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he is actively resisting

arrest or attempting to evade arrest by flight' (Alpert and Dunham, 2004 p. 21; Palmiotto, 2017). In view of this, the GPS cannot operate in a vacuum and hide behind the Criminal Evidence Act of 1960 (Act 29) that gives the police legitimate authority to use minimum force but failed to ascribe the consequences associated with when force is used inappropriately.

Additionally, police accountability depends to a large extent on the following factors, and these include respect for citizen's fundamental rights, proper and effective investigation of public complaints, ability to justify use of force, adherence to procedural rules and code of conducts. These factors are relevant in assessing an institution that prides itself as democratic and subject to the rule of law rather than the dictates of the established regimes (Goldsmith, 2005; Lambert, 1986; Tankebe, 2011; Tyler, 1990; Mazerolle et al., 2013). As such, the Ghana Police Service is no exception on this score, enforcement of the law is ultimately their responsibility, and their duty of enforcement should be carried out in a fair and impartial manner in order to inspire public confidence. Research shows that in Ghana for example, the departments and agencies that are mandated to ensure police accountability like the Police Intelligence and Professional Standard (PIPS) bureau, Commission for Human Rights and Administrative Justice (CHRAJ) and the Police Council are perceived to have failed to investigate public complaints against officers' misconduct and this has created a lack of public confidence in the police in Ghana (CHRI, 2007).

This notwithstanding, Lincoln and Denzin (1998) argue that 'validity represents the always just out of reach, but answerable, claim a text makes for its own authority... the research could always have been better grounded, the subjects more representative, the researcher more knowledgeable, the research instruments better formulated, and so on.... validity is the researcher's mask of authority, which allows a particular regime of truth ... to work its way on the world' (Lincoln and Denzin, 1998: 415). This study has been grounded on the principles of reliability, validity and ethical considerations to critically examine the Ghana Police Service's mode of operation specifically on use of force and how it can be minimised during encounter with the citizens. However, considering the available research methodology and methods adopted, the data collection tools (research instruments) had been designed in such a way that they will be able to accurately measure the intended construct under investigation and ensure the meaningfulness of the study's findings. This would significantly enhance trust worthiness of the research findings even if the study is repeated by different researchers using the same approach or with different instruments measuring the same construct (Kubai, 2019; Gariba; 2014).

It is for this reason that the researcher considered a combination of interviews and observations as being the most suitable tools to investigate police use of force in Ghana. This was due to the fact that using interviewing schedules and observations to ascertain the extent to which the suppositions and procedures being adopted by the GPS to minimise the use of force supported the study's findings, adopting interviews as the main source of data collection tool together with observations enabled the researcher to explore complex issues in detail, facilitate personal engagement with the police and citizens in the collection of data, and allowed the researcher to provide clarification, to probes such as 'why police use force while promoting security and to what extent can use of force be reasonable?' (Brown and Dowling, 1998; Briggs and Coleman, 2007). Data collected from this study using this approach will allow inclusion of the Ghana Police Service and Police Administrators to be empowered to implement findings, modify use of force policies if needed, encourage institutional change if found necessary and create a foundation for future research and policy guidelines to minimise the use of force in Ghana.

3.4: Population of the study

Thomas (2009) defines population of a study as the total number of units from which data can be collected, such as individuals, artifacts, events or organisations. The target populations for this study comprise police officers who are in active service in Ghana, both senior officers and lower ranks while civilians who have had encounter(s) with the police were selected from four regions (Greater Accra, Northern, Upper East and Upper West) in Ghana. Officers included those in the regions, administrative districts, Police Headquarters, and the Police Training Schools (PTS). As of 2019, it was estimated that the staff strength of the GPS stood at approximately 39, 000 (Ministry of Interior, 2019) which represents 1:848 police-citizens ratio which falls below the UN estimates of 1:500 police-citizens ratio. The population also consists of both males and females with basic education and with some higher education. Officers who participated in the study have various rankings: Constable, Corporal, Lance Corporal, Sergeant, Inspector, Chief Inspector, Assistant Superintendent of Police, Deputy Superintendent and Superintendent. Citizens who have had encounters with the police were also interviewed and they consist of males and females, but the majority of them were males with basic education while some of them had higher education and others with no education. Citizens were able to express their views on different ways police use force against them during encounter(s) and went further to explain its impact during and after the incident. Although, the main sample was taken from both the police and citizens, other senior officers, academics, security experts, journalists, and non-governmental organisations from the defined population with varied

experiences in policing and use of force were also interviewed to elicit information to enrich the data collected.

3.5: Sample and Sampling techniques

In order to ensure that different characteristics of the population and different backgrounds are selected, a purposive sampling technique using quota and snowball methods were used in the selection process with an estimated total population sample size of 60 and the breakdown is as follows: 20 police officers (5 from each of the four selected regions), 30 civilians who have had encounter(s) with the police and 10 National Peace Council members whose aim is to raise awareness surrounding the use of non-violent strategies in response to conflict through networking, coordination and campaigning. All the officers who are in active service and citizens who have had encounters with the police were selected for the study. Selection of the most appropriate sample size is important for ensuring the credibility of a qualitative research study (Bryman, 2016; Thomas, 2009). Information on the sample size is essential when evaluating whether the sample is appropriate or inappropriate. Kerlinger (1986) defines sampling as taking any portion of a target population or universe as a representative of that population or universe. According to Briggs and Coleman (2007), even though there is no commonly accepted or a specific sample size for qualitative studies, it is worthy of note that the purpose of choosing this optimal sample was to have an in-depth knowledge about police use of force and to address the research questions being investigated.

It must be noted that selecting the entire population of the GPS and the citizens for this study was not attainable in a research study of this nature. Consequently, the method of defining or selecting the sample for this research was based on a non-probability approach. Bryman (2016) argues that a non-probability sample concerns itself with those samples that have not been chosen through a random selection process thereby creating a situation whereby some units within the sample frame have a greater chance of selection than others. In this sense, sampling techniques in social investigation have become very useful tools in collecting data from a wide range of sources. According to Maxfield and Babbie (2001), sampling procedures are designed for the collection of information from a selected people within a defined subject matter and over a given period of time. As such, the sampling technique(s) used to investigate the phenomenon under consideration was appropriate, as painstaking efforts were taken to gather as much information as possible from different sets of police officers and citizens towards making the results reliable, valid and relevant, and this explains why a total sample size of 60 respondents was interviewed.

Given that the main research question of this study is ‘police use of force: to what extent can accountability, and training impact on force used by the police against citizens in Ghana?’, the researcher needed to have gathered information from a wider population including the general public, opinion leaders, politicians and the media on one hand and then the police on the other hand in the areas of: political interferences and corruption (senior officers and lower ranks) in Ghana. Consequently, the sampling technique chosen offered an appropriate mechanism to consider a selection of the sample frame (police officers and citizens) for this investigation. However, in order to be able to obtain valid, objective and scientific conclusions, a strategy for the identification of the respondents from the police service and citizens in Ghana was adopted. In this context, the researcher ensured that only serving police officers who had knowledge about routine police duties and citizens who have had encounters with the police were interviewed through purposive and snowballing techniques.

It is worthy of note that sampling techniques in social investigations have become very useful tools in collecting data from a wide range of sources such as the police and citizens to enable the researcher to gain access to a greater variety of opinions that were ultimately representative of all the essential information required to achieve research objectives (Briggs and Coleman, 2007; Gariba, 2014). Given the size of the Ghana Police Service and citizens who have had encounters with the police, the sample size for this research study had to be practical but representative as the researcher needed to take both into consideration. Marshall (1996) explained that qualitative research sampling parameters do not mirror needs for quantitative studies. Qualitative research characteristically uses small, purposefully gathered samples with the focus on in-depth understanding of the phenomenon being investigated (Greene, 2007). The size of the sample in qualitative research is built around the ideal amount needed to make a valid inference about the population being studied (Marshall, 1996). Miles et al. (2014) stressed that qualitative researchers normally work with small samples, in great depth and detail, as opposed to quantitative inquiry, which seeks larger sample numbers to determine statistical significance. In this regard, qualitative inquiry is about understanding complex human issues and therefore, the generalisability of results, which requires larger sampling sizes was not needed in this study (Marshall, 1996; Lutkiewicz, 2020).

Lee (2004) argues that in investigating a phenomenon such as use of force in policing, it may be complex to have a comprehensive list from which to choose participants from for a study. Besides, there is also the challenge of locating a sample frame within the targeted population – a situation in which there are ‘the hard to reach’ participants (citizens who have had

encounter(s) with the police). Consequently, Lee (2004) argues that it would be prudent for researchers to ascertain the possibility of identifying the locations of the research subjects using purposive and snowballing techniques, in order to reach out to respondents to share their lived experience of the phenomenon and by so doing, refer others who have had similar experience(s) to share their views on the issue under consideration as well. Adopting these strategies offered the researcher the opportunity to have access to hard-to-reach people which would have been difficult to identify, access to classified documents and in-depth information about how the Ghana Police Service operates and the kind of training that they give to their personnel during an encounter with the citizens. Citizens who have had encounters with the police were also identified through the adopted protocols to talk the researcher through the kind of force being used against them and whether the police were right or not to use force and the negative effects associated with the use of force and its associated consequences during and after the incident.

3.6: Interviews

Some researchers are of the view that interviews generate most useful information about lived or real-life experience of people, how they perceive situations or operations of an organisation such as the Ghana Police Service and how their mode of operations have repercussions on their day-to-day activities in the light of exercising their legitimate authority in a given situation (Denzin and Lincoln 2003). They further argued that interview is a conversation, the art of asking questions and listening to responses from participants to obtain data for analysis. Dexter (1970: 11), notes that “interviewing is the preferred tactic of data collection when... it appears that it will get better data or more data at less cost than tactics”. In the view of the researcher, the purpose of interviewing is to find out what is in somebody else’s mind but not to put things out there. For example, through face-to-face interviews the researcher was able to understand in more detail the reasons why police in some instances use force during encounters and why citizens who are found to be victims have contrary views to such police actions. Also, interviews offer participants (citizens) the opportunity to explain vividly why they think police have no right to use force in the course of discharging their duties, why police also had contrary views to their suggestions, and why both the police and citizens agreed on certain principles and legal frameworks that mandated police to act in certain situations in order to protect lives and properties.

Research shows that qualitative and quantitative researchers tend to rely on interviews as prime method of gathering information to obtain in-depth knowledge, understanding of a situation or a phenomenon in the life of a participant, group, institution or to acquire simple point on a scale of 1 to 5 dimensions (Thomas, 2009). In-depth interviews complemented the theoretical aspect of the study, allowing the researcher to explore police use of force and its impact on citizens fundamental rights in detail. Interviews therefore remains as the most appropriate tool for this research because it is the only means by which one can comprehensively understand individuals lived experience in their own words. It enabled the researcher to explore complex issues in detail, facilitates personal engagement of the researcher in the collection of data, and allowed the researcher to provide clarification and probe for further interpretation.

A visit was organised to the Ghana Police Service installations in Accra specifically to the Police Headquarters, Criminal Investigations Department (CID) Headquarters, the Police College (POLCOL) in Accra, as well as the Regional Police Headquarters (RPHQ), Police Training School (PTS) and police stations in the other three regions: Northern, Upper West and Upper East to have first-hand information on the mode of operations of the GPS specifically on use of force in the course of promoting security. During the visit, the researcher purposively contacted selected participants by introducing himself and requesting for audience. When the request was granted, the researcher proceeded to introduce the subject, explain the research interest and requested for their consent and thereafter, requested to conduct face-to-face interviews with some selected participants who have agreed to be interviewed. Though some of the officers requested to have the interviews in their offices' others chose a different location and time that may be convenient to them.

The second step of the interview process involved the reading and presentation of a statement of informed consent to respondents. The statement clarified the purpose, aims and objectives of the research, including the conditions of interview and the right to withdraw consent at any time. So far, no single respondent withdrew his/her consent in the course of the study. In the process of interviewing respondents, the researcher endeavoured to create a conducive environment wherever possible and reported exactly what respondents had to say without debating or arguing. In this way, the researcher's neutrality was not compromised. By maintaining such a neutral position, the researcher had the opportunity to ask for further explanations where required. Each of the face-to-face interviews lasted for a duration of about 45 – 60 minutes. The interviews were held in the respondents' offices and notes and recordings

taken immediately with their permission. In situations where responses were not clear or further explanations were required, the interviewees gladly repeated or offered further explanations.

Recording the responses

The responses from interviewees were hand-written depending on the situation in the field. While some of the responses were written down verbatim spontaneously, others were written soon afterwards so as not to distort the meaning intended to be conveyed by the respondents (Thomas, 2009). The interviews were not recorded by any other means apart from notes taken by hand on a note pad. Permission was requested from participants prior to writing down their responses. Thus, the responses from interviewees were recorded by hand during the interviews to ensure non-disclosure, confidentiality and anonymity. Upon completion of the interviews, the hand-written notes were later typed as interview transcripts. Interviewing is one of the most widely accepted approaches used to conceptualise society and its people (Denzin and Lincoln, 2003; Thomas, 2009). Thus, interviews have been identified as an important tool used to conduct market research, political opinion polls, and for academic purposes like this research (Denzin and Lincoln, 2003; Thomas, 2009).

It is significant to note that face-to-face interviews would be suitable for all the categories of participants sampled because it is extremely useful in eliciting the right information from both senior officers and lower ranks of the GPS as well as citizens who have had encounters with the police (Maxfield and Babbie, 2001; Gariba, 2014). Nevertheless, Borg (1981) suggested that there are many challenges associated with the face-to-face interviews, some of them were inevitably encountered in the conduct of the research as follows: ‘eagerness of the respondents to please the interviewer, a vague antagonism that sometimes arises between interviewer and respondents, or the tendency of the interviewer to seek out the answers that support the interviewer’s preconceived notions are a few of the factors that may contribute to biasing the data obtained from the interview.’ (Borg, 1981:87, cited in Gariba, 2014: 99).

In spite of these challenges rigorous measures were taken by the researcher to mitigate them as can be found under limitations of the study to ensure that the data collected from participants were accurate and reflect their own opinions. Borg, Briggs and Coleman (2007) argue that interviews have undoubtedly become a very important strategy in collecting data for various research studies. The reality is that we live in an interview society because different methodologies such as qualitative and quantitative depend on interviews as an indispensable tool for the collection of data (Briggs and Coleman, 2007; Silverman, 2003; Bryman, 2016).

Consequently, individuals are interviewed to explore their views in ways that cannot be achieved by other means and report findings in exactly the participants own words. Interviews enabled the researcher to gain access to a variety of information which would have been difficult to obtain from individuals who are not directly linked to the research study. Using in-depth interview questions to elicit information from participants who have been sampled for a study are not just a research tool designed for collecting data, rather as a form of an active interactive mechanism between the researcher and participants which invariably leads to understanding a phenomenon based on participants' responses, and using the data gathered or findings to suggest alternative solution to the problem being investigated (Denzin and Lincoln 2003; Atkinson and Silverman 1997; Silverman, 2003).

Police Officers

Semi-structured interviews with open-ended questions were held with twenty (20) police officers both senior and lower ranks during the field work in June 2018. These included 2 Deputy Superintendents, 3 Assistant Superintendents of Police (SPOs), 4 Chief Inspectors, 2 Inspectors, 3 Lance Corporals and 6 Constables. The women officers interviewed were mainly from the ranks of Constable, Chief Inspector and Assistant Superintendent with a record of service ranging from 11 months to 35 years of service. The chosen population for this study was particularly useful because it generates rich ideas and a deep understanding of the day-to-day operations of the Ghana Police Service especially on the use of force powers which could have been difficult to ascertain if different sampling techniques were used.

The sampling technique(s) used for this investigation was appropriate for the underlying research topic because the researcher was able to gather data about how police officers reach the decision of using force against subjects who pose a threat to them and how the general public react to that decision or in arrest circumstances. To understand these comprehensively was when the participants began to tell their story, inevitably new questions that did not occur to me from the prior interviews came up because each participant's story was considered as unique. As such, the elements of adaptability enabled the researcher to adopt the right positionality (Tankebe and Sowatey, 2018: 10), which created the appropriate shared space and a congenial atmosphere for the interviews which sometimes lasting up to two hours. The researcher did this by finding the common background, staying on respondents' interests for a while and listening to their frustrations and enthusiasms. It was often time-consuming, but useful as preparation for a lengthy session. For instance, this study's interview schedule

incorporated five interconnected themes: (1) perceptions of police use of force and legitimacy; (2) police accountability; (3) training and in-service training; (4) political interferences; and (5) ethical standards. However, in developing the right rapport for the interviews, the researcher tried to identify areas that engaged the respondents and focused on those themes for a little longer before moving to other themes.

The fieldwork covered the four selected regions in Ghana, and this required a great deal of travel, sometimes deep into the night, with implications for safety on account of road accidents and highway robberies. The researcher had to make use of the value of the time by focusing on major issues relating to the broader research aims. Practically, what it meant was making a judgement as to when to ask difficult questions and when to ask the friendly ones that interested them most. It was also realised in the course of the interview that it was ill-considered to delay on difficult questions for too long because doing so appeared to create an avoidable anxiety. Moving as quickly as possible to more harmless topics often relaxed the respondents in quite profound ways. For example, when the respondents were more relaxed, the researcher then gradually asked a combination of what we judged to be sensitive questions. These included questions on corruption, political interferences in police work, accountability; open questions included those on ethical standards, logistics, working hours, recruitment process and democratic policing principles.

More so, due to the complexities involved in the use of force decisions, and because of the processes involved in reaching that decision to use force, describing that process by responding to closed ended survey would not yield to the best outcome. For example, assuming the main research question of this study is ‘Police Use of Force: to what extent can accountability, political interferences and training impact on the use of force in Ghana?’ The researcher would have gathered information from a wider population including the military, opinion leaders, traditional leaders senior police officers, junior officers and the clergy in the areas of ethical standards and procedures in Ghana. Consequently, the sampling technique chosen would have offered an appropriate mechanism to consider a selection of the sample frame (police and the general public) for this research study. However, in order to draw valid, objective and scientific conclusions, a strategy like this for the identification of the respondents from the police officers and the general public citizens would not have yielded to any valid conclusion. In this context, the researcher ensured that only serving police officers who have had knowledge about routine police duties and citizens who had encounter(s) with the police were selected for the interviews. This approach offered participants (officers) the opportunity to assess and evaluate their own

institution and how the general public perceive them especially when force is applied during encounters.

Purposive sampling technique was adopted for this study to sample participants in a specified order based on respondents' knowledge, expertise and lived experiences of the phenomenon under consideration (Bryman, 2012: 418; Silverman, 2013). This strategy was adopted to assist the researcher in organising a visit to the Regional Police Headquarters in all the four selected regions after obtaining approval from the Inspector General of Police at the Police National Headquarters. During the visits, the researcher contacted the potential respondents by introducing himself and requesting an interview. When the request was granted, the researcher proceeded to introduce the subject, explain the research interest and the potential benefits to the respondent and the nation as a whole, thereafter, requested to either conduct a quick face-to-face interview or propose a convenient date for the interview. In some cases, the respondents preferred to give the researcher subsequent appointments for the face-to-face interviews whereas others accepted to be interviewed in their offices. Others suggested a convenient place for the face-to-face interview. The specific data collection tools employed in this research were discussed. Purposive sample which simply involves the pursuit of the kind of person in whom the researcher is interested, professes no representativeness. For this reason, those sampled for the study are often referred to as non-probability samples, because they do not lend themselves to the kind of design on which inferential statistics using probability estimates are used (Thomas, 2009). The interviews complemented the theoretical framework of the study in that it allows the researcher to explore the implications of police use of force during encounters with the citizens in Ghana.

Citizens who have had encounters with the police

Thirty (30) citizens comprising 21 men and 9 women were interviewed using purposive and snowball sampling technique to contact most of the participants who have had encounters with the police. The snowball method was particularly useful for this group because it helps to identify hard-to-reach participants who are difficult to locate to share their experiences during and after incidents and offer possible suggestions on different strategies that police could adopt during crowd control or encounter to protect citizens' fundamental rights (Noy, 2008). It was adopted to generate a sample where potential sampling population are particularly difficult or rare to identify. In the first instance, the researcher tried as much as possible to identify and interview one or two people who are relevant to the research study and in so doing, increase

the tendency of sampling interviewees by asking potential participants to give information about someone who was or were related to them or have had similar experiences but not necessarily residing in their catchment area (Briggs and Lincoln 2007). Subsequently, the people identified were then asked to identify others with similar characteristics and the researcher capitalised on the information given by those that have been identified and in doing so, contacted or had access to some of the people and relied upon this approach to identify other members in turn to tell their unique stories. This approach has been helpful because it enabled the researcher to reach out to a population or discover characteristics of a population that the researcher was not aware of but are relevant to the study due to their experiences or knowledge about the phenomenon under consideration.

These citizens draw our attention to particular social conditions, shape our sense of what the issue is and suggest ways by which the issue can be resolved (Surette 1998). For instance, most of the citizens interviewed were citizens who have had police encounters on issues of policing, use of force or brutality, lodged a complaint against an individual but police are failing to act on the issue or a victim of a police swoop or stop and search and this could potentially influence police reforms in Ghana. Guba and Lincoln (1981: p. 154) point out that, 'of all the means of exchanging information and gathering data known to man - interviewing is perhaps the oldest and certainly one of the most respected of all the tools that the researcher can use'. In this instance, the cardinal aim for which researchers adopt interview process is to gain access to people, explore their views in ways that cannot be achieved by other forms of research approach and report findings in a manner that reflect participants own words. It appears that there is an inherent believe that findings emanated from interviews are valid and reliable and that, the inter-personal relations between the researcher and participants involved in the process has not unduly biased the outcomes of the research (Atkinson and Silverman 1997; Silverman 1993 and Denzin and Lincoln 2003).

A considerable number of studies has revealed that the snowball method has been used by some researchers to achieve their study objectives. For instance, Rothbart et al., (1982) used this method in the survey of Vietnam War veterans. In that study, according to Lee (1993), a stratified sample of 8,698 households was screened and generated 525 eligible veterans. Respondents for the survey were then asked, however, to give information on people who had been veterans of the war in Vietnam, this technique generated an additional 476 veterans. Even though this method was substantial to the study, there were few challenges associated with the method especially in locating nominated veterans with most of the effort being made to locate

them were being done by telephone. While this method has the propensity in terms of cost savings and time, the danger ahead was that it could lead to sample biases especially in instances where people vary considerably in their ability to nominate potential respondents (Lee 1993). On the other hand, despite the intricacies surrounding the snowballing method, Busher (2005: 961- 41) describes how its use in a study of ‘middle leaders’ professional identities ‘minimised ethical problems of talking with people about others without permission’ and as Coleman (1958) puts it, to sample explicitly with reference to the social structure (Briggs and Lincoln 2007: p. 136, cited in Lee 1993) which in the end, enables researchers to gain access to people to participate in interviews which would have been difficult to reach or locate them in order to enhance the research outcomes.

While in-depth interview was adopted as the main source of data collection, observation method was also used to validate participants’ information, respectively. The purpose of using these research approaches (interviews and observation) for collection of data was to validate the source and to overcome limitations of using a single method. For instance, one main limitation of the semi-structured in-depth interview is reliability of the data which depend to a large extent on the responses of participants as some may be unwilling to talk about or may be oblivious of recurring patterns in their lives (Marshall and Rossman 1999). But as Fontana and Frey (2005) however argue, asking questions and getting answers is a difficult task than it may seem in a glance especially quoting or repeating verbatim what someone has spoken or said always consists of ambiguity irrespective of how carefully the words are crafted or how carefully the words are quoted or answered. Despite these limitations, all the participants interviewed agreed with their transcriptions without any cancellation, omission or amendment. At every stage of the interview, validation of data was conducted to offer participants the chance to verify what has been transcribed and whether it was a true reflection of what they said during the interviews. Checking of data amounts to triangulation, which means at the data collecting stage, that is during the fieldwork, seeking further evidence including talking to relevant people, studying documents, and observing actions of the police enabled the researcher and others to have confidence in the conclusion of the study (Bush, 2006).

National Peace Council Members

Ten (10) members of the National Peace Council were also interviewed at the National Headquarters, Accra, and the other regions. These people were selected purposively for the study because of their competence, knowledge and experience in matters relating to peaceful

conflict resolutions and non-violent strategies. Since some of them are security experts and academics and have in-depth knowledge on security related issues especially within the sub-Saharan Africa regarding policing, they could offer advice on how modern technologies such as body-worn cameras could be used to improve police accountability and lower reports of police misconduct. According to Lee (2021), what makes the police body camera quite distinct is that, when used properly it will improve public safety especially when people get to know that they are being watched they usually behave well. Even though a body of research indicates that police body camera footage has shed light on police misconduct that would not have been detected otherwise. However, it is relevant to note that even when body-worn camera footage has clearly demonstrated officer's misconduct, often such footage has not helped to hold police accountable but has helped to reduce crime and increase public safety (Lee, 2021).

During my interactions with some of the members regarding modern technologies such as body-worn cameras, CCTV cameras and drones, it became evident that these mechanisms championed by members will serve as evidence or a useful weapon at the police disposal that will not only generate solid forensic evidence but also keep officers safer, as police will become accountable to the citizens and any force used against a civilian will require justification. These devices can aid in documenting evidence, resolving complaints from the public, record events and videos, or pictures which can be tendered in as evidence at the law court when the need arises and as a means of strengthening police transparency and accountability (COPS, 2014). Therefore, it is not too far-fetched to imagine that one day modern technology such as police body-worn cameras will be used as evidence in Ghana to sanction police officers who used illegitimate force against citizens during encounters. This form of strategy will enhance police work as officers will be able to provide forensic evidence at the law court to sanction subjects who perpetrates violence in the country or pose as threat to the citizens and police officers as well.

3.7: Observations

Observation method is a qualitative research technique used to observe participants constant behaviour in a natural setting. This kind of approach enables researchers to gather reliable insights and is considered as one of the most relevant ways of collecting data in social settings. It enables researchers to obtain data on what participants do as opposed to what they claim they do (Waddington, 1999). As the name suggests, observing means watching carefully, and one can do this in different ways, depending on the approach to research that one has decided to embark upon (Thomas, 2009; Briggs and Coleman, 2007). This type of research method does

not depend on respondents' personal views like a survey or questionnaires but seeks explicit evidence through the eyes of the observer either directly or through a camera lens. Therefore, adopting observation approach as a complement to in-depth interviews to investigate the use of force by police officers in Ghana provided the researcher with ways to check for nonverbal expressions of feelings, determine police attitudes towards citizens, citizens demeanour during encounter(s) with the police, grasp how participants communicate with each other, and check for how much time is spent on various activities during encounters (Schmuck, 1997). Observations allowed the researcher to check for definitions of terms such as brutality, reasonable force, suspects, legitimacy, lethal force and less lethal force that participants used during the interviews, observe events that informants may be unable or unwilling to share or when doing so would be inappropriate or insensitive, and observe situations informants have described in interviews, thereby making them aware of distortions or inaccuracies in description provided by those informants (Marshall & Rossman, 1995).

In this sense, the researcher adopted Becker and Geer (1957: 28-32) observation strategy as a method in which the observer participates passively in the daily life of the people (police-citizens encounters) by observing things that happen, listening to what is said, and questioning people over a period of time to critically understand what people say and hear about the organisation or the phenomenon under study and how police use of force has affected police-citizens relations as well as citizens trust in the police and how it could be minimised. The research involved the direct observation of five encounters between police officers and citizens of Suhyen where there was a protracted chieftaincy dispute, the like of which had previously resulted in injuries. The observer used qualitative data recorded on a standard data collection form designed for the study. The qualitative research was undertaken in order to facilitate greater understanding of officers' and citizens' perceptions and opinions on use of force and what can be done to reduce its use. It is intended to complement the in-depth interviews and provide further insight and illustrations. The observations covered a random sample of encounters that took place during the day and evenings and all days of the week. In addition, interviews were conducted to provide contextual information. Analyses of these data were used to: provide an independent, up-to-date indication of how police officers and citizens perceive the use of force in police work, identify where there may be greatest scope for improvement in terms of procedures used by the GPS to minimise use of force, and allow the service to assess where there might be continued scope for effectiveness and improvement of citizens trust in the police relative to earlier studies. Where appropriate, in this study findings from the two

elements have been compared when similar issues are covered by both strands of research. It should be noted that the qualitative aspect of this research is not designed to be statistically representative of officers' views, but to be exploratory. As a result, claims cannot be made about the extent to which conclusions may be drawn to the wider population of the police officers or citizens as a whole. Verbatim quotes are used throughout the study to illustrate particular bodies of opinions, but these should not be taken to represent the opinions of all officers or citizens who participated in the research.

In addition, the researcher also had the opportunity to observe police training at the Police Training School in the same city on crowd control mechanisms based on citizens' reactions. The training lasted for three and half hours and after the training the researcher had the opportunity to interact with the recruits and senior officers about the training and its effectiveness in maintaining law and order. Though some officers refused to answer some of the questions asked, the majority of them expressed their opinions about training prospects on crowd control and its ramifications on police-citizens relations. They went further to talk about procedures and the kinds of training especially on force continuum measures to deal with the public during encounters. Though the selected community was not part of the regions being studied, the researcher decided to undertake participant observation to compare the responses gathered from the interviews to test the reliability and validity threshold. Additionally, the researcher also hails from the town and that influenced him to carry out this study because of the long-term professional relations that exist between the researcher and the police in Ghana.

3.8: Access

Clearly, access concerns getting hold of the data that the researcher wants, and where and how people providing the information the researcher needs can be located. In other words, whether the researcher is conducting a set of interviews or questionnaires or making some formal or informal observations, the researcher needs to identify those people, contact them, and secure consent, attending to all the issues they have with some considerations of which to be aware of. There is no doubt that most often gaining access to know peoples lived experiences can be problematic or a daunting task especially if some participants or institutions involve believe that the study can expose them for public scrutiny. Conducting research in institutions such as the Ghana Police Service can be a daunting task particularly with regards to access especially if the researcher is from outside the institution, as such research requires permission from superiors at the Ghana Police Service Headquarters in Accra. In this case, a letter was officially addressed to the Inspector General of Police in the form of an introductory letter, stating the

purpose of the research, why the researcher has chosen the institution for data collection and the benefits that may accrue from the study to both the institution and the country at large.

The researcher is not a police officer but has had long-standing professional relationships with some police officers, of which some of whom are senior officers and therefore gaining access through personal contacts facilitated access to the GPS, because the researcher was considered as outsider-insider within the organisation, and this gave the researcher the privilege to have easy access to potential officers for the study. Additionally, the researcher had spent numerous years living in a community where there are protracted chieftaincy disputes, which usually lead to lots of confrontations between the police and the youth in the community, and that has been the place the researcher grew up to become acquainted with police practice; the researcher consequently developed a professional relationship with the police and undertook research with frontline officers about chieftaincy disputes and its ramifications in the promotion of security. In the months prior to the formal approval of the project, the researcher had conducted a pilot study to find out about chieftaincy disputes which consequently informed the researcher's understanding on how it can have negative effect on citizens fundamental rights. The researcher anticipated that this position would facilitate access in order to have potential personnel to be interviewed and certainly, it did, when you consider that the researcher had been on many occasions perceived as outsider. The researcher adopted interviews approach to collect data about the police and their thoughts and behaviour in a systematic manner on the use of force and this facilitated in getting access to the organisation and had the opportunity to interact with both senior and junior officers. Although some of the officers were possibly at the beginning identifying the researcher as mere outsider, but the identification changed as the researcher grew to be outsider of some standing and further visits to officers regularly to be seen as outside-insider of extreme reputation informed officers' decision to entrust researcher with sensitive information.

Initial observation suggested that gaining access to the Ghana Police Service was going to be difficult and that was what the researcher anticipated, but due to long-term professional relations that had been established with the police over the years and based on steps undertaken above which facilitated researcher's quest to gain access to potential officers to participate in the study became less problematic. Access arrangements with superior officers started with an introductory letter through the Chief Staff Officer to the Inspector General of Police (IGP), explaining who I am and the purpose of the research. At the Police Headquarters in Accra, one of the Officers at the Registry, after receiving the introductory letter, informed the Chief Staff

Officer who is in-charge of the Registry and within a space of time an arrangement was made to meet the Chief Staff Officer together with his Deputy in his office, and after having lengthy discussions regarding my research, it became clear that the institution will be ready to assist me to carry out the research. According to the officers, my research is a grey area that a lot of researchers in Ghana have not researched into and for that matter, the study will benefit the institution and the general public to crucially understand the role of the police in society and why police officers use force in certain situations during encounters. While leaving their office they assured me of forwarding my request letter to the IGP's office for approval. Less than seven days later the researcher had a phone call from the Eastern Regional Police Headquarters that they have received a letter through a Despatch Rider from the Police Headquarters and the letter has been addressed to me. The researcher went there the following day and indeed the letter was approved by the Inspector General of Police (IGP), authorising me to interview police officers in selected regions across the country.

Interestingly, one thing that the researcher took notice of during the interview was that once the IGP had given approval no officer refused to be interviewed after contacting their superiors in the regions. In fact, the kind of responses and the courtesies accorded me reinforces what Briggs and Lincoln (2007) indicated in one of their studies, that in democratic countries, it is easier to have access to participants in research of this nature than less democratic countries where access is usually restricted to a limited a number of people. This reaffirms the kind of support that the researcher received at the Police Headquarters during his visit. It was observed during the fieldwork that in a democratic country such as Ghana, it was found that a wide range of research paradigms and methodology are typically accepted as long as the study is of great importance to the country and as a way to motivate young and up-coming researchers to explore their academic prowess (Briggs and Coleman 2007: 61).

It was observed in my first interaction that some of the senior officers were initially sceptical and hesitant to provide information that they considered 'sensitive'. This was evident in their tone of voice, facial expressions, brevity of response to initial line of interviewing and other non-verbal prompts. The initial indicators typically signified that the researcher was being perceived as intruding outsider. However, as soon as the researcher saw these early warning signals, the researcher sought to change the narrative on the positionality from intruding outsider to respectable outsider who could be trusted with sensitive information. The researcher developed a flexible strategy, with elements of adaptability, focus and innovation intended to enable him to create the right space and environment for both access and interviews. For

example, following what Tankebe and Sowatey (2018: 10) called the chameleon interviewing technique, the researcher adapted briefly to the peculiarities of particular officers and situations by changing the sequence of the interview schedule and this approach helped in answering questions from gatekeepers.

More so, it is of worthy to note that the Ghana Police Service is one of the most formidable organisations where access to the field may be difficult, just as Tombs and Whyte (2003) show that research access to state institutions such as the police could be difficult. This was not the case in this study as the initiative was taken by the Inspector General of Police, so officers were obliged to grant access once it has been sanctioned by the highest authority. However, in some jurisdictions despite the IGP's recommendation, access to the institution could have been put at risk by the Regional Commanders who are in-charge of the regions selected if they had instructed officers to behave in a special way when the researcher approached them to have face-to-face interviews. The fact that the heads of the regions were not hesitant and allowed the researcher to interact with officers suggests that no special precautions were taken to hinder perceptiveness. Although the leading regional police commanders said they had become increasingly more restrictive in giving researchers and journalists access, this did not include this study because it was initiated by the head of the Ghana Police Service (Inspector General of Police) and that paved way for interviews to be conducted without any difficulty.

The methodological approach associated with this study dealt recurrently with the conditions under which trustful relations could be established with deviant or disadvantaged subjects, as Whyte (1995) indicated in his *Street Corner Society*. According to Briggs and Coleman (2007) conducting research in some cultures can be very daunting if not unsurmountable problems regarding access for even the most experienced academic researchers or postgraduate research students. Even institutions that are considered as highly researchable, access might be difficult because many researchers wish to study them and therefore the probability for researchers to gain access is quite minimal. Briggs and Coleman indicate that in conducting research in sensitive institutions such as the police is often seen to be difficult to execute especially if the researcher is from outside of the institution or outside the country. Senior officers are extremely sensitive to requests to collect data in their institutions for fear of upsetting their superiors and other stakeholders (Briggs and Coleman, 2007). According to them more often gaining access to institutions like the police or schools requires the penetration of an elaborate bureaucratic network, highly trusted cooperative relationship with eminent local academics and bureaucrats, and even the payment of fees. Contrary to this, it appears that the more democratic, open, and

liberal a country is, for instance Ghana, the easier is access to the subjects to be researched, and this was demonstrated by the cordial reception given to the researcher by staff officers regarding the research study when requested for permission to interview police officers in their various departments and units.

It is assumed that in democratic countries where rule of law and good governance are extolled, a wider array of research paradigms and methodologies are tolerated and practiced and that was exactly what the researcher experienced when the researcher approached the GPS officials at the police headquarters to request for permission to conduct interviews in their establishment as stated above. Unlike non-democratic states where gaining access to government officials pose serious barriers in securing research participants and data. In China for example or like other Central Asian countries where democratic credentials are difficult practice due to an established regime, it is highly important to start fieldwork by identifying key gatekeepers. These individuals can facilitate access to a pool of potential participants (King and Horrocks, 2016: 31), whether by virtue of their formal role or their informal authority. Gatekeepers in such non-democratic regimes include political party chairmen, the chief of a security force, the director of a branch of the civil service and the others (King and Horrocks, 2016). In order to overcome these bureaucratic tendencies, proactive and persistent measures have to be taken to eliminate the bottlenecks imposed by the non-democratic states' governments.

What is worth mentioning is that gaining access to government officials in such regimes is quite problematic, frustrating, long, and disappointing process, posing many bureaucratic risks in addition. Again, gaining access to establishments in a non-democratic country such as mainstream China for research does not guarantee good quality data due to the constraints imposed by the political regime (Janevova, 2019), though it can also be argued that the fact that a country is democratic does not necessarily mean that access to institutions and sensitive information can easily be obtained. However, this is not the case in Ghana, since the Ghana Police Service is considered to be operating in a democratic environment where rule of law and accountability are key indicators of promoting democratic policing values, it is obvious to say that the police in Ghana can be considered as operating within the confines of democratic principles with an open-door policy, where access to information are not restricted to a particular set of people or groups and allow researchers to conduct academic research such as this without any forms of restrictions. This seeks to confirm that Ghana is indeed a democratic country that gives opportunity to researchers with less stress to undertake research in various institutions such as the Ghana Police Service and also have access to classified documents.

According to Briggs and Coleman (2007), gaining access to an institution and getting people to participate in interviews can sometimes be difficult especially in jurisdictions where power, influence and status are of great importance. However, as Kotarba (1990) relied heavily on ethnographic method to achieve his research objectives, points to the fact that, qualitative researchers can gain access to at-risk populations, such as prostitutes and drug addicts who were difficult to locate because of their social invisibility and deviant social status. The most relevant key indicator that facilitated the researcher's access to the Ghana Police Service was informal networks that the researcher had built with some police officers who are in active service, with whom the researcher had developed long-standing professional relationship for many years. This offered the researcher the opportunity to have access to the organisation and its personnel at the national police headquarters in the Greater Accra region and other police regional offices to discuss the research objectives and the reasons why their organisation was chosen for the study. Some of the Officers were Assistant Superintendents, Assistant Commissioners, Superintendents and many others who themselves had extensive networks at the top hierarchy of the police organisation and had deep insight into administrative procedures. They knew the 'invisible' power dynamics within the police service and could offer critically important advice as to how access into the organisation can be extended to outsiders to conduct academic studies.

The researcher's experience in conducting an in-depth interview therefore stems from Walker and Lidz (1977: 115) that access to restricted worlds requires an 'individual who will establish the researcher's credentials and who is well thought of by the other participants in the system' (Tankebe and Sowatey, 2018: 10). Based on this and ethical considerations, the researcher chose to be open with the police officers that were met during the fieldwork regarding the aim of the research. According to Sowatey and Tankebe (2018), ethics may sometimes make data less accessible but in the case of this research, it was less problematic, as some of the police informants commented, that the researcher's possibilities of uncovering police use of force must be regarded as few as long as officers know what the researcher is looking for. This assumption is further strengthened by the attention these issues have raised, both in the media and within the political landscape in Ghana. On the other hand, if police use of force has been an institutionalised practice in the police, it is likely that it cannot easily be hidden. For example, a documentary of the police in Redfern, Australia, revealed for example that police officers who were filmed were more cautious about: 'whether they were wearing their hats when the cameras were rolling than about the racist slurs and disparaging comments they

routinely made about Aborigines' (Brockie 1994: 178, her in Sowatey and Tankebe, 2018: 46). This may indicate that when use of force behaviour is an integrated part of a specific police culture, it may be hard to hold back, even from a researcher.

Ostrander (1993: 12) makes a similar contribution: 'you get in and get useful data from them (i.e., elites) if you know others that they know and respect'. However, having acquaintances with some police officers is not sufficient to guarantee access. Far more important are those officers who understood and appreciate the potential value of academic research for police work. They wish to cultivate a strong relationship with academia but are confronted by a culture that does not necessarily encourage such a collaboration. The researcher explained that there was a rareness of data capturing police officers' voices and experiences and that, without a systematic in-depth interview of those officers, policy initiatives to reform police work especially on the use of force would be based on distorted information. The researcher further explained that the research had the potential to provide key information that could enhance policy guidelines and strategy to minimise police use of force during encounters in Ghana. Once persuaded on the potential merits of the research, the officers became key advocates for the study and offered advice on negotiating and maintaining access. During the researcher's preparation and engagement with police officers, researcher realised that, although telephone calls served an important purpose, a physical presence was practically helpful because it conveyed a symbolic message about the researcher's commitment to the phenomenon under consideration (Tankebe and Sowatey, 2018).

Thus, the researcher's initial challenges that were anticipated when this study started regarding access to police officers, police stations and their classified documents were resolved due to long-standing relationships with some police officers. In view of this, and for anonymity and confidentiality purposes, pseudo-names were used for both participants and institutions (police stations) involved in the study. Participants such as police officers were referred to as PO1 – PO20, whereas citizens who were selected were also referred to as C01 – C30, while members of the National Peace Council were referred to as NPC01 – NPC10 and police stations were referred to as STN1 – STN13 (meaning thirteen police stations were visited to carry out the interviews while other interviews took place outside the police stations). These locations were agreed in advance by both interviewees and the researcher through telephones, emails as well as personal contact.

3.9: Pilot study

A considerable number of studies suggest that researchers are in a better position when they to pilot their qualitative research instrument first before moving on to the field to conduct a full-scale interview (Bryman 2016). The main purpose of this pilot study was to test the accuracy and completeness of the interview questions and address all the problems that will arise during and after conducting the actual interviews. Pilot study in research provides researchers with an approach for seeing social situations ‘in the round’ by trying to understand how all the participants in a setting are acting and thinking (Lee, 1993). Sanders (1980) argues that one cannot hope to ‘learn the ropes’ of being a field researcher without suffering from ‘rope burns.’ According to Sanders, pilot study by its nature, requires people to perform specific tasks that will aid the researcher to understand and interpret the meaning of the phenomenon under consideration based on participants own experience or words. Bryman (2016) further indicated that it is relevant for a researcher to pilot his/her research instruments before entering the field to conducting face-to-face interviews or observation. The significance of piloting the research instruments used in this study was to ascertain the accuracy and completeness of the interview guide and observation method adopted. Furthermore, the pilot study provided the opportunity to determine the duration and time required for interviews (Bell, 1999; Maxfield and Babbie, 2001; Bryman, 2016).

Additionally, the clarity of the introductory page which described the research, the rights, and obligations of respondents, including a statement of anonymity and confidentiality was also tested during the pilot study. Pilot studies perpetually, and in most cases, are fundamental to any research conducted through the application of in-depth interviews together with observation method, and since the researcher may not be available to elaborate information on ambiguous questions that needed clarification with participants, adopting triangulation method was most appropriate to generalise the findings of the research (Bryman, 2016; Gariba, 2014).

The pilot study took place in Koforidua in the Eastern region, even though it was not one of the selected regions that the actual study was conducted, the researcher adopted this region based on easy access to officers due to long-term professional relations that have been established over the years. All the respondents were from the Ghana Police Service who are in active service and citizens who have had encounters with the police. During the conduct of the pilot study, the interview schedule was also tested. In order to ensure the appropriateness of the research instruments, the researcher and his supervisors examined details of the questions in the interview schedule for standards avoiding errors and to eliminate any ambiguity in the

research instrument. The items in the data collection instrument were also examined to ascertain whether they were consistent with the research objectives. Those considered irrelevant to the investigations were eliminated.

According to Bryman (2016, cited in Gariba, 2014: 104) the pre-assessment of questions is critical to the identification of ‘zone of neglect’ and the ‘zone of invalidity’. For the sake of simplicity and clarity, it was important that the researcher utilized common words and avoided the application of academic concepts and jargon in phrasing questions. Furthermore, leading questions and questions suggesting the appropriateness of certain responses – were not used in the interviews. As such, Oppenheim (1992) argues that, to ensure content validity, researchers ought to avoid: ‘long complex questions; double barrelled questions; culture – specific terms; words with double meanings; leading questions; and emotionally loaded words’ (Oppenheim, 1992:128) when formulating questions. Reliability and validity tests were conducted, and this offered the researcher the opportunity to apply the Structure Laying Technique (SLT) for content analysis, reliability and validity of the research instrument (Flick, 2009, 2013).

Through the use of SLT, the researcher conducted a follow-up meeting with the interviewees. The follow-up meeting took place immediately after the pilot interview had been gathered and the data analysed. The summary of the pilot interviews was thus written and given to the interviewees for evaluation and content analysis. During this process, the interviewees were requested to examine the content captured during the interviews and to confirm whether the content reflected the views they had previously expressed during the interviews. The interviewees were given the right to correct, amend and/or cancel statements that were not correctly represented. Flick (2009) argued that in a situation where fewer corrections, cancellations and/or replacement of the interview transcript were made, there is a presumption that the research instrument has passed the content reliability and validity tests. In the case of this investigation, the pilot test came out with very little amendment, replacement and or corrections. The research instruments therefore passed the test of reliability and validity.

3.9.1: Limitations of the study

Limitations are specific components in a study that could have an effect on the research or the researcher’s ability to generalise the results and may be beyond the researcher’s control (Roberts & Hyatt, 2019; Lutkiewicz, 2020). The limitations in this study included the following.

Financial limitations were a serious concern and based on that not all personnel (both police and citizens) could be selected in all the regions in order to participate in the study because of the huge expenses involved in deciding to interview a large sample size within the population. For instance, the travelling costs and time required to identify participants in all the selected regions and also the possibility of non-availability in the office syndrome were some of the limitations that prevented the researcher to cover a large sample size for the study. However, this limitation did not impede the process of getting the target populations that are relevant to the study. In view of this, the researcher narrowed down the scope by reducing the number of participants by focusing on police officers who are in active service and citizens who have had encounters with the police across the four selected regions in Ghana. Hence, adopting this approach indeed enabled the researcher to reduce costs and workload that has been anticipated from the start of this study and made it easier to obtain rich quality data and insights for these particular groups of police officers and citizens.

Further to the limitations of this study was the main instruments used for the collection of data, analysis and interpretation. It is obvious that researcher's biases and subjectivity are likely to play a role in these processes. Similarly, it is equally unethical to look only for negative results and gloss over the positive aspects of police-citizen encounters. This is synonymous to deception (Soltis, 1990; Bryman, 2016; Thomas, 2009). In view of this, the researcher's consciousness of personal biases is important for the validity of the entire study and how the researcher addressed each of the sections of the study analysis is quite critical. Therefore, awareness of personal biases was important for the validity of the entire study and these issues were addressed within each of the phases of the study analysis. One idea about exercising neutrality within the study process was to check my own study procedures against some other similar studies that have been conducted and peer reviewed. For example, the 'International Study' completed by Waddington et al. (2009) and Police Effectiveness and Police trustworthiness in Ghana completed by Tankebe (2008) are models or studies structures used for building this study and the results from those studies form a base of comparison. Similarly, the study also addressed the limitations according to the guidelines by Barbara and Robert (1980: 20), "A Practice Guide to Behavioural Research", using interview techniques such as probes and other means of avoiding socially desirable response statements and other undesirable interviewer interactions to address biases in a study. For example, asking follow-up questions such as 'Why do you think that is?', 'Can you provide an example of?', 'Can you explain further?' are means of getting participants to share specific in-depth information or to

clarify what they meant in a prior statement. This approach was adopted to demonstrate that findings are based on respondents' responses and not any potential bias or personal motivations of the researcher.

Indeed, the approaches taken helped to minimise the impact of such limitations so that the latter did not in any way compromise the validity of the overall data collected and therefore, the following steps were taken to address biases in the qualitative data analysis.

- a. Verifying from participants whether the researcher's interpretations seem to be the true representation of their views. The researcher used this approach to check for consistency between the researcher's interpretation and that of the interviewees by asking participants to clarify issues that seemed to be unclear and verify from them whether the researcher's interpretations reflect their own expressions. The researcher also asked questions that use respondents' language and inquire about the implications of a respondent's thoughts and reactions. Avoiding summarising what respondents said in researcher's own words and to reaffirm whether there is more likely that there is accuracy in the researcher's interpretations. This study has gone through these rigorous processes to ensure that the interpretations and findings from the data collected reflect the views of the participants.
- b. Using triangulation to ascertain whether the sources of data support the interpretations of participants' views. In this instance, the researcher resorted to the use of both interviews and observation methods for validity and credibility of the means and tools used for the data collection in order to enable readers to have confidence in the data (Simpson and Tuson, 2003). The purpose of using these approaches was to use two different methods to explore the same question, for example, 'why police use of force occurs during police-citizens encounters?' Asking the same question of many different participants enabled the researcher to compare two research methods solutions to a single problem in an effort to validate the outcomes of one in terms of the outcomes of another (Mcfee, 1990: 215). Cohen et al. (2000: 113) note that triangulation may be used in either positivist or interpretive research, but it is particularly valuable in case study research such as this when different methods are employed (Bassey, 1999: 81). For example, in police use of force research, the objectives of the study were

stated and to ascertain whether these objectives could be achieved, interviews and observations were adopted. Conducting interviews with different groups such as police and citizens led to the conclusion that police use of force impacted on both police and citizens. What is more critical here is that by adopting these methods the researcher was able to check the data collected across different methods and sources to ensure validity.

- c. Review findings with some senior police officers, lecturers and some senior journalists who have experience of considering police use of force to assess the doctoral research work and make constructive criticisms where necessary. The researcher used this method to authentic the data collected, sought for participants' opinions and asked them to make suggestions or amendments to the data where possible. This approach offered the researcher the opportunity to go through the findings to ascertain if any information was lacking and if so, the researcher can go back and seek clarification from respondents so that errors or omissions could be corrected on the spot, or the recorded verbatim responses could be corrected. This is because there is a possibility that the researcher may have missed a very important point such as cultural influences of communication and jargon that were used by some participants in the process but with this approach, such gaps could be identified and addressed.

Conducting field research using interviews have relatively fewer challenges than surveys and quantitative approaches. Indeed, the researcher considered the types of people needed for the study carefully before finalising the research design. Also, use of force settings have specific characteristics that impose limitations when conducting field research and simultaneously, provide some opportunities. For instance, the main challenge in the field research was to conduct interviews with key informants and decision makers since they had other priorities than participating in the research. Therefore, getting access to a large sample of relevant officers and citizens was not possible in this field research. On the other hand, the researcher had the opportunity to have access to first hand data including verified information, fieldnotes and local newspaper articles. From this collection, the researcher gained insights that informed the research directions and provided opportunities for conducting a similar study. This approach helped in examining the strengths and weaknesses of existing research procedures and tailored it into the current research to strengthen the data sources and analytical techniques used for the study.

3.9.2: Mitigating the risks of the interviewees

There are many phenomena that within specific cultural and social contexts are "sensitive". They may be defined as "sensitive" if they are private, stressful, or sacred, especially if discussion tends to generate an emotional response, for example death and injuries. Fundamentally, the essential component that forms the basis of this research study was interviews. Participants were asked to discuss their perceptions and experiences they have had with the police on use of force and its impact during and after the encounters. In a situation where citizens have experienced police use of force or brutality and those officers have not been reprimanded for their illegitimate actions, recollecting such an episode will be more traumatic to some participants. However, the need for the interviews was due to the fact that the research was concerned with this issue and actively sought for a means to curtail its continued occurrences. Consequently, it would not be possible to undertake well-rounded research that allowed the investigations of this study without obtaining that information. This gives rise to the likelihood that participants may experience psychological or emotional distress, and in order to mitigate this risk all participants were provided with information from the researcher about how to seek for appropriate support if they are psychologically or emotionally distressed as a result of their participation.

It is also evident that these risks are academically necessary in that collecting the perceptions and experiences of individuals is an integral part of the study without that, it would not be possible to adequately research into a phenomenon and propose ways of mitigating its occurrence. The substantial risks of this study leading participants to disclose evidence of a previous misconduct or possible harm to vulnerable persons was outweighed by its advantages, as disclosing such information, there is likelihood that participants could reveal information that may lead to more preventive measures to avoid situations that they found themselves in when they had such encounters with the police. It is also not feasible to undertake well-rounded research that allows investigations of this nature without obtaining this information. Though participants did not experience the above-mentioned scenarios, however, measures were put in place for participants who may find the interview process distressing and need counselling or advice could contact Prof. Arabah-Sefa-Dedeh, Clinical Psychologist and a Senior Lecturer, University of Ghana, Legon. She can be reached on.... XXXXX.... on Monday, Tuesday and Friday between 9 am – 2 pm. Participants could also contact the following men of God for counselling and advice: Rev. Dr. Mensah Otabil, founder, International Central Gospel Church (ICGC) on..... XXXXX...and Rev. Yaw Owusu Ansah

on Adom FM Radio or at www.adomonline.com. (Please for obvious reasons of anonymity, the telephone numbers are indicated as– ‘XXXXXX’).

There is not a doubt that there exists potential risks or harm to reputation of an organisation or individual officers for fear of losing their job as well as citizens who have had police encounters with the fear of victimisation. Should their identities become known, the risk is that views expressed could damage the long-standing reputation of that organisation they are involved with and they themselves. In order to protect participants identities, assurances were given to participants in relation to how their personal information will be protected. This includes protecting participants privacy, keeping information confidential and or allowing participants to remain anonymous. For example, the researcher avoided asking participants personal or sensitive information in public settings, based on that, participants were identified with pseudo names (Police Officers – PO1 and Citizens – CO1) and other institutions involved in the data collection. Thus, this risk was mitigated by ensuring the security and safety of the raw data, and the fact that there was no identification of participants, police officers, police stations and citizens that participated in the study. Additionally, in order not to compromise the data only excerpts of transcripts were included in the study that prevent palpable identification of the participants and other individuals associated with the study, ensuring that participants rights are held in high esteem (Anderson, 2019).

Many researchers have discussed various ethical issues in diverse settings (Goffman, 2014; Guillemin and Gillam, 2004; Hammersley and Atkinson, 1995; Sowatey and Tankebe, 2018). A key ethical issue in this study concerned confidentiality. The research participants were serving police officers and citizens who have had encounters with the police invited to discuss a wide range of issues on police use of force and its impact on individual’s fundamental rights, some of which centred on police use of force, political interferences, corruption, accountability, training within the organization and aspects of internal management – many of them found highly sensitive. The interview schedule included an information sheet detailing the purpose of the study, why the researcher had chosen particular respondents for the study, assurances of confidentiality and participants’ rights. It included permission to hand-written notes during the interviews. The researcher either read these out or gave a copy to the officers or citizens for their own scrutiny. Consequently, hand-written notes were taken verbatim, the researcher sought confirmation that they had granted consent for the interviews and the hand-written notes. The researcher did this in order to obtain a record of the consent that had been sought and granted. The researcher also offered assurances as Reiner and Newburn (2008: 358)

advised, to turn off our Dictaphone or stop writing if they worried about specific responses. Only in two of the interviews did an officer make such a request. Other respondents paused at sensitive questions to seek reassurances that the researcher is an academic as claimed and not undercover journalist. On the whole, the researcher found that assuring police officers of confidentiality and specifying their rights to refuse participation or withdraw from the interviews without having to give any reasons proved sufficient.

Additionally, in qualitative methods selection bias can be related to participants selection that will impact the data through their responses to the situation (Bassey, 1999, Bryman, 2016). In this study, the researcher conducted individual interviews that are also dependent to an extent on selection bias of interviewees, an influence that reflects not only the biases of the participants, but their selection can be a bias of the researcher if selection is not made through random methods. Although random selection is considered as one of the best-known methods of selecting a sample or samples from a target population or populations (Briggs and Coleman, 2007), it then becomes a question of how the target populations to be represented was selected. The researcher was of the view that random selection is not a characteristic of this study based on the qualitative nature of the research. Purposive and snowballing sampling approach was adopted to limit the sample's representativeness within the target populations (police officers who are in active service and citizens who have had encounters with the police). This study was not designed purposely to elicit representative data from the target populations, but provided the opportunity to conduct a deeper analysis of the data collected that would empower police administrators in their organisational decision-making process and guide future research on topic such as this, that could better represent the target populations in order to understand participants perceptions, opinions and beliefs, and what is influencing them to think in this way, and thereby provide more generalisable results.

Selective interpretation and confirmatory biases were also a challenge in qualitative study which may lead a researcher to hold strongly to false beliefs or to give more weight to information that supports their beliefs than is justified by the evidence. Selective interpretation and confirmatory biases are distortions of evidence arising from the way that the data is collected. It usually refers to the selection of participants in a sample but can also refer to biases arising from the ways in which other kinds of data were selected (Thomas, 2009). It is perceived that some researchers may be overconfident in their beliefs because they have accumulated evidence to support them, when much evidence refuting their beliefs was overlooked or ignored, evidence which, if considered, would lead to less confidence in one's beliefs. These

factors may lead to risky decision making and lead people to have less confidence in the data and other important information that could have influenced the outcome. Any researcher with such preconceived notion about a particular phenomenon has the tendency to process information or interpret information consistent with his/her existing thoughts. Consequently, this biased approach to decision making may be unintentional but often results in ignoring inconsistent information. Existing beliefs can include one's expectations in each situation and predictions about a particular outcome. Researchers are especially likely to process information to support their own beliefs when the issue is highly important or self-relevant (Casad, 2007).

Nonetheless, despite the above discussions and sensitivity of information gathered during the interviews, the researcher was able to avoid biases through a careful research design equipped with local network connections, long-term professional relations, good understanding of informal practices on how to navigate through an institution such as the Ghana Police Service, using triangulation methods and safety measures for both participants and researcher have the potential to generate rich empirical data and open new opportunities for follow-up research sidestepping numerous limitations that might have impeded this study. In the light of the difficulty of collecting data from some police and citizens, the researcher had some obstacles to manage because; the Police in Ghana appeared to have an organisational culture similar to that observed by Punch (2005). However, being aware of the ethical dilemmas, the researcher engaged in constant reflection to ensure that the required ethical considerations of social research were respected throughout the study.

3.9.3: Data analysis procedure

This study adopted thematic analysis to explore how police officers and civilians understand issues of use of force and how both police and citizens perceived and interpret the use of force powers to themselves, their own institution, or individuals in society. Having had experience of observing this phenomenon during a chieftaincy dispute in a certain community in Ghana, where police officers were called to the scene to maintain law and order and having reflected on how some police officers conducted themselves which led to loss of lives and properties for several years before beginning this study, the researcher had some hypotheses and assumptions about how officers might feel about during and after encounters with citizens. However, the researcher did not allow this to affect the way researcher analysed and interpreted the information elicited through interviews and observation in the four selected regions in Ghana. Punch (2005) argues that qualitative research concentrates on the study of social life or individuals in a natural setting. However, there are different ways of analysing social life or

individuals' lived experiences, and for that matter, multiple perspectives, and practices in the analysis of data are relevant to this study.

Coffey and Atkinson (1996: 14) assert that 'there is a variety in techniques in analysing data obtained through interviews because there are different questions to be addressed and different versions of social reality that can be elaborated.' What this implies is that though there are different techniques or modes of interpretation in diverse ways, these techniques are often interconnected, which usually overlap but mutually exclusive and are often complementary to each other – 'irreconcilable couples' (Miles and Huberman, 1994: 9). As a follow up, Coffey and Atkinson (1996: 3) underscore the need to understand why different approaches are required for the sake of validity and reliability of the data and stressed that 'what links all the techniques are a central concern with transforming and interpreting of qualitative data – in a rigorous and scholarly way – to capture the complexities of the social worlds we seek to explain'. These included compilation of responses from the interview transcripts by organising the data, generating categories, themes, and coding the data to test the emergent understandings from the responses (Marshall and Rossman 1999; Bryman, 2016).

Identifying issues of importance to the participants that supported the themes and sub-themes that emerged from the data collection. The following measures were therefore adopted to develop the themes:

- How often the concepts have been repeated among participants and how it relates to the research questions.
- The researcher also considered different ways in which participants chose to describe their experiences in terms of metaphors and analogies such as: police are our greatest enemies.

The approach for analysing the data gathered in this research study involved the use of in-depth interviews and observations collected from the field. The approach involved in the data analysis entailed the categorisation of key elements of research objectives and questions into thematic areas with the view of producing concise, clear and unambiguous interpretations. In this sense, the categorisation of data into key thematic areas provided the framework for the examination of each subject matter as well as the interrelationships between them. The representation of data came from the Ghana Police Service and the citizens and was gathered mainly through the administration of face-to-face interviews together with evidence from observations.

Transcripts of interviews together with observations were written as field notes, edited and corrected, after which they were processed for research, academic and policy purposes among others. In processing the notes taken during the face-to-face interviews, code names were issued to every participant or institutions whereby thematic keywords were assigned to segments of the questions answered for the purpose of sorting the answers. To be able to conduct content analysis, coded thematic keywords and phrases were examined. Descriptive themes were generated from the entire qualitative data whereas interpretative content analysis approach was used in the analysis of the qualitative data thereafter. The themes and sub-themes were based on the data obtained from the fieldwork. However, the researcher had to create some themes and subthemes outside the verbal answers of the respondents to provide meaning to some of the concepts that evolved from the data collected.

Nevertheless, the understanding and interpretations were generally similar although there were slight differences in the details. The researcher used this strategy to ensure that the differences in concepts were applied to the same theme so as to convey the same understanding through the general framework. Within the framework was a theoretical discourse and story lines encompassing words and experiences of the respondents and were generated and developed. The rationale for pursuing this strategy lies in its significance as a crucial qualitative data analysis tool which, of course, added value to the outcome. Thematic analysis and computer aided software NVivo 12 were therefore used to identify, analyse, and record themes from the data extracted from participants during the interviews and the same procedure was used in the subsequent fieldwork. NVivo is a qualitative computer software programme that assists researchers in organising and analysing qualitative data (Thomas, 2009; Bryman, 2016).

Please see Table 1 for a summary of these primary themes and subthemes.

Table 3.1: Summary of these primary themes and sub-themes by sample group and data collection method.

Interviews - Police	
Primary theme	Theme 1 – Perception of the use of force <i>Subtheme 1.1 – positive</i> <i>Subtheme 1.2 – negative</i> <i>Subtheme 1.3 – neutral</i>
	Theme 2 – Accountability <i>Subtheme 2.1 – safety and protection</i> <i>Subtheme 2.2 – internal and external accountability mechanisms</i>
	Theme 3 – Training <i>Subtheme 3.1 – training and in-service training</i>
	Theme 4 – Political Interferences <i>Subtheme 4.1 – neutrality</i> <i>Subtheme 4.2 – recruitment processes and colonialism</i>
	Theme 5 – Logistical constraints <i>Subtheme 5.1 – logistics and personnel</i>
Interviews - Citizens	
Primary theme	Theme 1 – Perceptions of the use of force <i>Subtheme 1.1 - use of force is perceived as negative</i>
	Theme 2 – Accountability <i>Subtheme 2.1 - trust and transparency</i>
	Theme 3 – Attitudes towards police use of force

	<i>Subtheme 3.1 – trust and professionalism</i>
	Theme 4 – Social media reaction
Interviews – National Peace Council	
Primary theme	Theme 1 – Perception of the use of force <i>Subtheme 1.1 - increasing education and awareness</i>
	Theme 2 – Democratic policing principles <i>Subtheme 2.1 – fairness and public engagement</i>
	Theme 3 – Accountability <i>Subtheme 3.1 - transparency</i>
	Theme 4 – Training <i>Subtheme 4.1 – training and in-service training</i>
	Themes 5 – Politics and police <i>Subtheme 5.1 - neutrality</i>
	Themes 6 – Ethical standards <i>Subtheme 6.1 - revision of existing laws on the use of force</i> <i>Subtheme 6.2 – police culture and colonialism</i>
Observations - Citizens	
Primary theme	Theme 1 – Engagement <i>Subtheme 1.1 - agitated and confuse</i>
	Theme 2 – Perceptions on use of force <i>Subtheme 2.1 - negative perceptions</i>
	Theme 3 – Officers’ presence <i>Subtheme 3.1 - protection and fairness</i>
	Theme 4 – Citizens’ demeanour

Observations - Police	
Primary theme	Theme 1 – Engagement and procedures on the use of force <i>Subtheme 1.1 - reasonable use of force</i>
	Theme 2 – Attitude toward citizens during encounters <i>Subtheme 2.1 - types of force use during encounters</i>
	Theme 3 – Police entry into incidents/encounters <i>Subtheme 3.1 – negative or positive</i>
	Theme 4 – Behaviour of officers towards citizens

3.9.4: Trustworthiness

The participants' responses to the question that pertained to their own lived experience revealed that all of them had an immediately formed perception about their experience on the use of force. Reliability and trustworthiness remain essential even in qualitative research (Lewis, 2009). Reliability and validity are the most important qualities in any research. Joppe (2000: 1) defines reliability as the extent to which results are consistent over time and an accurate representation of the total population under study and if the results of the study can be reproduced under a similar methodology, then the research instrument is considered to be reliable. For qualitative researchers to establish reliability, the data must be generalizable, valid, and confirmable (Statistics Solutions, 2016; Joppe, 2000: 1; Belur, 2007).

During the field work, notes were kept about the conditions under which the interview and observations took place, the attitude and demeanour of the interviewees, their willingness or otherwise to discuss some of the more sensitive issues openly. While the researcher shared a large portion of the theoretical framework of the police officers the researcher spoke with, it was important for the researcher to separate my personal attitudes towards issues related to encounters from those of the officers and citizens being interviewed. Understanding that officers and citizens who have had encounters with the police in the sample possessed varying views and conceptual frameworks and understanding the ways in which how these influenced their perception of police work was also considered. reliability in interviews was ensured by asking broadly the same set of questions to the respondents. Throughout the interviews notes were taken studiously to ensure that the respondent's views were written verbatim. Finally,

transcripts for all the interviews were made and while these may not be perfect; an attempt was made to keep the translations and transcription as close to the exact words used by the respondents, as possible.

Validity

There are different criteria for judging the validity or quality of a qualitative research study, based on the paradigm that guides the study. By using interview and observation approach to data, this study sought to understand the different shades of opinions of each participants' live experiences and allows the research to attend to the relational and social context of the participants' subjective interpretations (Smith et al., 2009). Yardley (2000) identified four domains to ensure the quality of qualitative research. The first is sensitivity to context. The attention to context is particularly relevant for this study, which sought to understand police officers' and citizens experiences of the use of force by the police and examine procedures being used by the GPS to minimise the use of force

Another sphere related to quality is commitment and consistency, defined as the degree of attentiveness during the data collection and thoroughness of the study (Yardley, 2000). This is especially important since the data was collected via semi-structured interviews; thus, being attentive and present during the interviews was important to ensuring an in-depth account of the participants as well as developing a comfortable interaction for the participants to feel safe to discuss the phenomenon under consideration.

Transparency and coherence is another important element in considering the validity in qualitative research (Yardley, 2000). This means clearly, carefully, and coherently writing about each step of the research process. The use of taking notes during all stages of the research aided in clearly writing up the process of this study.

Smith et al. (2009) also described an independent self-regulating process, in which an independent researcher could follow each step in the research and find the results to be credible or accurate. This type of validity could take the form of an actual self-regulating or simply providing an audit trail that would theoretically allow an audit to occur. My use of memos and attention to recording in some cases thought the processes that guided each step in the research process served as my audit trail. Morrow (2005) described criteria for trustworthiness of a study, particular to constructivism and relevant for this study: fairness and ontological authenticity. This study attended to issues of fairness by honouring different perspectives in the data; ontological authenticity was provided by expanding and elaborating participants'

constructed meanings. In addition, researcher reflexivity was practiced in which I attempted to understand how personal experiences and understandings of the world impact the research (Morrow, 2005).

Additional criterion for judging quality in qualitative research is the attention to the participants' constructed meaning and mutually constructed meanings (Morrow, 2005). By using triangulation this study sought to understand the nuances of each participants' experiences, while interactionism allows the research to attend to the relational and social context of the participants' subjective experiences (Smith et al., 2009). Creswell (2007) suggested including participants throughout the process, sharing the emerging themes from each case with the participants to ensure that the results stay true to the participants' interpretations. As such, participants were invited to read the respective transcription and provide feedback. It was intended they would also be able to read the resulting themes and provide additional feedback if interested. After not receiving feedback from the transcriptions, no further contact was pursued with the research participants. Morrow (2005) also described immersion in the data (similar to Smith et al., 2009) to ensure adequacy of interpretation. The researcher practiced immersion through numerous reading sessions of each transcription. In addition, the process of transcribing in itself helped me to become more immersed in the data.

Lastly, the impact and importance of the study serves as a measure of validity (Yardley, 2000). That is, the readers of the research should find the findings interesting or important. Given the paucity of research in police use of force in Ghana, it is hoped that the results of this study will impact readers' understanding of police use of force and how it could be minimised.

3.9.5: Ethical considerations

Clearly, participating in any research such as this involves risk to the individuals involved as well as the researcher and the various institutions. Many studies have discussed various ethical issues in diverse settings (Goffman, 2014; Guillemin and Gillam, 2004; Hammersley and Tankebe and Sowatey, 2018). The major ethical issue in this study concerned confidentiality. The research participants who were serving police officers and citizens who have had encounters with the police were invited to discuss a wide range of topics, some of which – such as police use of force, brutality, accountability, politics and police, corruption within the organization and aspects of internal and external management – many of them found highly sensitive. The interview schedule included an information sheet detailing the purpose of the study, why the researcher had chosen particular informants for the study, assurances of

confidentiality and participants' rights. Inviting individuals to participate in research means that the researcher is duty bound to protect participants from harm and violation of privacy, at the same time maintaining the integrity of the research and ethical standards (Chadwick, 2001).

Participants were fully informed about the purpose of conducting the research and what their participation will involve and the benefits that will accrue out of the study. Participants were fully informed about what data will be collected, and what will be done with these data during and after the research. What rights they have not to take part or to withdraw themselves and their data from the research if they decided to do so, and that it is not necessary for them to provide reasons for exercising these rights, and that there will be no implications because of taken such action. In instances where audio, video or photographic recordings of participants was used permission was sought from participants before recording begins. Participants were specifically told that they may withdraw their data from the study at any time up to 14 days after the date they signed the consent form, and this can be achieved by communicating their wish to withdraw their data to the researcher or the Director of Studies. Contact details for the researcher and the Director of Studies were provided in the participant information sheet and the consent form.

Confidentiality and Anonymity

The researcher continued to ensure anonymity throughout the study of all participants in order not to disclose any information shared with him to any other person or persons. All data collected during the study were stored in a locked cabinet and in password protected storage media. Culture of confidentiality and privacy of individuals interviewed maintained at all stages of the research. Ethical guidelines were obtained from the Nottingham Trent University Ethics Committee. Any information provided by participants was kept strictly confidential and will not be used for any purposes outside of this research study. Also, the researcher did not include names of individuals or anything that could identify participants or institutions in the study reports. All digital recordings of interviews were transcribed. Interviews were transcribed and participants were given pseudonyms, and all other identifying names and information were changed to protect participant confidentiality. Only the researcher and supervisors can have access to the original recordings and transcriptions. All ethical issues associated with the study have been carefully and systematically addressed to ensure confidentiality and anonymity of data and personal data during and after collecting and analysing of the data (Diener and Crandall 1978; Punch 2005; Bryman 2016). This research was also conducted in accordance

with the Nottingham Trent University Ethics Committee's guidelines. In this sense, at every stage of the study, ethical consideration was strictly adhered to, hence, informed consent was first obtained from participants after explaining the purpose and benefits that will accrue from the study and their right to withdraw from participation if they decided to do so.

3.9.6 Summary

This chapter has discussed the methodology and methods adopted for the study to answer the research questions under consideration using semi-structured interviews. The reasons why qualitative approach is the most significant approach and its relevance to the study has been considered. Further, issues relating to the sample and sample selection methods and approaches have been outlined and justified. Finally, ethical considerations and issues of consent were also addressed. It must be emphasised that the cardinal principle of this research is not to discredit the Ghana Police Service as an institution and its personnel, but rather to explore general policing and police use of force in Ghana and its impact on citizens' fundamental rights and develop a policy framework to minimise its occurrence. The researcher interviewed both police officers (senior and lower ranks) and civilians who have had encounter(s) with the police and National Peace Council members in the four selected regions in Ghana. Responses from police officers and citizens interviewed served as the main source of data for the research. Since this study focuses on the Ghana Police Service and use of force, findings drawn from the data suggested the true nature of the phenomenon and how crucial it is to propose policies that will reform its mode of operations during encounter(s). Confidentiality was strictly maintained by using pseudonyms in place of officers' and citizens real names, as well as police stations and the interviews were conducted without recording the institutions or participants involved identifiers. Interview field notes and observation were taken based on participants permission to ensure data accuracy. Transcripts were generated, compared with the field notes and observations for validation. Transcriptions were then imported into NVivo 12 software for analysis. These modes of analysis are reflected in the presentation of the results and discussions in the subsequent chapters.

Chapter Four

Data analysis and interpretation

4.1: Overview

This chapter presents the data collected within the framework of the research objectives and identified thematic areas of the interview questions (see Appendices C, D and E) together with observational data from the study of the Ghana Police Service and use of force in promoting security. As indicated in Chapter Three, the respondents for the interviews were categorised into three - A, B and C. Police Officers in active service (A), citizens who have had encounters with the police (B) as well as members of the National Peace Council (C) respectively. The respondents (citizens) from category B and C were 40 and Category A respondents (officers) were 20. Five themes were identified. These were (a) Police and citizens' perceptions of the use of force; (b) Accountability; (c) Training on use of force; (d) Political interference; and (e) Challenges faced by the Service. Subthemes were also identified for each of the themes and are reviewed below. Quotes to support each theme and subtheme identify participants by a number and their role or rank within the service. This will include PO1...PO20 (in reference to police officers, N=20) and CO1...CO40 (in reference to citizens, N=40). Each participant in the study mentioned aspects of their experiences on police use of force and its effects on citizens' fundamental rights. The final section of this chapter explores the different explanations and experiences of the same events by participating officers and citizens. The researcher presents the findings and then discusses the themes that emerged from the interviews together with the observational data.

The purpose of interviewing police officers and citizens was to understand in more detail the complexities and perceptions associated with use of force incidents from different points of views. In processing the fieldnotes taken during the face-to-face interviews, numbers were assigned to all the 60 participants while thematic keywords were assigned to the sections of the questions answered for the purpose of categorising the answers generated. Descriptive themes were generated from the entire qualitative data, and NVivo 12 software was used to analyse the data. Themes and subthemes that emerged from the interviews and observations were based on categories of data obtained from the fieldwork. However, the researcher had to create some themes outside the verbal answers of the respondents to provide meaning to some of the concepts that evolved from the data. The researcher used this strategy to ensure that the differences in concepts were applied to the themes in order to convey the same understanding

through the general framework. Within the framework was a theoretical discourse and story lines encompassing words and experiences of respondents that were generated. The rationale for pursuing this strategy lies in its significance as a critical qualitative data analysis tool which, of course, added value to the research outcomes (Twumasi, 2001; Bryman, 2016; Gariba, 2014; Yin, 1994).

4.2: Data analysis

Researchers describe data analysis as the examination, categorisation, tabulation and in most cases, recurring of the evidence with a view to addressing the original proposition based on respondents' own words (Bryman, 2016; Yin, 1994; Gariba, 2014). Thomas (2009) indicates that a good approach to data analysis is to use the primary research objectives and questions that inform the study. Consequently, data analysis may be influenced by the original objectives upon which the research is built, based on the research questions and the issues covered in the review of related literature. According to Twumasi (2001), it is pertinent for the researcher to analyse data in relation to the research objectives and questions in order to achieve appropriate outcomes. In this sense, the research objectives and questions provided a contextual framework within which the data is examined. Consequently, the practice of drawing conclusions from interpretations through intuitive analysis may not achieve clarity unless researchers illustrate the methods of analysis used and how conclusions were arrived at from the data collected. Thus, the researcher reviewed all transcripts with the aim of checking for the validity of the analysis.

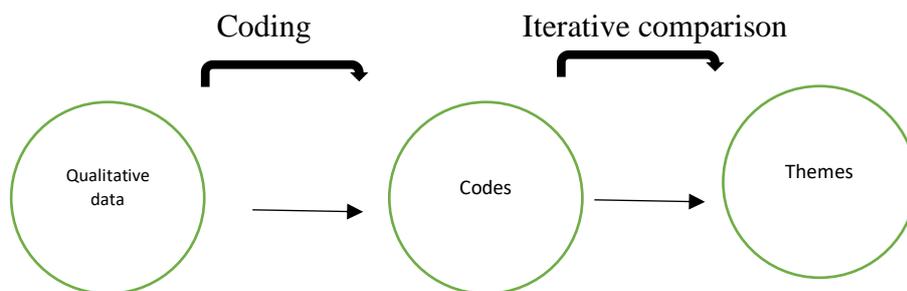
It is for this reason that the researcher adopted thematic analysis approach to analyse the data collected in order to identify patterns or themes within the qualitative data. Thematic analysis offers flexibility and is a useful method for examining the perceptions of different research participants, highlighting similarities and differences, and generating unanticipated insights. Thematic analysis summarises key features of a large data set, as it forces the researcher to take a well-structured approach to handling data, by helping to produce a clearer and organised final report (Nowell, Norris and White, 2017; Braun and Clarke, 2006). The approach for analysing the data involved use of qualitative research methodology. Data were analysed using thematic analysis strategy outlined by Braun and Clarke (2006) regarding familiarisation of the data, generation of codes, searching for and creating themes, reviewing themes; and refining and naming of the themes. Research shows that thematic analysis is data driven, and what it means is that themes development was not restricted by the researcher's own interest but based on respondents' own words and experiences (Braun and Clarke, 2006; Lee, Karen, Alexandra and

Fenia, 2018). The categorisation of data into key thematic areas provided the framework for analysis as well as the interrelationships between all of them. Transcripts of interviews were written as field notes, edited and corrected and after that they were processed for research, academic and policy purposes.

4.2.1: Thematic analysis

Thematic analysis is a method of analysing qualitative data. It usually applies to a set of texts such as interviews and observations data. As indicated, thematic analysis is a six-step procedure used to analyse qualitative data to produce results by providing a more precise understanding and meaning of the data collected (Maguire & Delahunt, 2017; Scott, 2020; Rafeedali, 2014). The process consists of gaining familiarity with the data, then identifying common words and phrases to establish relevant codes from which common themes are found and then reviewed to find patterns and similarities in coded data that applied to each. As numerous codes are combined, this expresses the broader phenomenon or theme that typifies the perception of multiple study of participants which are then reviewed and defined. The last stage of the thematic analysis is the write-up in which the researcher presents the findings in a formal write-up by discussing the themes, how they characterise participants' experiences, and how these themes address the research questions (Maguire & Delahunt, 2017; Philips, 2020). Figure 4.1 illustrates the thematic analysis process.

Figure 4.1: Thematic analysis process



(Source: Scott, 2020)

Thematic analysis was performed following the steps discussed in Chapter Three. In the current research, adopting thematic analysis proved to be a valuable method for investigating differing views of participant's perspectives, revealing both differences and similarities in order to find a better understanding of the phenomenon being investigated (Nowell et al., 2017). The themes that were identified in analysing the qualitative data collected through this study are presented in the description of the results section. Each participant was separately asked standardised interview questions (Appendix C, D or E) with in-depth open-ended semi-structured questions.

Participants were listed by demographic characteristics in numeric interview order, which was separately cross-referenced in another document containing actual participants' identities. Both lists were secured on a password-protected computer. This study comprised sixty respondents who agreed to take part in this investigation with a total of twenty police officers in active service and forty citizens who have had encounter with the police. At this point, the researcher believed that the level of saturation had been reached and that no new data would have been gained from interviewing additional people.

4.3: Results

The in-depth interviews together with the observations offered police officers and citizens the opportunity to give explanations of the experiences of use of force in their own words. The interviews enabled the respondents to describe the complex details and perceptions of use of force incidents from different points of views. Both the police and citizens were then probed on several issues: the term use of force, the specific force tactics used by officers, the forms of resistance used by the citizens, why the use of force occurred, whether the police approve or disapprove use of force, whether officers are held accountable for illegitimate force used, whether officers receive adequate training on use of force, whether there are some challenges faced by officers while discharging their duty, and alternative courses of action each party could have taken to avoid use of force. Thus, findings of the interviews on the sample data together with observations for reliability and validity of the instruments provide a demographic profile of the respondents. Table 4.1 indicates demographic information of the individual participant.

Table 4.1: Participants demographic information.

Participant Code	Gender	Age Range (years)	Level of education
PO1	Male	18-25	Secondary/SHS
PO2	Male	26-35	Secondary/SHS
PO3	Female	18-25	Tertiary
PO4	Male	26-35	Secondary/SHS
PO5	Male	26-35	Tertiary
PO6	Male	18-25	Secondary/SHS

PO7	Female	26-35	Elementary/JHS
PO8	Male	18-25	Secondary/SHS
PO9	Male	26-35	Secondary/SHS
PO10	Male	46-55	Elementary/JHS
PO11	Female	26-35	Secondary/SHS
PO12	Male	18-25	Secondary/SHS
PO13	Male	36-45	Tertiary
PO14	Male	26-35	Elementary/JHS
PO15	Male	18-25	Secondary/SHS
PO16	Female	36-45	Tertiary
PO17	Male	18-25	Secondary/SHS
PO18	Male	36-45	Elementary/JHS
PO19	Female	26-35	Secondary/SHS
PO20	Male	46-55	Tertiary
<hr/>			
CO1	Male	18-25	Elementary/JHS
CO2	Male	18-25	No formal education
CO3	Male	26-35	Elementary/JHS
CO4	Female	18-25	Secondary/SHS
CO5	Male	36-45	No formal education
CO6	Male	26-35	Elementary/JHS
CO7	Male	18-25	Elementary/JHS
CO8	Male	18-25	Secondary/SHS
CO9	Male	46-55	Tertiary
CO10	Male	36-45	No formal education

CO11	Female	18-25	Secondary/SHS
CO12	Male	26-35	Elementary/JHS
CO13	Male	56-60	Elementary/JHS
CO14	Male	26-35	No formal education
CO15	Male	18-25	No formal education
CO16	Female	46-55	Secondary/SHS
CO17	Male	18-25	Elementary/JHS
CO18	Male	18-25	Elementary/JHS
CO19	Female	36-45	Tertiary
CO20	Male	26-35	No formal education
CO21	Male	18-25	Elementary/JHS
CO22	Male	36-45	Secondary/SHS
CO23	Female	26-35	Elementary/JHS
CO24	Female	18-25	No formal education
CO25	Male	56-60	Secondary/SHS
CO26	Male	36-45	Tertiary
CO27	Male	18-25	No formal education
CO28	Male	18-25	Elementary/JHS
CO29	Female	26-35	Secondary/SHS
CO30	Male	36-45	Elementary/JHS
CO31	Male	18-25	Elementary/JHS
CO32	Male	26-35	No formal education
CO33	Male	46-55	No formal education
CO34	Female	18-25	Tertiary

CO35	Male	18-25	No formal education
CO36	Male	26-35	Elementary/JHS
CO37	Female	18-25	No formal education
CO38	Male	46-55	Elementary/JHS
CO39	Male	18-25	Secondary/SHS
CO40	Male	36-45	Tertiary

Source: Fieldwork, 2018

4.3.1: Demographic characteristics

Gender

Tables 4.2 and 4.3 are profiles of the gender composition of sample populations of participants (police officers and citizens) who volunteered to participate in the research. The sample populations consisted of fifteen male volunteers comprising 75% and five female volunteers representing 25% of the actively serving police officers as well as thirty-one male volunteers representing 77.5% and nine females representing 22.5% of citizens that participated in the current research. Culturally, it is believed that policing requires a great degree of perseverance and physical strength and endurance which few women can withstand. A typical case in point is the handling of heavy equipment and weaponry, which traditionally has been the sole preserve of males. Females are appointed into the service to perform auxiliary and special duties which may not be appropriate for male police personnel to do for instance the handling of female suspects (Glensor, 2000; Goldstein, 1990; Oppong, 2011).

Police officers

On the gender distribution of the respondents', it was observed that the gender distribution of the respondents reflects the actual nature and context of the broader population of the Ghana Police Service (Modern Ghana, 2014). Some scholars theorise that female police officers, due to gender socialisation norms and higher levels of empathy, are less aggressive and thus less likely to use force than their male counterparts. However, research on the impact of officer gender has been varied. Some studies suggest that officer gender is not a significant predictor of use of force (Crawford & Burns, 1998; Kaminski et al., 2004; Lawton, 2007; McCluskey &

Terrill, 2005; Paoline & Terrill, 2007; Terrill & Mastrofski, 2002; Terrill et al., 2008). Other research, however, has found that, after controlling for situational factors, male officers are more likely to use force especially deadly force than female officers (Alpert & Dunham, 2004; Ba et al., 2021; Carmichael & Kent, 2015; Garner et al., 2002; Wortley, Owusu-Bempah, Laming and Henry, 2021).

A further study conducted by the Feminist Majority Foundation and the National Centre for Women and Policing (2000) also revealed that there is a significant gender difference in cost of police brutality (Lonsway, Mooree, Harrington, Smeal and Spillar, 2003). Harrington (2003) indicates that the new study shows that increasing women in the Ghana Police Service holds the key for substantially decreasing police use of force and its cost to taxpayers. The response given by Harrington during a fact-finding commission led by the Christopher Commission in which she noted that the male officers were found to be liable for male officer pay-outs in cases of brutality and misconduct at a ratio of 23:1 to female officers (Lonsway et al., 2002; Sandifer, 2006). This reflects the current study as the majority of the officers who participated in the interviews were males and this attests to the fact that males dominate in the Ghana Police Service than their female counterparts. Refer to Table 4.2.

Table 4.2: Gender of respondents (police officers)

Gender	Frequency	Percentage (%)
Male	15	75
Female	5	25
Total	20	100

Source: Fieldwork, 2018

Citizens

The results indicate that there are more men than women who have experienced use of force in encounters. Research shows that in general, men are reported to commit violent acts significantly more frequently than women. For instance, in the US, according to the Bureau of Justice Statistics (2014), males experienced higher victimization rates than females for all types of violent crime except rape or other sexual assault. The study further indicated that in 2014, more than 73% of those arrested in the US were males. Males are significantly over-represented in the US use of force statistics. For example, over the past decade, males have constituted 90% to 95% of civilians killed by police shootings in the United States, although they represent only

50% of the US population. Several studies suggest that, controlling for situational factors, the police are more likely to use force or greater levels of force against male than female suspects (Crawford & Burns, 1998; Garner et al., 2002; Kaminiski et al., 2004; McCluskey et al., 2005; Schuck, 2004; Terrill, 2005; Terrill & Mastrofski, 2002; Terrill & Reisig, 2003; Terrill et al., 2003). By contrast, only a handful of studies have found that suspect gender has no impact on use of force decisions (Engel et al., 2000; Lawton, 2007; Morabito and Doerner, 1997; Wortley, Owusu-Bempah, Laming and Henry, 2021). For example, Kaminski et al. (2004, p. 218) found that officers were no more likely to use force on male suspects compared to female suspects but that officers were more likely to use a higher level of force against male suspects. Also, Edwards et al. (2019) discovered that the lifetime odds of men in the US being killed by police are 1 in 2,000 while the odds for women are 1 in 33,000. This reflects the current study as the majority of the citizens who participated in the interviews were males. As shown in Table 4.3.

Table 4.3: Gender of respondents (citizens)

Gender	Frequency	Percentage (%)
Male	31	77.5
Female	9	22.5
Total	40	100

Source: Fieldwork, 2018

4.3.2: Age

Citizens

The age of respondents as shown in Table 4.4 ranges from 18 to 60 years. It could further be seen in Table 4.4 that age 18-25 years topped this list with 45% of respondents being the highest. This is followed by 26-35 years that formed 22.5%, 36-45 years formed 17.5%, 46-55 years formed 10% whilst age 56-60 years formed 5%. A considerable number of studies in the US suggests that age is negatively associated with police use of force. A number of studies suggest that, controlling for situational factors, officers are more likely to administer force against younger than older civilians (McCluskey & Terrill, 2005; Paoline & Terrill, 2007; Terrill & Mastrofski, 2002; Terrill & Reisig, 2003). Edwards et al. (2019) claim that the risk of being killed by police in the US is highest for those between the ages of 20 and 35 years old. However, some studies found that age is not a significant predictor of the level of force used

by the police (Crawford & Burns, 1998; Engel et al., 2000; Kaminski et al., 2004; Terrill et al., 2008).

Table 4.4: Age of respondents (Citizens)

Age	Frequency	Percentage (%)
18-25	18	45
26-35	9	22.5
36-45	7	17.5
46-55	4	10
56-60	2	5
Total	40	100

Source: Fieldwork, 2018

Police officers

The age of respondents as shown in Table 4.5 ranges from 18 to 60 years. It could further be seen in Table 4.5 that age 26-35 years topped this list with 45% of respondents being the highest. This is followed by 18-25 years that formed 30%, 36-45 years formed 15%, and 46-55 years formed 10%. This age distribution is an essential characteristic that helps the researcher to identify very active police officers who are potential assets to the Ghana Police Service and are always available to undertake activities that will help the Service to fight crimes in the society. It can be presumed that all the selected police officers (100%) are in active capacity which provides opportunity for the Police Service to have them solve issues related to crime such that there will be the existence of law and order in the country. Thus, the youthful majority of the police officers implies that this class of police officers have energy and time to address issues of crime and maintain law and order in society. The younger ones who are also energetic can be used where youthful exuberance is needed especially during night patrols. It was found in the literature that officer age and experience are highly correlated. Some research suggests that officers with more experience are less likely to use force than younger and less experienced officers (McElvian & Kposawa, 2008; Paoline & Terrill, 2007; Terrill & Mastrofski, 2002; Worden, 2015). However, other research indicates that, after controlling for rank and type of policing assignment, officer experience has no influence on use of force decisions (Lawton, 2007; McCluskey & Terrill, 2005; Sun & Payne, 2004).

Other studies suggest that while officers with more years of experience are less likely to use deadly force than younger officers, they are actually more likely to employ other less-lethal use of force techniques (Crawford & Burns, 1998; see also Kaminski et al., 2004; Morabito & Doerner, 1997; Klahm and Tillyer 2010). One thing that might influence the relationship between officer experience and use of force is the type of policing assignment. Younger officers are more likely than older officers to be assigned to frontline patrol work that involves aggressive or proactive policing tactics, including stop and search, questioning and frisk practices (Worden, 2015). This type of work increases the frequency of negative interactions with civilians and thus the probability of use of force. By contrast, older and more experienced officers are more likely to be assigned to special units, detective work or supervisory positions that will decrease their likelihood of experiencing a use of force incident. Despite the advantages that youthful age could bring to bear on the work of the police, it can be a disadvantage in that they are more likely to infringe the rights of citizens and are more likely to use force due to their inexperience. As shown in Table 4.5 below.

Table 4.5: Age of respondents (Police officers)

Age	Frequency	Percentage (%)
18-25	6	30
26-35	9	45
36-45	3	15
46-55	2	10
56-60	0	0
Total	20	100

Source: Fieldwork, 2018

4.3.3: Educational level

Police officers

It was observed that in Table 4.6 the majority of the respondents had secondary/SHS education. Police officers who had secondary/SHS education formed 55%. This was followed by those with tertiary education 30% and elementary/JHS education 15%. The education of an officer and whether this has any impact on the use of force has received considerable attention through general discussion, but relatively little empirical research has focused on this issue. It is argued

that those who have attained a higher level of education possess better decision-making skills and should be less likely to resort to violence (Worden, 1990; see also Paoline & Terrill, 2007).

The empirical evidence around this issue has produced varied findings. Sun and Payne (2004) reported that an officer’s level of education did not influence the likelihood of force being used. Conversely, Paoline and Terrill (2007) found that officers with a post-secondary degree were less likely to use force compared to their colleagues with only a high school education (see also McElvain & Kposowa, 2008). Similarly, Rydberg and Terrill (2010) found that “officers with some college exposure or a four-year university degree are significantly less likely to use force relative to non-college-educated officers” (p. 110). In Ghana, there is no empirical research that has examined the relationship between officer educational attainment and the use of force. Police officers who are educated are most likely to be exposed to or informed of new approaches in the handling of crimes and violence in society and are less susceptible to the use of physical force during encounters. Such officers will have very proactive approaches in the handling of issues that are related to use of force. What it means is that the highly educated officers can deal with subjects in a more professional manner on the use of force issues and its associated consequences.

It must be emphasised the Ghana Police Service needs the competences of several professionals and people with varied qualifications as a prerequisite to function properly. This assertion is attested to by what the views of Marais and Rauch (1992); Brogden (1991); Opong (2011) indicated that officers may have gone through theoretical education but may lack the practical and discretionary tactics to deal with issues that need self-judgement, which require skills training and competency for discretionary policing activities. Refer to table 4.6.

Table 4.6: Level of education (Police officers)

Educational level	Frequency	Percent (%)
Elementary/JHS	3	15
Secondary/SHS	11	55
Tertiary	6	30
Total	20	100

Source: Fieldwork, 2018

Citizens’ level of education

It can be seen in Table 4.7 that the majority of the respondents had elementary/JHS education. Those who had elementary/JHS education formed 37.5%. This was followed by those with no formal education 30%, secondary/SHS education 22.5% and tertiary education 10%. Alpert and Dunham (2004) indicate that lower class status citizens are the most frequent targets of police brutality. According to them, level of education is widely used across the social science disciplines as a proxy measure of socio-economic status. However, the empirical evidence on the effect of education is varied in the case of perceptions of the police and use of force. While some evidence indicates a positive relationship between education and police use of force, other results suggest a more complex picture (Halim and Stiles, 2001; Silver and Pickett, 2015). The general picture emerging from the analysis is in line with previous studies indicating that demographic factors condition the likelihood of respondents' point of views in relation to the citizen's views. Refer to table 4.7 below:

Table 4.7: Educational level (Citizens)

Educational level	Frequency	Percent (%)
No formal education	12	30
Elementary/JHS	15	37.5
Secondary/SHS	9	22.5
Tertiary	4	10
Total	40	100

Source: Fieldwork, 2018

4.3.4: Distribution of respondents by rank designation

The police service as a disciplined institution uses the ranking system strictly – which is called in modern administration as chain of command and scalar chain (Thompson, 2003; Oppong, 2011). In the Ghana Police Service, there are two broad categories of rank designation – Lower-Ranked Officers and Senior Police Officers (SPOs). Table 4.8 shows that Lower Ranked Officers constituted 80% of the total number of respondents. The specific ranks that come under the Lower Rank are Recruit Police persons, Constables, Lance Corporals, Corporals, Sergeants, Inspectors and Chief Inspectors. Table 4.8 shows that Senior Police Officers who were selected for this study constituted 20% of the total number of respondents. The SPOs captured in this study were made up of Assistant Superintendent of Police (ASP), Deputy Superintendent of Police (DSP), Superintendent of Police (SOP) and Chief Superintendent of

Police (CSP). They were mostly heads of units or sections. The information shown in Table 4.8 is given credence by the expositions of Mensah (2019). Indeed, the relevance of the ranking system is well pronounced on how the police is structured and managed. Commissioned Officers are supposed to ensure that Lower Ranks behave appropriately at any point in time, so the task given to the service to perform by government is carried to its logical conclusion. To reflect the ranking system and how the police service has been structured in terms of departments, sections or units, in the subsequent Table police officers were selected for interview. Refer to Table 4.8 below:

Table 4.8: Distribution of respondents by rank designation

Rank Designation	Frequency	Percentage (%)
Lower Ranked Officers	16	80
Senior Police Officers	4	20
Total	20	100

Source: Fieldwork, 2018

4.3.5: Distribution of respondents by unit of schedule

Table 4.9 shows that the Criminal Investigations Department (CID, 25%) and Motor Traffic and Transport Department (MTTD, 30%) and Police Patrol Unit (PPU, 20%) put together have the highest number of respondents. The reason is that most members of the general public interact with personnel of these three units on regular basis. Besides, most of the things they do impact directly on the lives of the citizens, and they are visible on daily basis. It can also be deduced from Table 4.9 that there are other units shown as General and Special Duties. The General Duties personnel are mostly orderly staff (popularly known as counter back or office staff) and those who work in the commander's office. On the other hand, the Special Duties personnel work under the Rapid Deployment Force, Buffalo unit, Tailoring section, Information Room, Accounts Unit and Band Section. They perform specialised functions to make policing one of the most important organs for internal security and for the maintenance of law and order within the society. Refer to Table 4.9.

Table 4.9: Distribution of respondents by unit of schedule

Unit of Schedule	Frequency	Percentage (%)
Criminal Investigations Department	5	25
Police Patrol Unit	4	20
Motor Traffic and Transport Department	6	30
Court Unit	1	5
Administration	1	5
General Duties	2	10
Armoury	0	0
Special Duties	1	5
Total	20	100

Source: Fieldwork, 2018

4.4: How police and citizens understand the term ‘use of force’ in policing

The use of force by the police is the key focus of the current study to elicit views from both the police and the citizens to critically understand why police officers use force during encounters while promoting security. Use of force has been revealed from this study as an essential tool that is inevitable in the works of the police in keeping peace and security in the country (Wittie, 2015). The officers and the citizens interviewed provided explanations that varied with regard to their perceptions and actions on the use of force during encounters. All the officers presented their actions during the force encounters as reasonable behaviour, while each of the citizens claimed the officers’ actions were inappropriate, if not excessive. The following discussions examine these opposing claims in more detail by first reviewing the explanations of both the police and citizens separately. In the context of the question above, it was evident that although participants attempted to provide substantial interpretations for what use of force is and what it involves, there is still a great deal of differing opinions about what is meant or included in the term. There were numerous instances where participants stressed the enormous range of activities that the term use of force could involve.

Police

Considering that use of force can be viewed differently depending upon how each respondent describes it, defines it, and perceives it, the responses could have been positive, negative, or neutral based on the phenomenon being studied. The majority of the police officers interviewed interpreted use of force as positive. Positive was interpreted as using a reasonable force to gain control of an individual who threatens the peace and security of the state. The levels of force that participants indicated were (a) physical force to subdue, (b) presence of large number of officers on the scene, (c) the use of a Taser, (d) the use of pepper spray, and (e) the use of firearms. None of the participants indicated verbal approaches as a level of force that could be used. Thus, there are various levels of force continuum that could have been used by law enforcement officers to gain control of an individual in encounters without necessarily using force. There are specific behaviour identifiers that assist law enforcement officers in identifying what kind of force to use. If an officer attempts to subdue by presence or verbal first and that does not gain them control, the officer will move up to the next level using physical force. Positive is where participants viewed the officer's approach as favourable and necessary to subdue a subject who was perceived as dangerous or aggressive to both the officer and the citizens. However, other police respondents also described the use of force by indicating types of force as necessary and efficient in response to what the person was doing or trying to achieve.

They described the use of force as physical action taken to control the movement or freedom of individuals who refused to obey orders during arrest or was perceived to be dangerous to society. The majority of the officers ($N=13$) indicate not having any difficulties at all with using force and state that they do not experience any doubts about using force during encounters against subjects who posed threat to them or the general public. Other police officers ($N=5$) consider use of force to be a part of their job and an important responsibility towards the public and their fellow colleagues. While other officers ($N=2$) had different perceptions about civilians' attitude towards use of force. One of the interviewees (officer) explained:

“It is part of our work, and we have every right to use force to compel subjects who refused to obey police orders to strictly adhere to them, protect the rights and safety of citizens as well as officers and as a matter of fact, we have been trained to use minimum force to bring situations

under control especially if a citizen poses a threat to me or others.” (PO15, Inspector, 11 years of service).

According to the officers, as for the public, it is a known fact that they have negative perceptions about the police as far as the use of force is concerned. According to one of the officers, as for the civilians when things go well the police are good, but when things go the other way round then police are their greatest enemies. They however stressed that the public must begin to appreciate the sacrifices that the police have made to ensure that there is peace and security in the country. Excerpts were obtained to support the explanations gathered from the police respondents who expressed their views, opinions and experiences about use of force, and how it has helped to protect the rights of citizens. The following extracts from the police respondents demonstrate how use of force determines the service that citizens receive from the police. In response to the question above some of the officers indicated:

“The police cannot be taken for granted as their lives are very important and therefore, cannot compromise on situations in which officers can easily lose their lives in the process of keeping peace and security. If a situation of this nature occurs the police will have no other option than to use force in the process of protecting the rights of individuals.” (PO4, Inspector, 12 years of service).

“If there is no resistance to certain police actions, such as handcuffing or the use of firm grips and come along holds use of force to me, is inconsequential. But, if a suspect is perceived to be troublesome, then the officer must do everything within his/her powers including the application of force to bring situation under control.” (PO8, Sergeant, 6 years of service).

“The word ‘perception’ to me is quite subjective. It is subjective in the sense that what might appear to be reasonable might not be reasonable to others. It depends on the experience or the kind of encounter that a citizen might have had with the officer.” (PO7, Sergeant, 9 years of service).

It was observed in the study that police officers can resort to the use of force if and only if it is justifiable, but if police officers’ use force without justification, those officers can be held accountable for their actions. The majority of the officers (N=14) stated that based on their knowledge and experiences, the police in Ghana do not use force against citizens differently

based on their socio-economic status. However, they explained that it is more likely for the police to treat people according to their behaviour, attitude and the type of activities that they participate in. According to the police respondents' experiences and information they received from the media, citizens (mainly unemployed youth) have heightened involvement in activities such as illegal drugs, possession of offensive weapons and robberies, which are mainly accompanied with very bad attitude and minimal discipline and respect for others. As a result, these citizens (mainly unemployed youth) and their activities are more likely to become of interest and be monitored by the police. Consequently, some citizens who are mainly in their youthful age might accuse the police of profiling them, but there are justifiable reasons why their activities and behaviour are being monitored by the police (Trotman, 1989; Johnson and Kochel, 2012; Ryan et al., 2013). In the course of the discussion one officer replied:

“Yes, there is no way police will allow these ‘roaming ambassadors,’ I mean the youth, to continue their illegal activities such as robbing travellers on highways for monies and mobile phones, attacking and killing mobile money vendors for their daily sales, resisting arrest during a swoop for illicit drugs, and many others while police look on. Then, we’ve failed our duties as law enforcement officers. I can tell you that in such situations police will use all legal means including even deadly force to protect lives and properties. In such circumstances, I don’t think the public will accuse the police of using force.” (PO15, Inspect, 11 years of service).

Considering the explanations and experiences that police have had with the citizens particularly the youth, suggest that police officers' attention most often focused on the youth rather than the elderly people because it is less likely for these people to be involved in illegal activities. It was further explained that elderly people have more respect, positive and developed attitudes and a more mature type of behaviour. Therefore, when elderly people come into contact with the police, they are more likely to be respectful and cooperate with officers and it is more likely that police officers will reciprocate respect and cooperation. On the other hand, it is perceived that the majority of the citizens (mainly youth) are more likely to be rude and more disrespectful and may often attempt to question the police authority even when they are caught participating in illegal activities. One senior officer with many years of experience in the service explained why officers sometimes use force against a suspect:

“Yes, I happened to be at the scene where a civilian was trying to resist arrest and went to the extent of threatening the officer, ‘if you dare not leave my premises, I will attack you with a

machete.’ In fact, the officer tried enough to calm down the suspect and requested he follows him to the police station because someone has made a complaint against him for assault. The suspect refused the officer’s order and continue to be rude until the officer had no other option than to apply force to send him to the police station. I think the officer was right to use forcible means to compel the suspect to simply obey police orders.” (PO3, Chief Inspect, 15 years of service).

As such, officers might become stiffer in applying the law and may use force when dealing with such citizens which can be misinterpreted by the citizens as excessive force or inappropriate use of force. Excerpts were obtained to support the explanations gathered from the police respondents who expressed their views, opinions and experiences about the use of force and how it has helped to protect the rights of citizens. The following extracts from the police respondents demonstrate how use of force determines the service that citizens receive from the police while promoting security:

“In the police service, we consider the use of force as necessary if the situation at hand can be detrimental to the lives of officers undertaking the operation or the general public.” (PO9, Sergeant, 12 years of service of service).

“Look, as for the citizens if things go in their favour, they say police are professional, or they are good. On the other hand, if things do not go in their favour, then, police are unprofessional, or they are enemies.” (PO16, Assistant Superintendent of Police, 17 years of service).

“Let’s consider the situation that happened at Ejura in the Ashanti region for instance, had it not been that the civilians were employing force against the police officers, force would not have been applied to the demonstrating crowd. However, as the demonstrators started to throw objects and pelting stones the police were left with no other option than to engage them in the firing of tear gas, water cannons and the subsequent call for back up from the armed forces.” (PO13, Inspector, 9 years of service).

Citizens

It has been widely established that without citizens’ approval and consent, the police can hardly carry out their legitimate duties (Frazier, 2007). Police legitimacy therefore depends to a very large extent on several factors - these include, effectiveness and efficiency of the police, respect

for citizens, satisfaction with police performance, level of accountability, illegitimate political interference and how police adhere to procedural rules without being biased when interacting with the public (Goldsmith, 2005; Tankebe, 2008; Mazerolle et al., 2013; Tyler, 1990). Citizens respect the police when they see them to be acting in consonance with the above rules. These preconditions for voluntary acceptance of the police which can inspire public trust in the police are mainly absent in the Police Service in Ghana. When asked how citizens perceive the police, all the respondents interviewed agreed that the public have negative perceptions about the police and described it as, ‘we versus them mentality’ considering the fact that differing views of attitudes and perceptions emerged when the views of citizens were compared with those of the police. While majority of the police believe that the deaths of civilians at the hands of the police are isolated incidents, only a few of the citizens share this opinion while the majority of the citizens (70%) are of the view that these encounters point to the fact that there is a huge problem between police and citizens.

The majority of the citizens (N=33) interviewed were of the view that police officers in Ghana treat citizens differently based on their demographic characteristics. They indicated that it is more likely for police officers to treat citizens specifically the youth in a hostile manner which is often accompanied by the use of force or excessive force. The citizens explained that according to their personal experiences and observations, when officers are on their usual patrol in their communities, officers frequently stop and search the youth for drugs and offensive weapons without any valid reason as demonstrated in previous studies by Johnson et al., (2008); Kuhns et al., (2011) which often led to use of force. It was stated by the citizens that on many occasions officers might find nothing illegal on the individual, but some officers frequently find other means of implicating the individual by putting small amounts of drugs such as cannabis on the person’s body and then arrest and charge them for the offence to justify the reason for their stop and search. While majority of the citizens (75%) call for a complete ban on use of force, a similar expression of police officers (80%) insisted they will strongly oppose such an attempt. One officer with many years of service said:

“I’ve heard some citizens say we should desist from using force in our day-to-day operations. Well, that’s their own way of thinking, but if the citizens understand police work very well and value their lives, they will rather call for the shots. There’s no way we will stop using force against citizens who challenge our authority or defy police orders especially in an arrest situation.” (PO14, Corporal, 5 years of service).

In shedding light on the issue, one officer with many years of service had this to say:

“You know what; one thing I have realised in all these years is that it appears the public are not well informed about the rules and procedures governing our work especially on use of force. They completely have no idea about police work, and it is incumbent upon us to educate them about our functions and what we do in society. This will put an end to the usual accusations and fabrications of false stories about the police on use of force.” (PO7, Sergeant, 6 years of service).

In response to the question, some of the citizens said, their first-hand experience and knowledge suggest that many of the officers hold a belief that the majority of the citizens who became vulnerable in society are less educated about the laws, possess less experience about life, have a lack of knowledge on the procedures for reporting the police and do not know or understand their rights as citizens. Therefore, such citizens are more likely to become an easier target for police to abuse or experience incessant use of force as highlighted by Johnson et al., (2008). It was further stated by the citizens that information they received from some of their police friends and family members indicated that many junior officers in the GPS were required to demonstrate and impress their senior officers that they are doing their job by arresting criminals perceived to be dangerous in society. Consequently, many of the citizens (mainly youth) often become victims of police use of force.

Additionally, the knowledge and experiences gathered from the citizens during the interview could suggest that police officers are less likely to use force against citizens who are older regardless of affiliation with affluent people or ruling government officials. This could be because police officers are not expecting citizens who are older and in their mid-thirties to resist arrest or defy police orders, they have a better understanding of their rights, are more experienced and knowledgeable about the laws and might be more inclined to lodge formal complaints against an officer for misconduct and follow it to the letter. The citizens further explained that police officers were often selective in encounters. They indicated that the youth (mainly males) who are involved in the drug related issues are more likely to experience use of force because of their behaviour and attitude towards the police. On the other hand, citizens who are connected or related to affluent people or ruling government officials in Ghana are less likely to experience use of force. Citizens who are not connected or related to affluent

people or political party officials are more likely to experience the use of force. When respondents were asked about citizens' (mainly the youth) involvement in antisocial behaviour such as drugs, fraud and armed robberies, they agreed that there is a small number of the youth who are involved in these activities. One citizen who revealed that he has had many encounters with the police explained:

“I know for a fact that police officers in Ghana have prejudice mind to all the youth especially for those who are not connected to the ruling government officials. The police perceive the unemployed youth as criminals and lawbreakers. It is as a result of this that most of the youth become victims of police use of force or brutality.” (CO23, respondent)

Therefore, citizens' negative perception about the police relate to behaviour of officers which include use of force or excessive use of force, rudeness, unfair treatment of suspects during arrest, unjust methods of getting information, beating up suspects held in police stations, bad temper, corruption, unprofessional conduct, biased towards marginalised in society and authoritarian (UNDP, 2007). Thus, citizens' perception towards the police can be considered in two ways, and that depends on the level of professionalism that the officer may exhibit when dealing with the citizens.

4.4.1: Does the police have too many powers including the use of force?

Police officers interviewed broadly agreed that citizens' support is quite important both for the legitimacy of police and the ability of the police to use minimum force to maintain law and order effectively in society. Though research shows that civilians generally support the police and are satisfied with the way police perform their duties if they were treated fairly during encounters, and it also demonstrates that not all segments of society hold equally positive views (Miller, et al., 2004). While research has focused on the influence of personal encounters between the police and the citizens, other influences remain unexplored. However, the causal factors of the citizens' support are not fully understood based on the interviews conducted especially on use of force. In the course of the interviews, it was found that citizens who reported negative experiences of encounters with police have lower levels of confidence in the police, while those whose family members and friends have had such negative encounters or became victims of use of force also have less confidence in the police. On the other hand, positive experiences with the police are not associated with substantially higher levels of confidence in the police, either among the individual's experiencing encounters or among their

friends and family. All the officers interviewed considered use of force as a part of their work and therefore have no reservations regarding its application specifically where individuals' lives are threatened. In response to the question whether police officers have too many powers including the use of force, this is what one officer who has served the GPS for many years said:

“It isn't about we've too many powers or too little power; it depends on the given situation and the demeanour of the subject or group of people involved. Admittedly, use of force powers are employed to protect the vulnerable in society and also to ensure that suspects who resist arrest or poses threat to the officer comply with orders so that you and I can feel safe and secure in the country. This conflicting issue has arisen because of citizens' ignorance about police work, ignorance because of the way they perceived the law to operate and the way in which they expected the law to be enforced.” (PO3, Chief Inspector, 15 years of service).

In a similar vein, some officers expressed their views and experiences regarding the use of force powers:

“What the civilians must understand is the fact that the law itself is not sufficient guarantee of individuals fundamental rights unless complemented by an enforcement mechanism.” (PO7, Sergeant, 9 years of service).

“It is part of our work; we have every right to use force to compel subjects who refuse to obey orders to strictly adhere to them. It's a way of protecting the rights and safety of citizens and as a matter of fact, we have been trained to use minimum force to bring threatening situation under control especially if a subject poses threat to us or others in society.” (PO16, Assistant Superintendent of Police, 17 years of service).

These tend to be justifiable in the sense that there will be the attainment of security of some sort if fear is instilled in the breakers of the law. Force applicability in the enforcement of security is very paramount such that there will be law and order in a society where there is no law and order. While the citizens would not condone the use of force in general, they recognised that this might happen in certain situations. For example, there was a generally held view that junior officers or less experienced officers were more likely to use force to protect innocent citizens from attack. This was because junior officers were perceived as more likely to act instinctively to a threat by using force rather than holding back and trying to assess and calm

down the situation. Equally, where the attack on a police officer was felt to be personal, such as provoking an officer, pelting stones or spitting at them, then use of force was thought to be more likely to occur.

4.4.2: How officers felt when force is applied against citizens during encounters?

The majority of the police respondents interviewed (N= 12) stated that they felt comfortable about using force to achieve a lawful purpose. However, several of them (N= 8) described how they felt uncomfortable about using force at the start of their career. In sharing their experiences one officer explained:

“I still remember at the Makola bus station, when there was a fight and colleagues were attacked, not knowing what to do first and where should I help? In the end, I only handcuffed some people perceived to be trouble makers, later I realised it wasn’t the best approach. I saw some of the officers who were taking their batons out and others were seriously talking to them, but I did not have those skills and knowledge then. That had specifically to do with the kind of not knowing where to draw the line, what is allowed and what is not.” (PO11, Sergeant, 8 years of service).

Those two subject matters – feeling (un)comfortable and (not) knowing what is allowed – were repeatedly mentioned when police officers described how they had developed over the years in the way they deal with use of force situations. They basically describe two types of learning processes: (i) a process of approving or disapproving in (not) using force, and (ii) a search for the appropriate method. Several police officers (N= 11) describe how they have become less comfortable about using force and how they have suddenly felt hesitant about using force, and hence have become less inclined to use force than they were before. The majority of them described how they became aware of the negative consequences of using force because of a particular incident. For instance, two police officers refer to complaints of police use of force or abuse of authority that had been made against them, though the complaints were unjustified. Other officers (N= 3) overtly refer to the experiences of other colleagues in the police service as real ‘horrible stories’ that made them more restrained to use force. Furthermore, some officers (N= 5) mention that they are afraid that they would not be supported by their superiors, and internal accountability unit if a complaint was made against them, and therefore they have become more cautious to use force in encounters.

Most of the officers agreed with the following suggestion made by one of the respondents:

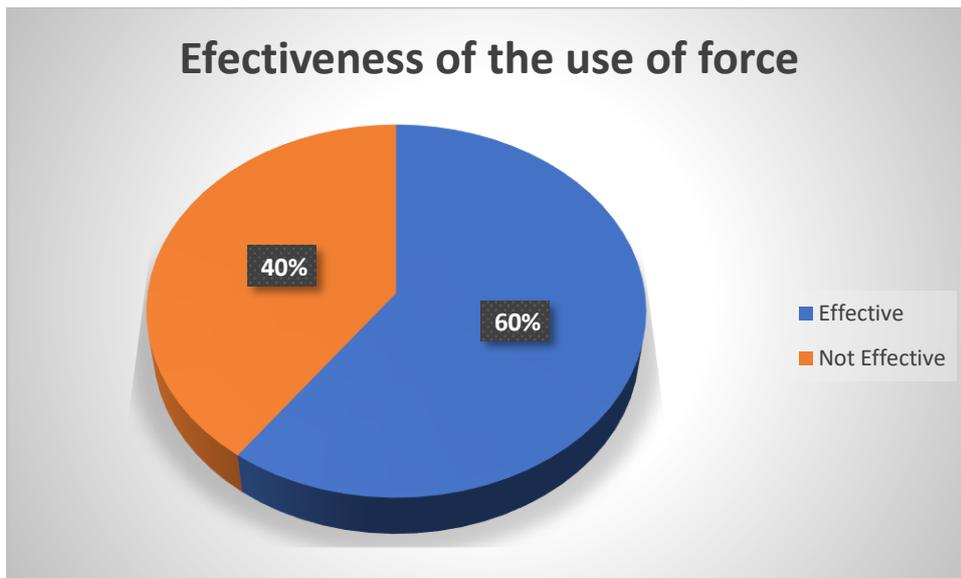
“I always try to take the situation into consideration before I act because of the complexities involve in using force. I think that is important, and people sense whether you are empathetic or if you arrive and immediately act very authoritatively or aggressively. I always say to my colleague officers that it’s better to come to work and go home in peace, than to go home in suspense” (PO9, Sergeant, 12 years of service).

Accordingly, the police seem to make a clear distinction between their direct supervisors who they often see as a part of their team, and the senior most - top police officers as well as the internal accountability unit (PPSB). The majority of the officers feel supported by their direct supervisors but are cautious about whether they would be supported by their superiors at the top management level, for instance in the case of a complaint on use of force or brutality. Several officers emphasise how important it is to have a good relationship of trust with their field supervisors and citizens in order to carry out their duty in the community with confidence.

4.4.3: How effective is the use of force in the maintenance of law and order?

The study further sought to unravel the effectiveness of use of force in the maintenance of law and order. From the officers that were interviewed for the purpose of this study, the majority of the respondents indicated that there is effectiveness in the use of force by the police in the control of crime and the restraining of a subject during encounters. It was further revealed from the respondents that the current trend of issues has made it necessary to adopt force as a tool in the control of crime in maintaining law and order. It was further revealed in the study that 60% of the police respondents were of the view that use of force in the control of crime has been very effective. However, 40% of the respondents were also of the view that the use of force in promoting security in the country has not been effective due to complexities associated with it in the promotion of security, as citizens and more specifically the media end up disagreeing with them and go ahead to write disparaging stories about the police. Refer to figure 4.2 below:

Figure 4.2: Effectiveness of the use of force



Source: Fieldwork, 2018

4.4.4: Does the officers personally approve or disapprove use of force?

Most of the officers interviewed (N=15) approved use of force especially in promoting law and order. This according to them forms part of their work and enables them to prevent crime from occurring. They were of the view that if they do not employ force in some instances, they will be putting themselves and other citizens lives at risk. However, there are other officers (N=5) who disapproved use of force as according to them, it rather escalates the situation at hand and makes it more volatile which usually leads to injuries and deaths. In response to the discussion some of the officers stated the following:

“I personally approve the use of force because it’s a way of protecting officers from being harmed. Also, we are well trained to use minimum force to compel subjects to act in certain order while maintaining law and order. However, the force applied must be proportionate to the resistance force emanating from the subject.” (PO15, Inspector, 11 years of service).

“Hmmm, based on what I have observed in the past, the emotional stress that some colleagues have gone through, and the legal tussle being associated with using force during encounter, all with the view of protecting citizens lives, I have advised myself that I will never apply force no matter how the situation is. I simply want to enjoy my long-term service, so why should I.... to ruin my long and dedicated service to the country, no.” (PO5, Lance Corporal, 4 years of service).

The majority of the officers therefore approved use of force in some instances in the prevention of violence and crime in our communities, whereas others were of the view that based on the experiences and the legal tussles involved they have advised themselves not to use force simply because it jeopardizes police-citizens relationships and leads to citizens' mistrust in the police.

4.4.5: How do the media houses and citizens react to incidences of use of force?

The majority of the police officers interviewed indicate that there is a general perception that the media, citizens, and other non-governmental organisations have negative perceptions about the police more importantly on the use of force. The police in Ghana in their quest to resolving crimes and promoting security usually use force in order to bring threatening situations under control. It became evident that participants described a predominantly negative perception of the police by the general public. Police officers mainly attributed the negative views to the media's influence on police portrayal, a culturally inherent dislike of police that is multigenerational in families, generalising police behaviours to the entire police officers due to past negative encounters with the police officers. They also described being exposed to dangerous situations as well as a wide array of diversity in terms of their work. Though police organisations do encourage using minimum force in instances where it is deemed necessary to restore order, however, officers described inconsistencies between how police are viewed and treated by the citizens, based on socio-economic status in which those from low income, high crime areas have more dislike for the police, while there are more positive perceptions from more affluent communities or affiliates to the ruling government and its officials. The following excerpts were responses from some of the police officers:

“Although we in the police organisation do analyse situations before sending out our men to undertake lawful activities, and to arrest those who are perceived as criminals, in instances like this, some citizens, the media and civil society groups tagged us as oppressors and that we are an organisation that does not respect the rights of the people in society. This assumption is completely false. We are one of the finest institutions that have the country and the people at heart.” (PO12, Chief Superintendent of Police, 15 years of service).

“In instances where lives of the officers are lost or threatened in the line of duty, these media houses or citizens do not say much about it but in the instances where we the police undertake

forceful measures to prevent crimes from occurring, we are labelled though as not respecting the dignity of persons and that, we employ the power and all the tools at our disposal to oppress innocent citizens in the country. That's completely false!" (PO20, Sergeant, 6 years of service).

"It is about time civilians understand the significance of this unique power as far as their safety and security needs are concerned. We have the power to arrest people with/without search warrant, power to prosecute citizens at the law court, as well as the use of deadly force against people who are perceived as threat to society and can cause harm to live of innocent people including the officer(s) in the helm of affairs. This demonstrates how powerful we are in society, but remember, we are doing all these in the interest of the citizens in order to protect their fundamental rights and to promote peace and security in the country." (PO10, Chief Inspector, 13 years of service).

In shedding more light on the use of force incidents, some of the police respondents further gave example of a situation where they were about to arrest a suspected armed robber at Pokuase in the Greater Accra region, and in the process the armed robber engaged them in gunfire shots and in the process, one of the police officers involved was hit by a bullet of the armed robber but the police were able to subdue the armed robber by shooting and wounding him on his thigh. This encounter however caused damage to the property of people living in and around the area and in that case, the media wrote unfavourable stories about the police which police considered to be unfair and very damaging. As indicated by one of the police respondents:

"You know what; one thing I have realised in all these years is that it appears the public are not well informed about the rules and procedures governing our work especially on the use of force. They completely have no idea about police work, and it is incumbent on us to educate them about our functions and what we do in the form of public education." (PO4, Inspector, 12 years of service).

4.4.6: Police officers' duties and responsibilities

The duties and roles of individual police officers were examined during the interview. Some of the questions that were asked aimed at finding out the individual duties of the police officers, factors that enhances their respective duties and challenges. Interviewees indicated that law

enforcement is one of the major functions of the police service. This is because the law is the major support of every country against lawlessness. The police have been tasked to ensure that all the laws, rules and regulations in the country are strictly adhered to by the citizens in order to ensure peace and security in the country. They stressed that law enforcement is the main role and duty of the police, and therefore they are duty bound to ensure that all the laws governing the country are strictly respected so that things will not be done contrary to the law. It was further revealed when a question was posed regarding the major responsibilities of the police officers in their various departments. The majority of the respondents mentioned that the police officers in the orderly room were responsible for administrative duties such as typing and receiving letters, preparation of data and many others. The crime officers are to apprehend, investigate and take issues to court for prosecution. The station officer is to supervise the station and report outcomes to the District Commander. The researcher found out that, most police officers perform general duties which include guard duties, night patrol, road safety, station orderly. In response to police officers' responsibilities and duties in society, one police officer indicated:

“The police in Ghana are tasked to investigate crimes, that is why, when anything happens in the society, the police are the first to be called upon and if they are called upon, they are tasked to undertake the necessary investigations, the police then go forward to apprehend and further process the accused before court for possible judgment” (PO20, Sergeant, 6 years of service).

Similarly, other officers further expressed their views and experiences by stressing that in an institution that determines the nature of crime and the level of investigation that is required to unravel the people behind the commitment of crime, it is quite significant to understand that the police are duty bound to prevent crimes from occurring and will use appropriate measures at their disposal to avert any such crime in society. A senior police officer with many years of experience stated:

“Crimes such as murder and manslaughter are very heinous crimes which need very influential and coordinated form of investigation and in this case, the kind of investigation that is needed should be very much organised. However, in the case of the minor offences such as public nuisance, the level of investigations that will be required will be less than what will be required in major offences” (PO12, Chief Superintendent, 15 years of service).

The prevention of crime was revealed from the study to be a critical role in policing. The police department believes that the prevention of crime is its major operational priority. Accordingly, the department's chief mission must be the prevention of crime. It is quite reasonable that it is better to prevent crime than to put the resources of the department into motion after a crime has been committed. Such an operational response should result in an improved quality of life for citizens, and a reduction in the fear that is generated by both the reality and the perception of crime (US Department of Justice, 2003). The majority of the officers suggest that it is better to prevent crime from occurring right from the initial state than to wait till it becomes difficult to deal with. Others were also of the view that sometimes it is better to explore all other avenues before initiating action to prevent the public from making wild allegations about the police on the use of force. Some of the interviewees expressed their views and experiences on the issue as follows:

“Crime and violence are highly forbidden in Ghana and the police are tasked to ensure that various crimes in society are not committed. We are always well equipped with various tools and resources to make sure that some of these crimes are prevented to ensure security and peace in the country. Therefore, if a civilian decided to break the law police will act swiftly to prevent that person from committing such act.” (PO3, Chief Inspector, 15 years of service).

“Most often we mount police check points and barriers, and these barriers serve as a tool for crime prevention. Usually, these barriers are mounted at areas that are common to robberies to scare away these armed robbers from the area.” (PO5, Lance Corporal, 4 years of service).

Interviewees were asked about factors that improve efficiency of their work. According to the police officers: good supervision, cooperation from the public and logistics help to improve the efficiency of their work. Out of the 20 police officers interviewed, 50% mentioned logistics as mostly needed, 30% made mentioned remuneration and the remaining 20% attributed it to public cooperation. The implication here is that absence of the above factors negatively affects police officers' duties of investigation of crimes and apprehension of suspects of crimes.

4.4.7: Citizens' and police perceptions on use of force

The study further revealed the views of the citizens and police on the use of force. The citizens had varied views on use of force by the police as there has been distinctive views between the

police and citizens. From the results of the study, as the police have been justifying the usage of force in controlling crime, the citizens tend to have different views with regards to that. A comprehensive examination of many characteristics of police use of force shows that the behaviour of the police has a major impact on the extent to which use of force occurs in police-citizens encounter. Out of the 40 citizens interviewees, only seven citizens have differing perspectives on the subject. Looking at the citizens' sentiments as reflected in the opinions of participants, it is important to note that the issue of use of force is far more linked to the actual social reality than the perceived personal characteristics of the police officers. This is because during the face-to-face in-depth interviews with the citizens, one of them explained that the reported violent attitudes of the police in Ghana are common and deserves to be investigated.

Results of the field data analysis showed that 24 respondents representing 60% stated that they have had series of interactions with the police over the past 12 months, while 16 respondents representing 40% indicated that it was quite recently that they had encounters with the police. According to the citizens these encounters with the police come in the form of people who report crimes, being accused of committing crimes, being stopped and search by the police, being requested for driving documents, being involved in an accident, and being asked to produce a bail suspect to the police. Contributing to the discussion during the interviews most of the citizens agreed with the following point made by one of the respondents:

“The Ghana Police Service is notoriously harsh. They lack the moral discipline required to succeed in their professional endeavours. I recall being in my car some time ago and seeing a person standing by the side-line of a police officer on a major road. When the police saw me, they told me to get out or I would be fired. I was shivering and to my surprise, the police fired shots in the air without any provocation. This is the kind of police system we have in Ghana; God have mercy on us!” (CO15, respondent).

“Police officers have a burden of proof to justify whether the force used against a suspect was reasonable or necessary. As far as I know the law says minimum force must be applied where necessary to achieve a lawful purpose so if the police cannot justify force used against an innocent person, then should they use force at all? This shows that the law regarding the use of force is being abused, and it appears too many powers have been granted to the police at the expense of civilians who have no power to protect themselves.” (CO34, respondent).

The respondents were asked if they were satisfied or dissatisfied with their interactions with the police. Out of 40 respondents, 30% percent said they were satisfied with their interactions with the police. They reported that the police responded quickly and equitably to their calls. On the contrary, 62.5% were unsatisfied with how the police treated them, and 7.5% were neither satisfied nor not satisfied with how they were treated by the police. Respondents who were dissatisfied with their interactions with the police attributed their dissatisfactions to police refusing to assist them, unnecessary delays at police stations, the police being impolite or rude to them, excessive use of force or brutality, the police harassing them, or the police stopping and searching without reasonable cause. Excerpts were obtained to support the explanations gathered from the citizens respondents who expressed their views, opinions and experiences on use of force by the police and its impact on individual's fundamental rights. It was evident based on the interviewees' responses that the way and manner the police handle citizens are unfair. The citizens interaction with the police in Ghana is inundated by pervasive excessive use of force, corruption, unlawful arrest and imprisonment, disproportionate use of force, lack of accountability and a failure to respond to public complaints (CHRI, 2007; Boyuo, 2012).

The field data show that 60% of the total responses indicated that the protection of life and property is paramount among the police functions in Ghana. To achieve this, various policing methods and systems are devised to protect lives of individuals and public properties. In this direction the police are equipped adequately to deal with issues such as armed robbery, illicit drug use, domestic disputes, cybercrime, and political vigilantism, all of which threatens lives and properties. Again, 25% of the responses emphasised that the police are tasked to apprehend and prosecute offenders. To this end, Act 350 explains that this function entails the arrest of offenders where the police have to identify and initiate actions to bring these offenders to lawful custody (Police Service Act 1970 (Act 350). In the prosecution of offenders, the police are required to collect relevant evidence to establish the complicity of offenders before the law courts. Closely related to the apprehension and prosecution of offenders is the function of investigation of crime and prosecuting those found culpable. The distinction between these two lies in the fact that in the former, culprits are arrested with substantial evidence or exhibits such that prosecution does not take long. In the latter, the police need a considerable length of time to investigate alleged complicity in crime using hypothetical evidence to arrive at concrete evidence before prosecution can proceed otherwise the police or for that matter the state may lose the case before the courts for lack of evidence against the accused person.

Another equally important function of the police is the prevention of crime. 15% of respondents said police are enjoined to prevent crimes before they are committed by criminals. The question is how the police carry out this function. According to relevant sections of Act 350 of 1970, this function is performed in two ways, which are pro-active and reactive duties and activities. Being pro-active means the police put in place measures that ensure that crimes do not occur by using a police officer keeping watch over a designated place, day and night patrols, and the use of informants among others. With the re-active duties, measures are put in place such that when the crimes are committed, prudent investigations could be undertaken to arrest the actual perpetrators and bring them to book. The last function which the police perform is the enforcement of the laws passed by the National Parliament and bye laws promulgated by other statutory bodies such as district assemblies. This is a constitutional obligation which the police are enjoined to carry out at all times. All the functions outlined and discussed above have been adequately catered for in Act 350 and Article 200 of the 1992 Republican Constitution of Ghana.

4.5: Accountability

In response to a question whether the police allow themselves to be questioned when they act wrongly, 37.5% of the citizens agreed that the police allow themselves to be questioned when they go wrong while 62.5% or the majority of the citizens disapproved that the police provide answers to the public regarding their day-to-day activities or when they acted wrongly. The citizens believed that police assaulted suspects needlessly in order to get information from them. Indeed, one would not expect the general public to completely agree that police protect individuals' rights when majority said that they were unsatisfied with their engagement and contact with the police officers. One citizen who have had series of encounters with the police indicated:

“The exercise of these coercive powers inevitably indicates an attack on my constitutional and fundamental rights. This use of force powers must not be used against citizens at all unless police have a palpable cause to believe that the suspect poses a threat to the officer and others, and even in such circumstances, the police must find means of dealing with the situation without necessarily using force.” (CO24, citizen respondent).

On other issues the citizens and police share similar views. The majority of the citizens (80%) were in support of the use of police body worn cameras to record incidents of use of force during police-citizens encounters. Also, majority of the police (65%) and citizens (90%) believe the laws governing use of force should be reviewed to address the problems associated with its use. For example, words like ‘reasonableness’ or ‘necessary’. The following extracts from the citizens respondents demonstrate how use of force determines the service that citizens receive from the police while promoting security:

“In fact, let me be honest here, the use of force powers that have been granted to police officers invariably violates our constitutional rights. And it appears there is no proper check on how this is being exercised. I suggest this power be guided by specific principles and proper accountability mechanisms to prevent officers from using it indiscriminately against innocent people in society” (CO33, respondent).

“I can see from afar that the use of force powers has influenced police officers thinking while dealing with citizens and they seemed to be more powerful than any other person on earth. And therefore, they can choose to use force against individuals without being questioned by any recognised institution or authority in the country” (CO31, respondent).

The results also highlighted lapses in the accountability mechanism in the GPS, for instance, the Police Professional Standards Bureau (PPSB) which has an oversight responsibility to deal with public complaints against officers for misconduct have failed one way or the other to investigate police officers and this has affected public trust in the police according to one of the citizens. Citizens also expressed concern about the PPSB and stressed that the unit is made up of only police officers and this brings into question how firm and transparent the unit could be, especially when issues of use of force or excessive use of force are being investigated by the same officers. The majority of the citizens (65%) indicate that police could only be accountable if and only if they treat the general public with respect. Other citizens (45%) suggested that the biggest problem facing the police in Ghana is the incessant use of force which according to the citizens inevitably indicates an attack on their fundamental rights and stressed that such powers must not be used against citizens unless police have a palpable cause to believe that the person poses a threat to the officer and others in society, and even in such circumstances police should find alternative means of dealing with the situation without

necessarily using force. Police officers who exercise this coercive power in encounters must be able to justify its use when civilians demanded for accountability.

4.5.1: Police professionalism and democratic policing principles

According to the citizens the level of professionalism amongst police officers in the GPS was poor and unsatisfactory based on their past experiences. They indicated that there is a serious problem with police professionalism starting from the most senior officer down to the junior officer. The citizens during the interview explained that they were aware of a unit called Police Professional Standards Bureau (PPSB) within the GPS, that has been mandated to investigate human rights abuses and public complaints against police officers for misconduct. But sadly, it appears this unit has failed to investigate officers' misconduct specifically on the use of force and has also failed to sanction those that were found to have violated the laws. In view of this, some officers were of the opinion that the unit's inability to function effectively was due to the fact that the unit was mainly managed and operated by the police officers. They explained that based on past situations, officers employed in this department manipulated the system and laws to protect their fellow officers (Tankebe, 2011; Boateng, 2012; Gariba, 2014).

An explanation provided by the citizens indicated that some officers are involved in illegal and unprofessional activities whilst the majority of the citizens are aware of these activities. It was emphasised that senior police officers often use junior officers in carrying out illegal activities and/or participate in unprofessional conducts. As such, senior police officers were not in a position to reprimand junior officers for irresponsible behaviour. According to the citizens, senior officers should live above reproach by setting good examples for junior officers to emulate, but this was not the case in the Ghana Police Service based on participants narrations. It was further stated that police lack of professionalism does not solely relate to deviant behaviour but also includes lack of respect, shady dealings that are against the principles of the organisation and cause damage to the organisation's reputation and image. According to the citizens there is no proper or functional system in place to ensure that police officers execute their job fairly, professionally and offer the best possible service to citizens, as indicated in previous studies (Tankebe, 2011; Boateng, 2012; Gariba, 2014; Johnson et al., 2014).

The majority of the citizens further stated that the recruitment process in the GPS appeared to be biased and corrupted. They explained that based on the information received from the media and mainly from officer's poor attitudes and inability to carry out their duties as expected by

the general public, the general public perceive many of the officers as not having the requisite skills required for the police work, especially procedures to deal with use of force situations during encounters. Other citizens also considered the GPS as being controlled by politicians, and this has affected recruitment process, as both politicians and serving police officers used their authority to have their friends and relatives recruited into the GPS. As a result, these recruits might not possess the necessary qualifications, skills and personal qualities for the job.

When officers were asked what motivated them to become police officers, majority of them mentioned increasing unemployment in the country after completing school lured them to apply for the job. According to the officers, considering the lack of employment in the country after completing school, they considered police work as an employment opportunity in difficult times. It came to light that recruits who possess the required academic qualifications and passes through all the processes, might not genuinely be interested in becoming police officers, but rather becoming employed. The results obtained from the study indicate that officers who were recruited by means of corruption or bias or partisan processes are more likely to be incapable of performing their roles and functions as professional police officers (Multu, 2000; Renne, 2012; Stanislas, 2014). However, other officers were of the view that there are some officers who are genuinely interested in becoming police officers in order to prevent crime from occurring and to protect the rights of citizens, and not just for the sake of becoming employed.

Excerpt was obtained to support the explanations and expression of views gathered from the citizens, opinions and experiences relating to police recruitment and the impact it has on the relationship between citizens and the police in Ghana. This example demonstrates how police behaviour affects the services that the GPS provide to citizens and how the public feel about it:

“A friend of mine has a daughter in her early 20’s and completed senior high school education with good grades. However, due to increasing unemployment situation in the country, she has resorted to other anti-social vices, been a troublesome child due to lack of discipline at home and has become rude and disrespectful to the elderly people. I drew my friend’s attention to her daughter’s behaviour during a conversation with her father, I learnt that a sum of five thousand Ghana Cedis (GHS 5,000.00) was paid to a very senior most police officer for the young lady to be recruited into the GPS. I was told by my friend that if any of my children wanted to join the GPS, I should let him know and he will introduce me to the senior officer” (CO22, citizen respondent).

The citizens further stated that though they did not have precise knowledge of the various aspects of the police training programme at the police training school but felt disappointed based on their personal experiences and information from the media (television, FM radio stations and newspapers) about the behaviour and attitude of some police officers. They explained that some officers' behaviour and attitude towards citizens were unprofessional. From those expressions, the citizens stated that there were many recently trained police officers within the GPS who lack the basic knowledge and skills in the use of force and how to minimise use of force during encounters. It was stated that when some officers have encounters with citizens, officers might start treating individuals in an aggressive manner and/or unpleasant way without justifiable cause. One of the interviewees recalled and highlighted a specific incident in one of the regions where a newly recruited police officer in full view of the public physically assaulted a nursing mother who was carrying her baby on the back. The citizen stated:

“I can say for a fact that police officers have burden of proof to justify whether the force being used as reasonable and necessary. The law says minimum force must be applied where necessary to achieve a lawful purpose, if police officers cannot justify why use of force is important in their work, then should they use it at all? This shows that the law regarding the use of force is not clear, and it appears too many powers have been granted to the police at the expense of civilians who have no power to protect themselves.” (CO31, Citizen respondent).

The incident caught the attention of the world. This informed citizens decision, and they began to question the type and level of training officers received and the recruitment process used to recruit these new officers (Osei-Adubofour, 2017; Boateng, 2012; Parks and Mastrofski, 2009).

4.6: Political interference

Citizens

The citizens (N=40) stated that according to their knowledge and experiences, the operation and management of the Ghana Police Service are influenced and manipulated by political interference to a high level, which might be responsible for many problems such as bias, excessive use of force and misconduct. They explained that the GPS has become a political platform for many ruling government officials and their family or associates to obstruct and break the laws of Ghana with impunity and not suffer the consequences. According to the citizens interviewed, the GPS is a state institution and there are units within the Service and independent bodies that manage and monitor various aspects of its operations, such as

complaints from the public against officers and officers' behaviour and misconduct as well as issues regarding individual's fundamental rights. These bodies include Police Professional Standards Bureau and Commission for Human Rights and Administrative Justice respectively.

However, the citizens stated that they have experienced and heard of different occasions where ruling government officials intervened and used their authority to manipulate officers in specific situations to discharge their duty. They gave details of several instances where ruling government officials and party members have broken the law and were arrested by the police. The political party officials would often contact the Inspector General of Police (IGP) or other senior police officers and request that the junior officers release the person without charge or manipulate how the situation was resolved. It was further highlighted by the citizens that on many occasions when junior officers deny personal request made from party officials, the officer could be victimised and transferred to another station or department that might cause inconvenience to them. The citizens went further to indicate that the position of the IGP is a political appointment and dependant on the political party in office, they are more likely to appoint an individual of their personal preference. As a result, the ruling government occupy an advantageous and unique position that provides opportunities to make biased requests and use their authority to manipulate and intimidate the IGP and some other senior officers, which is more likely to result in unequal and unjustifiable treatment to some citizens.

Police

The majority of the officers (N=12) interviewed indicated that the major issue troubling the police in Ghana is political interference and not lack of logistics as some colleagues alluded to. Officers stressed that it is quite common in transfers, promotions and postings. Police interviewees mentioned that from their own experiences political affiliations play a bigger role in departmental inquiries and punishment proceedings of officials. One officer with many years of experience said:

Even today, politicians are influencing the way in which performance appraisals and awards are given to officers and personnel.” (PO15, Inspector, 11 years of service).

Police officers went further to state that most often you have to contact some of the ruling government officials before transfers or postings can be processed. Otherwise, you will be sent to the remotest part of the country. However, according to the police interviewees, if you get transferred on the recommendation of a politician or a ruling government official, then there is the likelihood that you will continue to act on that particular person's orders until their term of

office end. A few police officers (N=8) highlighted that they were not aware of any government minister or politicians who manipulated police officers and their work. They indicated that police officers are professionals and make independent decisions which provide fair and equal treatment to everyone regardless of their political affiliation or demographic characteristics. According to the police, they are not aware of any politicians who approach or pressurised the IGP and other senior police officers to grant special favours or give preferential treatment to the party supporters and associates. They also indicated that they never heard of politicians causing police officers to be transferred or victimised for failing to give special treatment or favours. According to the police, they have no foreknowledge of politicians or state officials being responsible for any specific individual getting recruited into the GPS since recruitment is not done on political lines.

4.7: Training of the Ghana Police Service

The citizens generally assumed that good measures were in place to ensure appropriate and reasonable use of force. They expected regular and efficient training and that the police ensured that there were disciplinary procedures in place to deal with police use of force or excessive use of force. They also discussed the need for greater public awareness of what were legal and reasonable types of force for the police to use so that the citizens felt confident to report and complain about incidents where excessive force was used. Also, citizens who have experienced police use of force believed that adequate training on use of force and internal review processes were important to ensure force was used proportionately. It was further suggested that in order to assess each situation independently, use of force approaches which eliminate threat without huge risks of harm (safe restraint techniques) as indicated by the human security concept that treats individuals as a primary object of security required as well as the use of communication to try and prevent escalation of violence and the use of force. However, based on their own direct experiences, some participants did not feel confident in the current complaints procedures because they had experienced limited action, for example, their complaint had not been upheld or was not regarded as fairly investigated. Other participants, who had not made complaints, expected a limited outcome because they did not trust the police to internally investigate complaints because of their low levels of trust in the police.

Questions were asked in order to understand the role of training with regard to the use of force during police-citizens encounters and to ensure that basic recruit training and in-service training designed to increase awareness and skills with public encounters and appropriate use of force only in applicable circumstances are the rule rather than the exception. The respondents

were asked whether the current training given to police officers is adequate to prepare them for current and future encounters. The results show that 75% of interviewees shared little positive feedback about their training on use of force. Many referred to training gained at the training school in their discussions, whilst 25% claimed that they had received no formal training on the use of force, even though they were expected to deal with different types of force on a day-to-day basis. It also became apparent that 10% of the officers could actually identify when and how they had received formal training related to aspects of use of force. One officer with many years of experience in the service replied:

“I have been in the service for the past five years and I have had no training whatsoever on the use of force; Apart from learning from colleagues on the job.” (PO8, Sergeant, 6 years of service).

Another challenge that the results show is the issue of lack of in-service training for personnel. The results indicate that 70% of responses indicated that lack of in-service training is a challenge to policing, while 30% proclaimed that they are okay with the training they received. Bayley (2001); Stone and Ward (2000) point out that policing requires knowledge, both theoretical and practical; besides, policing is a process and not an event. Therefore, the knowledge base of personnel must be enhanced to meet the challenges ahead. Consequently, police officers should be given regular in-service training to be abreast of modern trends, especially, in the use of modern technology in evidence gathering and crime detection. In-service training is also a way of sharpening the skills of personnel to enhance their productivity and so if policemen/women claim there is lack or inadequate in-service training then it is a challenge that needs to be dealt with immediately by the authorities in charge of policing.

In the above extract participant noted that, he had been in post for five years but had received no formal training in how to deal with incidents that involve use of force. There is also an associated expectation that the officer was to learn about the area as they gain more experience. Other respondents expressed a similar experience claiming that they gained their knowledge through others on the job. This finding has connection with findings from previous research by Hinton and Newburn (2009) who noted that many officers rated training in aspects of investigation and evidence gathering as being of critical importance in the context of use of force. Almost all the police respondents have had experience of using force and viewed it positively in terms of its overall effectiveness as a means of preventing crime from occurring and protection of individuals rights.

According to police officers, training should be more straightforward and to the point in order for it to be effective. The majority of the respondents were unanimous that the Ghana Police Service have training policy and standards for the delivery of basic and command level training to officers specifically on the use of force. Others disagreed with this assertion, stating that a comprehensive policy that regulates police training and capacity building programmes is fundamental requirement if the GPS is to be effective and professional. The necessity of a comprehensive training policy and standards for the GPS cannot be overemphasised. The development and use of such training standards should be the yardstick with which police training in Ghana ought to be measured. This study did not find any evidence of the existence of any such training policy and standards, neither did it find any evidence of police training being conducted in accordance with laid down Standard Operating Procedures for police training on the use of force.

4.8: Challenges facing the Ghana Police Service.

Research questions formulated to elicit series of responses regarding the staffing, recruitment process, logistics, in-service training and other resources that impact on the operations of the police were seriously considered. The police interviewees were asked a series of questions regarding the challenges faced by them while executing their duty. Respondents were asked to express their views based on their working experiences and the realities on the ground. It was found that 60% of respondents said the staff strength of the Ghana Police in the selected regions is inadequate. The majority of the respondents share this view, and the implication is that the personnel currently in post are overstretched because with the current prevailing circumstances, police work within these regions are deteriorating. In spite of this observation, 40% of respondents indicate that the staff strength of the police is not extremely bad and that the personnel there are not overstretched as the majority claimed. Considering the two views and the general idea concerning police to citizen ratio, one cannot help but accept the majority view of staff deficit in the GPS.

The interviews further suggest that 65% respondents highly believe that lack of logistics and colonialism are major problems facing the police in Ghana. While 35% of the respondents were opposed to these assertions and made mention of other factors such as political interferences and corruption as the major problems that confront police officers. Again, 60% of the majority of the police did not believe that poor remuneration is a problem facing the police. While 40% believe that poor remuneration is a major challenge which according to them demotivate officers to give off their best. Again, lack of accountability, transparency, lack of citizens

cooperation and indiscipline in the police were also mentioned by the interviewees. Generally, with researcher's interactions with interviewees it was found that the majority of the officers believe political interference is the most serious issue affecting the institution's performance.

Responses on some challenges of the Police Service are lack of required equipment, lack of accoutrements, lack of staff quarters, lack of in-service training and lack of communication gadgets, but despite these challenges, 65% of responses noted that lack of adequate personnel is the biggest challenge that confronts police work. This finding confirms an earlier finding that indicated that there are not adequate personnel to carry out the numerous police duties in the country (Addae, Opoku, Dagba and Amankwa, 2020). Also, 20% of the respondents indicated that lack of required equipment is a challenge to policing within GPS. The issue of logistical support had been dealt with earlier and it seems to be a challenge that needs urgent attention to facilitate policing in the division under study.

Again, the results show a challenge that is somehow related to the question of equipment is the lack of adequate police accoutrements. By the nature of their work, the police require specialised working gear (specialized uniform), which is specifically designed for police work. 15% of the responses pointed to the lack of accoutrement for the police personnel in GPS. Further responses indicate that the lack of staff quarters is a challenge which militates against policing in GPS. Again, by the nature of police functions, personnel are supposed to stay within a barracks so that in times of emergency or even normal deployment it becomes easy for the officers in charge. A situation where police personnel stay at different locations far away from the police station is not desirable because summoning personnel for duties especially in times of emergency becomes a great challenge.

Other challenges which respondents indicated were based on issues that affect personnel's welfare. They included delayed promotion leading to demoralised staff, low job satisfaction and unsatisfactory job performance due to lack of formal staff training. Again, they said that because of inadequate logistical support, sometimes criminals outwit the service and perpetuate more criminal activities and low morale leading to high labour turnover and indiscipline among the ranks. Finally, some of the respondents touched on the issue of corrupt practices due to low salaries. Aning (2006), Pokoo-Aikins (2001), Opong (2011) testify to this challenge in studies they undertook into the operations of the police service.

4.8.1: Observations on police-citizens encounters

There is a significant amount of study on police use of force today (Weitzer, 2015). While race has been a persistent theme throughout the history of American policing (Dulaney, 1996; White & Fradella, 2016), recent high-profile events have sparked unrest over use of force decisions made by police, particularly in the context of encounters with minority citizens. Social media stories of police using deadly force against unarmed Black men and boys, including George Floyd, Michael Brown, Eric Garner, Tamir Rice and Oscar Grant, have led to accusations of excessive force, brutality, and racism, further eroding citizen trust in law enforcement. Citizens' concerns over the state of policing are one of the most polarising issues affecting American society today. One suggestion to address the crisis has been for police agencies to implement better use of force training and policies (Police Executive Research Forum, 2015; President's Task Force on 21st Century Policing, 2015; Todak and James, 2018). Police officers are well trained in use of force and defence tactics, and procedural justice has been emphasised as a strategy to ensure citizens feel that they have been treated fairly, courteously, and professionally in their encounters with police (Tyler, 2003). However, police training does not generally teach procedures for minimising use of force in police-citizens encounters. In the same vein, most research studying police–citizen encounters have studied how, when, and why officers decide to use force but has not examined techniques to minimise its use.

The present research involved the direct observation of five encounters between the police and citizens of Suhyen in the Eastern region of Ghana. This community was chosen because of persistent violence due to protracted chieftaincy disputes that have engulfed the town for many years, the like of which had previously resulted in injuries. The observer used qualitative data recorded on a standard data collection form designed for the study. The qualitative study was undertaken in order to facilitate greater understanding of how often officers use force in encounters, factors associated with their use, and the relationship between use of force and citizens demeanour and what can be done to reduce its use. This is intended to complement the in-depth interviews and provides further insights and illustrations. The observations covered a random sample of encounters that took place during the day, evenings and all days of the week. In addition, interviews were conducted to provide contextual information.

The manner of observation used in this study is known as direct observation, which means the observer has opportunity to get closer to the field of research while retaining the position of an outsider or a guest (Kostera 2007). It is pertinent to establish a trusting relationship to help the people to feel comfortable and get on with their daily routines. Keeping distance at all costs

rarely helps in gathering material and it is important to tune in to the social situation in order to better understand nuances of interactions. In June 2018, the observer witnessed five encounters at Suhyen in the Eastern region of Ghana, totalling 60 field hours to ascertain how police officers conduct themselves when they are called to a scene to restore law and order. This community was chosen for the study because of continuous violence between two feuding factions due to chieftaincy disputes which usually lead to injuries. The researcher contacted officers on the scene together with the citizens who became victims of the circumstances and interacted with them after the incident. No police officers who were asked to participate in this study declined. Twelve officers participated in the incidents. The unit of analysis for this study is the police–citizen encounter. Consistent with the officers and citizens demographics, most of the interactions involved male (85%) citizens.

In one afternoon while the observer was walking down the street of Suhyen there were some exchanges of verbal abuses from the other end of the street, so the observer approached there, and it was their usual disagreements between both factions regarding who qualifies as a traditional leader and who does not qualify. Almost immediately, they started exchanging insults and all that the observer saw was that two men from the opposite side rushed to the scene and started throwing punches and this continued to the point that police were called to restore law and order. When the police arrived in the scene, there were four young men who appear to be drunk throwing their hands in despair shouting at the police to go back to their station because they are getting fed up with them. Suddenly one of the men throws what looks like a beer can on one of the angry youth who seemed to be determined to fight them. The police quickly walk up and tell them to pick the can up and disappear from the street, but they just look at the police and continue to walk towards the angry youth. One of the citizens says “Who are you, you rubbish police? What do you think you are, disappear man!” But he does pick up the can. Then, he looks back at the police and asks, “Are you happy now?” In all these, one thing that caught the observer’s attention was that as the police start to tell these men to leave the street, these men cut the police off and says, “we don’t even want to hear it.” They asked for their names and addresses, but they refused to tell the police and one of them said, “And you wonder why everyone hates the police.”

It is useful to explore visually how the officers’ responses to each of the questions vary across three behaviours conditions: compliant, bad attitude, and noncompliant in each encounter. The results reveal that all of the outcomes are lowest when the suspect is compliant and has a good attitude. Very few officers report antagonistic emotions, fear, or perceived danger when the

civilian is submissive. It is clear that when the civilian complies but has a bad attitude, all of the outcomes increase, and this is consistent across all tests. Some officers even say they would be afraid or very afraid of the civilian (11%). In the third instance, 37% of officers feel the suspect with a bad attitude is potentially dangerous. It stands emphasising that although the civilians in the bad attitude extracts are disrespectful and hostile, they have hitherto complied with all officer commands. This serves as preliminary evidence that civilian demeanour has an effect on officer's independent of legal compliance.

Analyses of these data were used to provide an independent up-to-date indication of how police officers and citizens perceive use of force in police work, identify where there may be greatest scope for improvement in terms of procedures used by the GPS to minimise use of force, and allow the service to examine where there might be continued scope for effectiveness and improvement of citizens trust in the police relative to earlier studies. Where appropriate, in this study findings from both interviews and observations have been compared when similar issues are covered by both strands of research. It should be noted that the qualitative aspect of this research is not designed to be statistically representative of officers' or citizen's views, but to be exploratory. As a result, claims cannot be made about the extent to which conclusions may be drawn to the wider population of the police officers or citizens as a whole. Verbatim quotes are used throughout the study to illustrate particular bodies of opinions, but these should not be taken to represent the opinions of all officers or citizens who participated in the research.

The analysis reviews use of force actions between officers and citizens from the moment officers arrive on the scene. This interaction process is key to understanding how situations develop between officers and citizens and how force is used with regard to the interdependent actions (and reactions) of the officers and citizens. What the officer perceives the suspect doing, how the officer responds, how the suspect responds to the officer's first action, and how the officer then responds to the suspect, all affect the situation of events and the levels of suspect resistance and officer's use of force. The results may be as clear as an officer peacefully questioning a suspect or as menacing as a deadly shoot-out. This section, then, is a first attempt to analyse these interactions in this way. Before the researcher presents the analysis, the observer (researcher) gives a brief discussion of several other attempts to look at the sequence of police-citizen encounters. Sykes and Brent (1983) analysed routine police-citizen contacts by looking at encounters and utterances. Their research focused on the three decisions an officer must make in every encounter: defining the situation, ascertaining who is involved, and determining how the encounter should be handled. They observed 1,622 encounters in 1973

and recorded the sequence and temporal order of statements made by officers and civilians that referred to defining, controlling, resisting, and confirming the situation. Based upon the comments made during the encounters, Sykes and Brent (1983) concluded that “police–civilian interaction consists of a series of dyadic interactions occurring within a larger process of dyad formation and dissolution” (p. 177). Their research also showed that a change in an action or response by either of the participants in the course of an interaction can exert influence on the other person.

Terrill (2003) analysed the POPN data to examine police use of force and suspect resistance, and concluded that, applying force at the outset is no assurance that additional force will not be used. It may be that the initial police force prompted the suspect to resist, thereby requiring additional force on the officers’ part. It may also be the case that officers simply continued to use force in an attempt to maintain control of the situation. Nonetheless, the findings indicate that the use of some degree of force at the outset eventually results in force being used again. (Terrill, 2003:77). According to him, generally, as the level of suspect resistance increases, so does the level of the police force. This analysis demonstrated that it is critical to study the actions of police officers and civilians because the use of force is an interactive phenomenon. To treat the actions of officers and citizens as separate limits meaningful analysis. It is therefore necessary to examine these actions as they interface.

This section, therefore, examines use of force and suspect resistance together. Each interaction is described by outlining the order of actions between the officer and the suspect. The data is presented in detail because it is the first attempt to describe multiple use of force encounters by looking at how each actor responded to the other’s behaviour. This effort attempts to overcome the concerns raised over the years and most recently by Terrill and Mastrofski (2002), who noted, studies that have sought to explain or predict use-of-force decisions have frequently looked at the police–citizen encounter as if it were a single discrete event, without noting the developmental nature over time within that event. Non-observational studies, in particular, have often been lacking in this regard, since when during the encounter a citizen’s various actions occurred cannot usually be reconstructed. (Terrill and Mastrofski, 2002:223) The information the observer present in this discussion provides researchers with an opportunity to understand how these use of force interactions unfolds and what influences the actors’ behaviours.

Chapter Five

Discussion of research findings

It is generally believed that the Ghana Police Service has indeed been characterised by misuse of power and authority by its representatives, and situations in which police officers proceed to use force or deadly violence against the civilians call into question the government and the institution's respect for the rights of its citizens (Tankebe, 2008). The finding is that the people believed that police assaulted suspects needlessly in order to get information from them. Findings such as (Tankebe, 2008; Palmiotto, 2017; Bayley 2001) have shown that police officers have the power to use force in society to suppress crime, preserve law and order, and arrest criminals who posed a threat to them and other citizens while carrying out their legally required responsibilities. However, because there are numerous obstacles that police confront when it comes to when and how to use force, this lawful power generally relies on individual officer discretion. This lawful authority looks to be the most difficult and contentious decision a police officer would make throughout his or her responsibilities regarding the "use of force doctrine," which governs police officers' actions and balances security needs while respecting ethical issues for the rights and well-being of the people.

Some Ghanaians are of the view that police use of force was one of the most unacceptably broad powers provided to government agencies like the police. The most troubling element is that using this lawful authority can result in significant injury or death, and in most situations, it is the citizens who suffer the repercussions. It is seen in an encounter in a crossfire and in the process, one of the police officers involved was hit by the gun of the armed robber but the police were able to subdue the armed robber by shooting and wounding him on his thigh. This encounter however caused damage to the property of people living in and around the vicinity and in that case the media wrote stories about the police which was not fair. The chapter highlighted and explained the data obtained from the interview together with some observations which provided the empirical evidence to support the aim of this study in order to answer the research questions. The results identified five themes as can be found in the data analysis processes. This discussion chapter also provided a platform for debate between the empirical data and interview data. It is at this point that the empirical data was compared and contrasted with the present themes and concepts and where the empirical data demonstrated how it filled the gaps in the extant literature and understanding about public perceptions of the GPS and use of force while promoting security. The following section explains and discusses the themes that emerged from the data.

5.1: Police and citizens' perceptions on use of force

In a recent overview of the state of knowledge on police use of force, Noppe and Verhage (2017) specify three characteristics of police use of force that are supported by substantial evidence, based on empirical research in the US: police use of force occurs infrequently, police use of force typically occurs at the lower end of the force continuum (including grabbing, handcuffing, pushing or shoving) and use of force typically occurs when police are trying to make an arrest and the suspect is resisting. The researcher considers these factors based on the findings of the present study, considering the limited generalizability. The research findings suggest that when force is used, the type of force used is typically situated on the lower end of the force continuum (verbal and physical force without a lethal weapon). With regard to Noppe and Verhage's (2017) third statement, the interviews indicate that suspect resistance and the behaviour of the suspect in general (e.g., level of intoxication or mental health) have an influence on the use of force by police officers. The interviews further suggest that the character and personality of the police officer in question also play an important role. In addition, the data show that, in an attempt to arrest situations, the use of force often occurs in unpredictable situations in which no arrest is intended (e.g., checking of vehicle documents). This is something future research should consider. Future research in this field would also benefit from a more focused and in-depth approach in which respondents are asked about their strategies to avoid the use of force and their decision-making processes in specific use-of-force situations.

It was further revealed through the interviews and the observation data that citizens are more willing to cooperate with the police if they believe that security agencies and their personnel are trustworthy and unbiased especially when dealing with the members of the general public. This is supported by previous research that when people are offered an opportunity to voice their opinion or whether they were treated fairly, they will judge the procedure and outcome of that procedure fairer and more positive even if the outcome did not go in their favour (Palmiotto, 2017; Worden and McLean, 2017). Fundamentally, the key factor shaping public perceptions about the police attitude towards citizens is fairness of the processes that officers use when dealing with members of the public. This reaction occurs both during individual's personal experiences with the officers and when the general public are making wide-ranging evaluations and assumptions of the use of force and accountability based on specific incidents that have occurred in the past. The interviews further suggest that when civilians believe that the police dealt with them in a fair manner, they are more likely to trust the police, hold them in high esteem, and support and cooperate with them during encounters (Mazerolle, Antrobus,

Bennett, and Tyler, 2013; Mazerolle, Bennett, Antrobus, and Eggins, 2012; Murphy, 2005; Tyler and Lind, 1991/2, 2001; Stewart, Henning and Renauer, 2012; Pryce, 2016).

Quite distinctive features with varied ideas emerged from the interviews and observational data which require the Ghana Police Service to educate the public about their work especially on the use of force, as the majority of the citizens interviewed claimed that police officers have no right to use force against citizens during encounters. Contrary to this assertion, almost all the police officers interviewed debunked this notion and claimed that the police have the right to use minimum force to bring situation under control and also use of force is part of their work, and as a matter of fact, they have been trained to use minimum force to promote security. Despite this explanation, it appears the public have divergent views about these coercive powers, more importantly the matter between the public and police is the approach and style adopted by the officers during encounters which remains critical to the policing debate in Ghana, as the link between powers and functions and limitations to its use are not well defined or clear.

The results show that the term use of force in policing requires a comprehensive discussion with both civilians and police as both parties have differing views regarding its applicability. During the interviews it was found that the majority of the participants (citizens) were of the view that the use of force powers invariably violates their constitutional rights and suggested that this power should be guided by specific principles in order to safeguard the rights and dignity of persons. However, it was revealed in the literature that the use of force by the police is guided by certain principles such as the force continuum and other deciding cases such as the US Supreme Court verdict on *Graham vs. Connor* (1989). It appears there are conflicting issues between those who viewed use of force as an imposition and assault on their fundamental rights while the police consider it as a means by which individuals rights could be protected and is guaranteed by law. According to the officers interviewed, it is about time civilians understand the significance of this unique power as far as their safety and security needs are concerned, as the source of this power emanates from the social contract theory and forms a consistent pattern to strengthen police-citizens relations. What this theory seeks to achieve is that there is the need for civilians to trade-off some degree of their freedoms to the state agents such as the police, in return for an adequate protection of their fundamental rights (Kleinig, 1996; Palmiotto, 2017).

Additionally, the findings suggest the unique position that the police occupy in society as far as the use of force is concerned. The citizens mentioned the use of force power to arrest without reason or search warrant, power to prosecute citizens at the law court, the court's acceptance of the word of the officer as being true and accurate reflection of what happened at the scene than that of the suspect, as well as the use of deadly force are some of the concerns raised by the citizens. One of the interviewees stated that the exercise of these coercive powers inevitably indicates an attack on their fundamental rights and stressed that, such powers must not be used against citizens unless the police have a palpable cause to believe that the subject poses a threat to the police officer and even in such circumstances, the police must find means of dealing with the situation without necessarily using force. The results indicate that these powers often influence officers thinking while dealing with suspects and they seemed to be more powerful than any other person and that they can choose to use force against civilians without being questioned by any recognised institution in the country.

Generally, the police officers agreed that they have every right to use minimum force to bring situation under control so that citizens can go about their normal duties without fear or favour and this power is protected by law (Criminal Evidence Act 1960, Act 29). This expression reflects what Lambert (1986: p. 6) described as the "holy trinity" of policing – more men, more powers, and more equipment, heightening the capability and authority of the police as law enforcement agent in the country. Based on participants (the police and citizens) responses, it appears police use of force is quite contentious and needs to be examined properly to allay any doubts in the minds of the public. While police officers continue to argue that they have every right to use force against anyone who refused to obey police instructions or poses a threat to the officer or others as guaranteed under the Criminal Evidence Act 1960 (Act 29), it appears the police have a burden of proof to justify whether the force used was reasonable and necessary. According to the citizens interviewed the law says minimum force must be applied where necessary to achieve a lawful purpose so if the police are unable to justify reasonableness of force used, then the question is, why are they using it at all? This shows that the law regarding the use of force is unclear, and it appears too much power have been granted to the police at the expense of civilians who have no power to protect themselves.

Clearly, almost all the officers interviewed were able to explain the term use of force in policing and went further to explain how this usually occurs. When a question was posed whether police officers approve or disapprove use of force – the results indicate that the majority of the police

officers approved use of force and indicate that it is part of their work. According to one of the interviewees uses of force usually occurs at the lower end of the force continuum but officers' application of force depends on the situation on the ground particularly the demeanour of the subject involved. The interviewee went further to say that the answer to the question is in two folds: Yes, because police are trained to use minimum force to compel subjects to act in certain order while maintaining law and order, however, the force applied must be proportionate to the resistance force emanating from the subject (see: Service Instruction, 2012), and no, because it rather escalates the situation and makes it more volatile which usually leads to injuries and deaths. One male officer with ten years of service recounted the kind of behaviour that some citizens often put up towards the police which suggests that citizens perception towards police use of force seems to vary from person to person, depending on personal characteristics, level of training, years of experience and preferences for a certain action. The findings show that the public have little or no idea about police work and their perceptions are always based on emotions and media reportage.

Considering the views expressed by both the police and citizens on the use of force, a number of empirical studies from the literature about public attitude towards police work emerged which suggest that when citizens are treated fairly, they tend to trust and cooperate with the institution and its decisions even if they did not go in their favour (Sunshine and Tyler 2003; Tyler and Huo 2002; Tyler and Wakslak 2004; Palmiotto, 2017). When civilians believed that police dealt with them in a fair and transparent manner, they are more likely to trust the police, hold them in high esteem and support and cooperate with them during encounter to achieve their utmost objective of maintaining law and order.

The results from the study revealed that the public begin to lose trust in the police when news on police use of force or excessive use of force are broadcast on local FM radio stations or see pictures of police brutalities or killings of unarmed civilians on different television channels. These news reports lead to them having a negative perception about police officers and cause them to lose confidence in them, like the sports tragedy that occurred at the Accra Sports Stadium. Such police behaviour coupled with other factors are significantly having an adverse effect on police-citizens relations in Ghana.

As emerged from the in-depth interviews and observational data that if police officers were able to educate the public about their work, specifically on the use of force it would have prevented unnecessary confrontations that usually ensued between police and citizens.

Therefore, the police should develop a strategy for dealing with issues associated with use of force. Such intervention will strengthen police-citizens relations, improve public trust in the police and enhances democratic policing in Ghana. It was observed through the expressions and descriptions of the officers that sometimes some civilians' attitude toward the police is very provocative and unacceptable and they end up becoming victims of circumstances. According to the officers, what must be clear to citizens is that police are under constant pressure to discharge its legal duties and therefore will not tolerate any unnecessary form of resistance from the general public. However, quite often how and when police respond to such reactions is where the public allegedly accused them of using excessive force or brutality.

Section 10 of the Standard Operating Procedures (SOP) of the Ghana Police Service, the SOP gives officers the right to arrest a suspect without warrant, the same SOP also gives the public the right to exercise their constitutional freedoms. The SOP states that police officers shall ensure that they treat all persons in a courteous manner and that their conduct is exemplary and consistent with the demands of the profession and the public they serve (SOP, 1.6). But the issue here is that the officer's action was also based on the same SOP which gives officers the power to arrest suspects without warrant: Section 10 of the SOP states that, a police officer may arrest without warrant any person who commits an offence in his presence or obstructs him in the execution of his/her duty (Criminal Procedure Code 1960, Act 30, Section 10). Consequently, the problem that always arises leading to altercation between police and civilians is that it appears the SOPs and other Legislative Instruments (LI) governing use of force are unclear, as there is no point of commonality, and such rules and regulations must be reviewed with clear sense of purpose and direction to avoid unnecessary confrontations which usually lead to injuries and deaths in Ghana.

Results from the study show that without citizens' approval and consent the police can hardly carry out their legitimate duties (Frazier, 2007). Police legitimacy therefore depends to a very large extent on several factors - these include, effectiveness and efficiency of the police, respect for citizens, satisfaction with police performance, level of accountability, illegitimate political interference and how police adhere to procedural rules without been biased when interacting with the public (Goldsmith, 2005; Tankebe, 2008; Mazerolle et al., 2013; Tyler, 1990). Citizens' respect the police when they see them to be acting in consonance with the above rules. These preconditions for voluntary acceptance of the police which can inspire public trust in the police are mainly absent in the GPS day-to-day operations. Therefore, this attests to the

fact that, there are not enough studies conducted in Ghana to examine citizens' attitude towards the police and use of force as compared to other Western countries. However, the few studies that have been conducted there are important variables that can explain citizens perception towards the police. For example, Boateng (2015) found that when fear of crime is high, trust in the police is low. Similarly, Tankebe (2010) found that Ghanaians who have directly or indirectly experienced police corruption by witnessing the police taking bribes from other persons or refusing to investigate or arrest suspects because of friendship or family ties, were less likely to trust the police. These are known studies that have empirically examined Ghanaians' perception towards the police. However, since these studies focused on the entire public perception about the institution, perceptions of citizens regarding use of force by the police remains unspecified, and hence, the need for empirical assessment on citizens perceptions to ascertain the realities on the ground and why it has become critical to investigate.

When asked how citizens perceive the police in Ghana, all the officers interviewed agreed that the public have negative perception about the police and described it as, "we versus them mentality". According to the officers, the majority of the citizens hold negative view about the behaviour of the Ghana Police Service. Research surveys about civilians' attitudes towards the police have demonstrated that civilians in general have little trust in the police. For instance, research conducted by Boateng shows that more than 53% of the civilians do not trust the police at all (Boateng, 2012). Similarly, a survey conducted by Afro barometer (2005) also shows that civilians trust in the police continues to decline over time. For example, in 2005, the survey found that almost 38 percent civilians trusted the police a lot. This fell to 28 percent in 2008 and 18 percent in 2012 and in 2019 the police are the institution that the largest number of citizens report of bribing in order to access services. Among those who had contact with key public services during the previous year, four in 10 say they paid a bribe to avoid problems with the police. Based on these surveys and responses from many participants, it was evident that public perception can severely damage police-citizens relations and can undermine citizens' trust in the police. Public perception is therefore crucial in understanding citizens' satisfaction with the police as empirical studies have demonstrated that police misconduct has the tendency to diminish citizens' trust and confidence in the police (Tankebe, 2010). Public perception, and particularly excessive use of force has gained sustained attention because it shows that policing, as a public good, is not distributed evenly among the populace in Ghana (see Kane, 2005).

Results from the study have revealed that the behaviour and attitude of some officers especially those at the Motor Traffic and Transport Directorate (MTTD) and some police patrol officers who deal directly with the public and drivers daily have brought the image of the institution into disrepute. Most of the security experts were of the view that the way the police go about their duties have forced citizens to perceive the GPS as being corrupt, hostile and cynical. The police, however, expressed utmost disappointment about how the civilians do not appreciate their efforts apart from daily negative reportages highlighted about them by the media. The majority of the police officers debunked the negative perceptions held by the citizens' many of whom described the police as inefficient, insensitive and corrupt. Other officers were also of a different opinion, and they explained that the public should rather see them as friends because they had apprehended criminals and settled cases for them before. One interviewee explained: "Our outfit had investigated and settled a lot of cases in and around our district, hence I believe that residents living in and around the district will perceive the police as friends who are always ready to assist them even when they are in difficulties."

Some of the citizens expressed concern about the negative image that the police have earned for itself, for instance, lack of impartiality and lack of credible structure of accountability in the affairs of the police have serious implications for democratic policing. The negative perception held by the citizens against police has adversely affected police-citizens relations in Ghana. Lack of police interest in investigating complaints or crimes of ruling government party officials heightens tension between the ruling government and the opposition party with the notion that the police are more sympathetic towards the party in power. Citizens' experiences such as those described by the Afro barometer surveys and responses that emerged from this study call for a concerted effort from both police administrators and stakeholders in the security industry to devise a strategy that focuses on building better relationships with civilians through fair treatment, respect for citizens fundamental rights, being impartial during an encounter, and being answerable to the public have been found to be relevant attributes that could strengthen police-citizens relationship and these can inspire public confidence in the police (Tankebe, 2010).

The interviews suggest that the Ghana Police Service have extensive and rigorous mechanisms that had governed and continue to govern the day-to-day activities of their work. For instance, the Police Service Instructions which are usually referred to as 'Service Instructions', the Police Service Act, 1970 (Act 350), the C.I.-76 of 2012, Police Handbook and the Criminal Procedure

Code, 1960 (29/30) are legal and constitutional requirements and procedures that regulate police use of force in Ghana. Under the Criminal Evidence Act, 1960 (Act 29, Section 36) which governs use of force in the arrest, detention, or recapture of any person according to the law states as follows: “whoever, whether warrant or other legal process to arrest and detain a person may or without, if the person, having notice or believing that he is lawfully arrested, avoids arrest by resistance or fight or escapes or endeavours to escape from custody, use any force which is necessary for his arrest, detention, or recapture, and may, if the arrest is made in respect of a felony, kill him, if he cannot by any means otherwise be arrested, detained, or retaken.” But one issue that the majority of the citizens continue to argue is that the Criminal Evidence Act increases police powers of arrest and use of force or any other means necessary to bring situation under control including deadly force. It has therefore been suggested that this important and highly controversial legislation in the Statute Book needs to be reviewed, as according to the citizens interviewed, balance has been shifted firmly in favour of the police and such powers can easily be abused. This became evident during the interview as majority of the citizens indicated that police have used force against them during an encounter without provoking them.

Additionally, the Police Service Act 1970 (Act 350), section (17) talks about misconduct and unsatisfactory service and sets out types of punishment that could be meted out to officers for misconduct. Such punishments include dismissal (which includes forfeiting all retirement benefits), removal (a termination of employment), reduction in rank, deferment or stoppage of increment, severe reprimand, and caution or, in the case of Constables, confinement to barracks for two weeks or less. Whereas the Criminal Procedure Code sets out guidelines on use of force – sections 3 - 10 of the Code sets out procedures for the use of force when arresting or preventing the escape of a suspect without ascribing modalities as to how and when use of force can be accepted or may constitute a misconduct. Again, the Police Handbook of 2010 also indicates that police officers shall perform their duties impartially and indiscriminately to all manner of persons. In this sense, police officers are supposed to work with fairness and discharge their duties without fear or favour. However, results of the data analysis indicate that sometimes this is not the case because police in Ghana appears to be biased towards the public based on political affiliation and ethnicity as alluded by the citizens that were interviewed.

This practice runs counter to the Police Service Regulations, 1994 (LI 880) - standards of conduct for law enforcement personnel as well as Police Force Regulations 1994 (LI 993) to

investigate police misconduct. In principle, police are supposed to be fair and firm to the public for the performance of their duties but in practice police officers are seen to carry themselves above the law as in the case of the May 9 2001 incident in Ghana and the killing of the seven unarmed civilians by the police in the Ashanti region of Ghana, demonstrate that the police have chosen to ignore these fundamental principles that guarantee safety to the public because the bodies mandated to investigate officers conducts have failed to sanction them appropriately or made to face the full rigours of the law, and this has created a huge gap which is gradually influencing and legitimising police use of force or excessive use of force in Ghana.

All the participants (both civilians and police) agreed that use of force is one of the most subtle, emotionally and politically contested subjects especially when issues of excessive use of force or brutality are involved. According to them, it deprives citizens of their fundamental rights and eventually ends people's life in certain situations especially where use of deadly force has been applied. The argument here is that due to the critical nature of assessing use of force particularly with the term 'reasonableness' and assessing or making judgement about how law enforcement officers apply this power, different views were sought from the interviewees and they responded that what the citizens rely on when use of force occurs usually centred on whether it was 'reasonable' or 'necessary', however, this form of judgement is unclear and there no clear guidelines as to what might constitute reasonable force and above all, it is difficult to interpret. Indeed, it was found in the results that what seems reasonable to someone might not necessarily be so to others. This is one of the contesting arguments in determining whether an officer's action was reasonable or unreasonable, and this is based on individual's perception or understanding or how s/he perceived the situation (Waddington, Williams, Wright and Newburn, 2017). Therefore, what individuals may perceive as unreasonable may be seen by police or other people as reasonable. As is supported by previous research literature, while judges apply legal standards to ascertain whether police action was lawful or not, police administrators apply professional standards to measure the same standard and the general public apply common sense and media reportage to determine officers' conduct. These presumptions flag up the inconsistencies that continue to remain in the country's constitutional and legal frameworks governing officers' misconduct and use of force procedures (Criminal Procedure Code of 1960, Act 29). The results also found that the provisions in the Act are not clear or not clear enough to deter officers from engaging in this phenomenon because it fails to set out when force may be used and when use of force constitutes a misconduct with appropriate sanctions (Criminal Evidence Act 1960, Act 29, section 36).

In throwing more light on the use of force situations, for example, in the case of *Tennessee vs. Garner*, the US Supreme Court overturned the earlier ruling by the Appeals Court. The Court upheld that the killing of a fleeing suspect is ‘seizure’ under the Fourth Amendment and becomes constitutional only if reasonable. However, the Court further upheld that the facts did not justify the use of excessive force or deadly force, and that police officers cannot resort to deadly force unless they have probable cause to believe that the suspect poses a threat to the safety of the officer or other citizens (*Tennessee vs. Garner*, 1985). While this case is limited to deadly force and peculiar to circumstances of a fleeing suspect, *Graham vs. Connor* (1989) case specifically focuses on the use of force including deadly force. According to some security experts, the above case can be used to determine ‘reasonableness’. In their view, the Court considers three fundamental questions while assessing the use of force situation: (a) What is the nature or severity of the offence? (b) Did the suspect pose an immediate threat to the officer or others? (c) Is the suspect actively resisting or attempting to escape? (Palmiotto, 2017: 39-40; Alpert & Dunham, 2004). It can therefore be argued that if citizens and the police begin to assess use of force along these paths it will bring an end to issues surrounding the use of force which continues to damage police and citizens relations, and feed into the GPS Transformation Agenda programme which envisages to leverage the Ghana Police Service into a world class status capable of delivering democratic, protective and peaceful services up to standards of international best practice (Ministry of Interior, February 26, 2019).

As a result, the GPS perspective of promoting security to safeguard the rights of individuals is completely marginalised and out of place. Parry (2017) argues that the use of force may become a procedural aspect of an encounter if it is accepted as an effective strategy to solve problems and if the subject’s suffering from this atrocious behaviour run the risk of becoming irrelevant to the law, as the subject becomes isolated at the moment when s/he needs the law to protect himself or herself from police brutalities (Appiah, 2011). In other words, in every police-citizens encounter, the officer involved must consider whether the force used was “objectively reasonable considering all the facts and circumstances of each particular case including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of others, and whether s/he is actively resisting arrest or attempting to evade arrest by flight” (*Graham vs. Connor*, 1989, 490 US 386). It is only when all these features have become exhaustive that the use of force can be accepted as reasonable or necessary (*Graham vs. Connor*, 1989).

Subthemes of perceptions on use of force

The subtheme related to how participants define or perceive use of force in their own words. There was no right or wrong answer to this question. They were asked to explain use of force in their own words or how citizens and the police officers perceive or understand the use of force in police work. The primary theme was divided into three emerging subthemes: (a) positive, (b) negative, and (c) neutral. It emerged that respondents (both POs and COs) replied to the question in their own definition.

Subtheme - Positive perceptions of police use of force.

Considering that use of force could be viewed differently, depending upon how the respondents views it, defines it, and perceives it, the responses could have been positive, negative, or neutral on the phenomenon under consideration. The majority of the officers (POs) interviewed viewed use of force as positive. Positive was interpreted as using a level of force to gain control of an individual. The levels of force that participants indicated were (a) physical force to subdue, (b) presence of numerous officers on the scene for coercion, (c) the use of pepper Spray, (d) the use of a Taser, and (e) the use of firearms. None of the participants indicated verbal strategies as a level of force.

Several types of force are used by law enforcement officers to gain control of an individual. There are specific behaviour identifiers that assist law enforcement in identifying what type of force to use. If an officer attempts to subdue by presence or verbal first and that does not gain their control, they will move up to the next type using physical force. Positive is where participants viewed the officer's strategy as favourable and necessary to subdue a subject. The participants defined this by indicating types of force as necessary and efficient in response to what the person was doing or trying to achieve.

The majority of the police officers ($N = 12$) report not having any difficulties at all with using force and state they do not experience any reservations about using force during encounters against subjects who pose as threats to the officer or the general public. They consider it to be a part of their job and an important responsibility towards the citizens and their colleagues. Some respondents explicitly attribute this attitude to feeling very self-confident in their own ability to handle use-of-force situations and to use force in a more acceptable way to compel suspects to obey orders. During the discussion one of the police interviewees indicated:

“Because I know, and also, I believe in what I do. I can confidently say that I will not push someone into the ground without being provoked. I won’t push someone because that was not what I was taught at the training school.” (PO13, Inspector, 9 years of service).

Subtheme – Negative perceptions of police use of force.

Almost all the Citizens (Cos) were of the view that law enforcement has been portrayed as tyrants or unjustified in their strategies. There are incidents where police have gone beyond what is needed to restrain someone. In these cases, their strategies had been excessive and unnecessary. Two participants (CO12 and CO7) indicated in their responses that officers tend to go beyond what is needed and ‘flex’ their use of force powers for various reasons. Participants described incidents where they felt lack of professionalism was a factor in use of force. Police officers are dispatched on patrols for multiple situations. While the media have portrayed the law enforcement life with intimidations, gun fights, and stop and search, they are just a small percentage of what police are dispatched to do in encounters. The reality is far less surprising. Many factors could motivate police behaviour. Communities that have had high volume crimes and massive police presence leave officers with a heightened level of awareness, and their natural adrenaline causes them to be viewed as aggressive or excessive.

These reactions can cause a negative stress. One participant indicated that, ‘he believes officers intentionally cause some incidents to go out of control because they are overly aggressive for the situation, and in being that way, they encourage suspect to react angrily and instigate a fight.’ The reality of police life is emotional, both physically and mentally. They have an active career that requires them to think fast and act faster, using a split-second decision. Policing exposes officers to dangerous and traumatic experiences that the general population of the public would have difficulty in comprehending. Throughout their careers, officers learn to adapt to their jobs, and some may develop negative attitudes towards specific populations. This negativity spins over into their duties and causes open stress and overly excessive responses in some situations.

Subtheme – Neutral perceptions of police use of force.

Stress in any workplace is difficult to manage according to the interviewees. The effect that stress has on officers is a topic that is discussed in many fora. These fora can be in politics, radio and television discussions, public sensitisation programmes and imposing new laws that officers always see change, and they are expected to change with it. CO11 indicated that “she

did not know much about what was expected in officer professionalism but had faith in believing that officers did what they had to do, and she could not say otherwise since she had no idea what training on use of force or expectations are for the police.” The neutral participants identified that police stress is heightened by their experiences and is a necessary part of the job since they are exposed to many dangerous situations, and their anxiety increases their senses. An officer’s stress allows them to be more observant of their surroundings and allows them to act quickly in certain situations. While PO2 and PO7 knew stress was part of the police life, they were sober in their responses and indicated that officers and their families sacrifice a lot with often little acknowledgment. The stress on officers often impacts their personal life and results in adverse effects such as diminished person relationships, poor individual evaluations, and mental health disorders such as depression and post-traumatic stress disorder. Neutral participants empathised with police families and the citizens they serve.

This study has dealt with contentious issues regarding use of force and that have been covered based on semi-structured interview questions, police stations registers, local newspapers publications, review of the literature and observations in order to answer the proffered research questions. However, many questions remained unanswered: For example, how much force is acceptable? What constitutes a reasonable force? It is only when meaningful answers have been found to these questions that any discussion of use of force can fully be understood by the citizens. What is more crucial is that currently there is lack of statistical data to assess or obtain reliable estimates of the extent to which use of force can be examined as there remains unanswered question in the Criminal Procedure Code 1960 (Act 29, section 36) which gives police the right to use force but unfortunately fails unequivocally to state what constitutes reasonable or unreasonable force? Revision of the legislations regarding use of force must be carried out to give clear meaning as to what might constitute a reasonable force and how much force can be acceptable in law. In spite of this, Wilson (1967) reminded officers to observe the following while discharging their duty to minimise the use of force or excessive force: ‘The officer...must remember that there is no law against making a policeman angry and that he cannot charge a man with offending him. Until the citizens act overtly in violation of the law, he should take no action against him, least of all lower himself to the level of the citizen by berating and demeaning him in a loud and angry voice. The officer who withstands angry verbal assaults builds his own character and raises the standard of the department’ (The President Commission on Law Enforcement and Administration of Justice, 1967: 181; cited in Palmiotto, 2017: 24).

5.2: Accountability

The results suggest that police accountability remains a challenge in Ghana considering some of the responses that emerged from the interviews. As supported by the previous literature, Manning (2005) argues that democratic police are publicly accountable, subject to the rule of law, respect the rights of citizens and that police officers can use minimum force only under limited and precarious circumstances, and the officer must be able to justify its use when the public demanded answers as to whether the force used was appropriate or inappropriate. Therefore, police accountability depends to a large extent on the following factors, and these include respect for citizen's fundamental rights, proper and effective investigation of public complaints, ability to justify the use of force or excessive use of force, adherence to procedural rules and code of conducts. These factors are relevant in assessing an institution that prides itself as democratic and subject to the rule of law rather than the dictates of the established regimes (Goldsmith, 2005; Lambert, 1986; Tankebe, 2011; Tyler, 1990; Mazerolle et al., 2013). The Ghana police service is no exception, enforcement of law is duly owned ultimately by them, and their duty of enforcement should be carried out fairly and impartially in order to inspire public confidence. It is based on this principle that the general public ultimately can have a sense of belief that the police are not their enemies, but their friends as expressed by some of the interviewees.

The Police Service Act (PSA), 1970 (Act 350) defines and empowers the police to discharge their duties in an appropriate manner. Section 1 of the Act sets out the primary functions of the police: "It shall be the duty of the police service to prevent and detect crime, to apprehend offenders, and to maintain public order and the safety of persons and property." (PSA, 1970, Act 350, section 1). The PSA sets out procedures and guidelines for standards of conduct for all police officers, both senior and junior ranks. It also provides instructions for police officers to deal with public complaints. For example, sections 17 and 19 indicate what constitutes misconduct and disciplinary proceedings that are required to address them, respectively. Again, section 23 (1) provides guidelines on public complaints against the police, and it reads: any member of the public shall be entitled to make a complaint in writing (a) to any instances of oppression or intimidation, corruption, bribery (b) any neglect or non-performance of duty; and (c) other misconducts by a police officer. Specifically, under the Act, complaints were to be addressed to the senior police officers in the relevant districts, the PPSB are obliged under section 23 (4) of the PSA to start a full-scale and impartial investigation into the alleged

misconduct levelled against the officer (Commonwealth Human Rights Initiative, 2007; Gariba, 2014). However, despite these unique features that guarantees public safety and protect the rights of individuals as mentioned above, it became evident in the study results that these responsive and service-oriented policing features have increasingly been undermined and lacks clarity as citizens continue to experience use of force or brutalities in the hands of the police without properly being punished let alone prosecuted at the law court.

The results further revealed that most of the citizens interviewed were explicitly opposed to police claims that they have the capacity to investigate their own members who are guilty of misconduct and argued that the institution cannot police itself as according to them, 'familiarity breeds contempt' and eventually erode trust. This brings to focus on the question of, "Who watches the Watchmen?" (Parry, 2017). The data from the study suggest that the majority of the citizens do not trust the current system that enforces accountability, as according to one of the interviewees, it encourages officers to maltreat civilians with impunity and cited incidences of police brutalities that have taken place over the years without any officer being prosecuted at the law court. Studies have shown that police accountability can be effective only when the bad apples have been exposed and made to face the full rigorous of the law (Parry, 2017; Boateng, 2012), else the public will continue to have negative perceptions about the police and will not cooperate with them during investigations. From the point of view of the citizens interviewed, a few bad apples spoil the barrel and the current state of the GPS attitude toward the public shows that the institution currently have a system which is set up to ignore bad apples, but until bad apples are weeded out there will be no improvement in police-citizens relations.

It was established in the results that the GPS have a unit that investigates officers misconduct but according to the interviewees what is more worrisome is the fact that the bodies that have been mandated to ensure accountability like the Police Professional Standards Bureau (PPSB), Commission for Human Rights and Administrative Justice (CHRAJ) and the Police Council have all failed to investigate public complaints against officers and this has resulted in lack of public trust in the police. There is enough evidence to suggest that the overarching findings give credence to the fact that both internal and external accountability mechanisms of the GPS have failed to function properly and must be reviewed. But inasmuch as some of the police officers accept the ineffectiveness and inadequacies within the accountability mechanism structure of the GPS, many of them debunked the notion that PPSB has failed to sanction

officers who were purported to have misconducted themselves in encounters with the citizens. They argued that the unit has brought sanity in the institution and cited instances where some of their colleagues have been sanctioned while others have been dismissed from the service for misconduct.

During the in-depth interviews, it became evident that the majority of the participants expressed worries about disturbing images that went viral on various social media platforms on the May 9, 2001, Accra Sports Stadium disaster where approximately one hundred and twenty-six civilians lost their lives due to police indiscriminately firing of tear gas and rubber bullets to disperse the crowd, leading to the setting up of the Okudzeto Commission by the then President John Agyekum Kufour to investigate the causes of the incident. After the investigation the Commission recommended that six police officers including Chief Superintendent of Police, Koranteng Mintah, ASP Frank Awuah, ASP Faakyi Kumi, ASP B.B. Bakomora, ASP John Naami and ASP Frank Aryee should be held responsible for the incident and must be punished (Ghanaweb, 2003; accessed January 2020). At the time of writing the public are yet to witness any prosecution or expulsion of the officers from the service.

Also, on April 21, 2006, four persons were shot and killed by police officers at Dansoman Estates in Accra. The incident occurred at the time these officers were looking for a similar taxi to the one in which the four victims were travelling. As soon as the officers saw the Taxi approaching, they opened fire and killed the four passengers on the spot. The five officers involved in the shooting were suspended in December 2006 pending investigation into the alleged shooting but as at the time of writing the investigation has been inconclusive. There have been numerous examples of continuous excessive use of force by the GPS as exemplified by the May 9, 2001, stadium disaster and the UNDP (2007) report of continuous excessive use of force by the police in Ghana. Other recent examples include July 17, 2018, shooting incident that occurred at Manso-Nkwanta in the Ashanti Region in which seven unarmed civilians were shot and killed by armed police officers under the pretext that they were armed robbers. Similarly, on December 8, 2019, two police officers shot and killed a 22-year-old at Kasoa in the Central region for exchanging words with them in a drinking spot. Additionally, on December 9, 2018, some residents in Adentan embarked on a demonstration after a car knocked down a student at West African Senior High School (WASS) on the Madina-Adentan highway. Police were called to the scene to disperse the crowd and to restore law and order. However,

the situation became chaotic and escalated to clashes where the police were alleged to have assaulted journalists and shot rubber bullets at demonstrators.

Also, in September 2018, a video recording went viral on social media showing a police officer beating up a nursing mother at the Midlands Savings and Loans Banking Hall in Accra. She had gone there to withdraw her money but was refused to be served at the counter as banking hours were over and that she could therefore not withdraw her money. Out of desperation she insisted she will not leave until she gets her money because she was there on time. The police officer on duty was called to drive the woman out of the banking hall and in the process, assaulted the woman who was carrying baby in her hand (Graphic Online, 2018; Twumhene, 2019; Modern Ghana, 2019; Pulse, 2018; US Department of State, Ghana Country Report, 2006; BBC News – Africa, 2001). All these incidences coupled with police beatings, handcuffing, choking of suspects during arrest are indicative of the fact that Ghanaians truly deserve proper police service that upholds the interest of the people instead of exclusively safeguarding the authority of the state and these feeds into the public perception of police ineffectiveness and lack of proper accountability procedures to investigate police officers' misconduct.

Generally, the issue that remains unanswered is the distinction between the application of lawful force and unlawful force, though police always try to justify the use of force, but they always have a backlash from the general public. The police further argue that they have both legal and institutional capability to manage their own affairs including matters that affect officers' misconduct without any external influence. They indicated that 'PPSB' is very active investigating some officers for misconduct while others have lost their jobs or have been denied many months of their salaries due to recommendations made by the PPSB after investigation on alleged misconduct. However, some of the officers pointed out that inasmuch as they strongly agreed with some concerns that have been expressed regarding accountability mechanisms that have been put in place by the GPS, the public continue to argue that it is not actively seen to be working especially in some regions where there are no public complaints units and stressed that the PPSB must be spread across all the sixteen regions in the country if indeed public safety is their priority. It was further suggested by the interviewees that since the entire public have issues with the internal accountability mechanisms of the GPS and continue to express dissatisfaction about PPSB's performance, they proposed that it should be replaced with an Independent Police Complaints Commission (IPCC) as it can be found in other

developed countries such as the United Kingdom to deal with officers' misconduct. This will restore public trust and confidence in the police and improve police-citizens relationships.

As supported by the extant literature, the Police Professional Standards Bureau (PPSB) was established in May 2005 to replace the then Monitoring and Inspection Unit. PPSB's mandate is defined within the Standing Order No 5 (2005) and includes an impressive range of functions such as collection and collation of criminal intelligence; coordination of criminal intelligence training; regular inspections of police stations; monitoring compliance with human rights and international standards; conducting remedial training in respect of identified areas of performance failure; and investigating complaints of police misconduct. Since the inception of the PPSB, the Unit has conducted sensitisation programmes to create awareness within the police service and educate the public through seminars, open fora, and other programmes about its functions as a public complaint unit (Accountability, Rule of Law and Anti-Corruption Programme, 2017).

Boyuo (2012) on police accountability in Ghana also indicate that between January and November 2005, the PPSB received 356 complaints against the police. Out of the 356 complaints received, 80 were dealt with within the unit, 32 were referred out to the regions, divisions, districts or units, 86 cases were reported and forwarded to the Inspector General, and 158 remained under investigation. Delay of investigation was the highest complained about misconduct (79 cases), followed by unprofessional handling of cases (67 cases) and a general complaint of misconduct (64 cases). Other cases included misappropriation of exhibits (20 cases), extortion (9 cases), brutality (33 cases), illegitimate involvement in civil cases (15 cases) and withholding of exhibits (20 cases). The Greater Accra region received the highest number of complaints, followed by the Ashanti region with 13 cases, while Northern and Upper West regions registered no cases (CHRI, 2007; Tankebe, 2011; Boateng, 2012). This shows the extent to which the unit has failed to restore public confidence and the current study calls for a complete reform to instil discipline in the Service.

Additionally, in August 2016, PPSB received more than 900 complaints; 25 of these cases were completed and 749 remained under investigation. Over that period, PPSB investigated 200 reports of unprofessional handling of cases, 145 reports of undue delay of investigations, 109 reports of unfair treatment, 52 reports of police brutality, 50 reports of unlawful arrest and detention, 22 reports of extortion, and one report each of stealing, a shooting incident, and robbery. As at August, 66 officers had been dismissed as a result of PPSB investigations, but

none had been criminally prosecuted at the law court (Country Reports on Human Rights Practices, 2016). However, this unit has been criticised by the public and this was evident during the interview as well as the aforementioned data which give ample testimony that the unit is ineffective in investigating cases of misconducts while others also consider the unit as a clandestine way of covering-up police misconducts, and this does not improve public trust in the police. Another serious argument that the citizens put forward was the fact that PPSB is being headed by the Inspector General of Police, therefore, the dilemma here is whether a transparent and accountability functions could ever be achieved under the command and control of the IGP? Findings from the interviews also revealed that the Unit can be found in only two regions out of the sixteen, therefore, what is the guarantee that officers would be sanctioned appropriately if they are found to have misused their powers arbitrarily especially in regions where there are no such PPSB This brings to focus the question of, “who watches the watchmen?” (Parry, 2017).

The interviews and insights gathered through the observations suggest that the Ghana Police Service have arrogated many powers onto themselves and have become judges in their own cause as if they are not accountable to the law as alluded by one interviewee (civilian). But contrary to this assertion, most of the officers interviewed expressed their views about the effectiveness of PPSB and it appears they have a different perception and totally disagree with the public furore about the unit. The majority of the police officers explained that the unit serves as a complaint unit where the public can seek for transparency and accountability if they believe to have been treated unfairly. It also serves as an internal mechanism to deal with officers’ misconduct and is considered as an important step to modernise police operations and this has uplifted the image of the profession. One of the officers stated unequivocally that when you know you are strictly under supervision of a unit or you are being watched by your superiors, you conduct yourself more appropriately because you will be required to justify any decision that you take in the course of promoting security. The results supported other views that the unit has strengthened the institution’s code of conduct and serves as an avenue for the public to lodge complaints against officers who maltreat citizens during encounters. A further observation suggests that the unit has put much fear in some police officers who get agitated at the least provocation and they have become less aggressive during public encounters because they know there is a unit that deals with misconducts.

The data also revealed that as of September 2019, the Police Professional Standards Bureau (PPSB) received 77 cases of police brutality and investigated 14 of those reports. In February 2018, the United Nations reported that it had received a complaint of sexual exploitation and abuse against peacekeepers from Ghana deployed in the UN Mission in South Sudan. The United Nations investigated these allegations, and it was revealed that members of the unit were having transactional sex with women in one of the protection camps. Forty-six Ghanaian police officers were subsequently repatriated to Ghana. As at the time of writing none of the police officers has been sanctioned or prosecuted at the court (The Standard News Paper June 2018; US Department of State – Country Reports on Human Rights Practices, 2019).

Subtheme - protection of citizens fundamental rights

Accountable and transparent powers.

The accountability mechanisms aim to protect citizens from use of force by strengthening police legitimacy to ensure accountability and transparency in the GPS by using a people-centred approach (human security) to promote individual's security. This will strengthen democratic institutions and aligning national criminal justice systems with international human rights laws. Again, effective state security institutions such as the police, upholding the rule of law and human rights are an essential component for achieving human security development and good governance. These are the major principles to improve public trust and confidence in the police (Commission on Human Security, 2007: p. 63). Examples of relevant risk factors include use of force; arbitrary arrest without any provocation, ruling government and its official interferences, lack of accountability and structures and hidden powers that sustain violence and impunity. In this case, impunity of the use of force or excessive use of force that have a potential effect on individuals' fundamental rights which is being the rule rather than the exception.

Examples of democratic policing principles include people-centred approach to security, freedom from fear, strengthening democratic governance, including legal frameworks consistent with international laws and democratic practice; accountable security oversight bodies; accountable security forces; institutional cultures within security forces that engender respect for the legal framework; and strengthening responsible institutions to enhance delivery of democratic governance (Ball, 2005: pp. 30–35). In principle, the state commands the monopoly over the legitimate use of force. Legitimate use of force requires a legitimate state. A legitimate state is characterised by transparency, trust of the government by the governed

and accountability. A central problem confronting countries that have experienced or are in danger of experiencing major use of force violence is precisely that the state has lost its legitimacy in the eyes of some portion of its population. Often the state security bodies have contributed to that loss of legitimacy by their inability to protect people from violence, through their role as perpetrators of that violence or as defenders of an unjust, repressive and corrupt political system. Once a state has lost its legitimacy, it also begins to lose its monopoly over means of violence. . . . When state control over monopoly of violence declines significantly, the state risks decomposition, which only further fragments the sources of violence (Ball, 2005: p. 27).

One citizen who expressed strong feelings about how officers continue to use force against innocent people without being held accountable for their actions said the following:

“Interestingly, I consider police role as that of ‘the father and son’ and because of that I find it extremely difficult to understand why most of the time some police officers prefer to use force or excessive force on the very people they have sworn to protect. I think the police are there to protect us from all manner of threats. Any person who is in distress look up to the police for help. It is like a child looking up to his father to protect him from tyrants or from being beaten up by others, in that regard, Ghanaians always look up to the police for adequate protection from any existential threats of violence. But I don’t blame them because they are not being held accountable for their illegitimate actions.”

The results indicate that the GPS have numerous Standing Orders and Police Service Instructions guiding their day-to-day operations. These procedures however have not been successful in stopping the current criticisms of the cumbersome nature of police complaints mechanisms and it is about time the Police Administration and the government consider alternative means of improving public complaints and investigating procedures of the Ghana Police Service. While there are relevant standard procedures with the service, the data obtained show that continuous injuries and deaths resulting from police use of force or brutality increasingly go unpunished and not until police become accountable for their actions, accountability will continue to remain a myth as long as public complaints against police officers continue to be investigated by their own fellow colleagues. This supposition suggests that currently there are widespread public claims of lack of confidence in the investigating process against officers’ misconduct in Ghana, therefore it would be more prudent for the country to have an Independent Police Complaints Commission (IPCC) to investigate police

misconduct and all allegations levelled against officers must be published online or made available to the general public as in the UK, to serve as a deterrent to other officers. This will change the negative perception of the police and will inspire public trust. Thus, any suggestion that may be contrary to the above-mentioned is unlikely to be successful in achieving democratic policing and public confidence in the police (Palmiotto, 2017).

5.3: Political interference

Research has shown that police are inherently political, and its institutions evidently operate in an environment that is shaped by prevailing political contestation (Osei-Adubofour, 2017). In this sense, the way and manner police perform their duty in democratic countries determine the actions of the public towards them. It is evident based on criminological concept with respect to democratic policing that the public do not give an automatic right to police to exercise their powers unless there is a palpable cause to believe that it is being exercised in good faith (Beetham, 2013: 38; Osei-Adubofour, 2017; Tankebe, 2010). Thus, citizens always evaluate police behaviour with the existing situation before permitting police officers with such a right to exercise their legitimate authority. Potholm (1969: 142 -157) noted that Africa's police are consistently involved in the output side of the political processes and by their actions and inactions enforces decisions taken by the political elites. This reflects the responses of both police officers and citizens who were interviewed. The majority of the officers expressed their utmost dissatisfaction about how politicians are making their work difficult. One police officer explained that "the way and manner politicians overtly control them to act in a certain manner against some individuals or party protesters perceived by the ruling government as propagating the agenda of the opposition party is quite worrisome"

The findings of the study suggest that in September 2015, a political pressure group calling itself "Let-My-Vote Count" Alliance (LMVC) embarked on a demonstration and ended up picketing at the Electoral Commission of Ghana's Head Office, to present a petition to the Commission's Chairperson, Madam Charlotte Osei for the compilation of a new voters' register to replace an allegedly bloated existing one for the 2016 general elections. The then ruling governing party, the NDC, vehemently opposed this demand. During the demonstration, the police were alleged to have forcefully prevented the demonstrators from reaching the premises of the Electoral Commission. In the process these demonstrators were whipped, tear gassed and shot with rubber bullets after police allegedly said they diverted from the approved routes, leading to the arrest of about twenty protesters including one of their leading members,

Gabby Otchere Darko (The Africa Report, 2015; Laary, 2015; Myjoyonline, 2015). This action of the police caused LMVC to petition the Human Rights Council of the United Nations General Assembly against the Government of Ghana and the Inspector General of Police for human rights violations (Daily Graphic, 2015). They complained of police brutality and inappropriate use of force and accused the police of being ‘puppets’ of the ruling government with credible evidence to support this claim.

It also emerged from the interviews that demonstrations or protests in Ghana are generally facts of life and police must protect demonstrators’ fundamental rights. As is supported by previous research, the 1948 riot that led to the death of the three ex-servicemen, LMVC demonstration in 2015, and students protest at the Kwame Nkrumah University of Science and Technology which many students sustained injuries following police indiscriminately firing of tear gas in 2018 and many others, typify instances where police usually act suspiciously in the interest of the ruling party as against what the law and their Standing Orders expect them to do. One of the male officers with fifteen years of active service said:

“The profession is currently under siege because of politics. The 1992 Constitution of Ghana has contributed to this complexity and must be reviewed. Until this is done, the prospects and effectiveness of the GPS can be achieved only if the institution is decoupled from politics and that is the only means by which officers can do their work effectively without being accused of being biased by the public.” (PO12, Chief Superintendent, 15 years of service).

In a similar vein, one officer also talked about his experience and stated:

“The biggest challenge in the police service today is political interference. Politicians are making our work difficult because they seem to dominate every aspect of our operations. The ruling government and its party officials are the major cause. Isn’t it so sad to put on this uniform which symbolises the authority of the state, and also signifies the unique powers that we have in the country but sometimes you’re being prevented from performing your lawful duty because of politics? To me, we can effectively serve the public only if the police service become independent.” (PO10, Chief Inspector, 13 years of service).

While the majority of the citizens and some police officers see this issue as a major problem, they however expressed doubts as to how this can be resolved especially in Ghana where the president appoints most of the senior police officers including the IGP and controls the Police Council as well (Article 202 Clause 3 and Article 203 Clause 1). Similarly, one female officer

in the rank of Assistant Superintendent of Police (ASP) also expressed concern about the way and manner politicians are making their work difficult and attributed it to the framers of the 1992 Constitution of Ghana for giving too many powers to the President. The interviews suggest that the article 202 (1) of the Constitution which stipulates that the President of the Republic shall appoint the Inspector General of Police (IGP) in consultation with the Council of State to steer the affairs of the organisation. The president also appoints the Head of the Criminal Investigations Department (CID) as well as the Commissioners of Police at the National level. Also, the Vice President of the Republic of Ghana serves as the Chairman of the Police Council that serves as a supervisory board in-charge of the service, while the Minister of Interior is appointed by the President also have political control of the police across the country.

Therefore, the question that is of much concern is that if police officers continue to operate under this current Constitution, it will be difficult for the police to be independent and impartial when dealing with the public. With this, the study concludes that the Vice-President of the republic should not be appointed as the Head of the Police Council to deter political machinations in the service, all government appointees such as the regional Ministers, heads of Metropolitan, Municipal and District Assemblies (MMDAs) which advise the Police Council on any matter relating to the administration of the Police Service in the region, municipality and districts (Act 204) should also be reviewed to dignify the institution, as an independent organisation without being influenced by politicians or ruling government officials. These recommendations when implemented properly will restore public confidence and improve police-citizens relations.

The results from the interviews indicate that the Constitution of Ghana legitimises the president who is a political figure to actively control the operations and personnel of the service. For instance, on July 22, 2019, the current president, Nana Akufo-Addo, dismissed the former IGP, David Asante Apeatu without any explanation and this directive came at the time the IGP had barely 24 days to go on retirement. His deputy James Oppong Boanuh was directed by the President to Act as the IGP and was subsequently confirmed as the IGP. According to media speculations and political debates and this was confirmed by some of the citizens interviewed that some people suspected that the sacked IG probably refused to carry out unprofessional orders on behalf of the ruling government or party officials, others linked this to the voluntary retirement of the former IGP's Executive Secretary, Superintendent Peter Lanchene Tuubo,

who is now a Parliamentary Candidate on the ticket of the Opposition party, the NDC in the Wa West Constituency in the Upper West region for the December 2020 general elections.

Prior to the appointment of David Asante Apeatu, when the current ruling president, Nana Akufo Addo assumed office on January 7, 2017, the then IGP, John Kudalor, who was appointed by the previous government and had been less than a year on that appointment had to resign from the position due to political pressure from the ruling party and the government (Ansah, 2017; Osei-Adobofour, 2017). These developments feed into the current debates where people are of the view that whenever there is a change of government most of the public institutional heads are likely to be changed. This practice does not augur well for a country that had independence more than sixty years ago and prides itself as the beacon of democracy in Africa (Aning, 2006; Osei-Adobofour, 2017). The expressions from the interviewees suggest that it is about time this so-called ‘new king, new law’ mantra became a thing of the past as it does not epitomise the neutrality of the service. The findings from the interviews also suggest that this problem persists because of the 1992 Constitution of Ghana, and this must be amended to reflect the independent and impartial nature of the GPS as stated in the Police Service Act 1970 (350).

Generally, the GPS is expected to be a professional state institution dedicated to protecting the rights of individuals irrespective of their religion, political affiliation and ethnic origin. Equally, the ruling government and its party officials are also expected to dissociate themselves from police activities and allow officers to operate freely without any political interferences. These legitimisation procedures must persist to ultimately create a genuine professional police institution with the capacity to safeguard the safety of individuals and the maintenance of law and order in the country. Ironically, as is supported in the literature (Ghanaweb, July 23, 2019) when the dismissal of the IGP was announced and a successor was appointed by the Communications Director at the Presidency, there were many people who expressed their dissatisfaction. According to the report among those who expressed his opinion was the General Secretary of the Opposition National Democratic Congress (NDC), Johnson Asiedu Nketiah. Quoting from the report to support his claims this is what he said: “I believe the Acting IGP, James Oppong-Boanuh will not have the free-hand to operate effectively in his new office. Mr. Oppong- Boanuh will be manipulated by the Akufo-Addo government to do their bidding as was done to his predecessor, Asante-Apeatu. He stressed that, with the mindset that he could be removed in a day, he won’t have the confidence to take charge in security in the run-up to

elections”. Asiedu Nketiah further stated that “The political machinations have been the problem of our professional policemen to work effectively. I know Oppong-Boanuh very well. He can work very well, but I doubt it because I can predict that what Apeatu went through he would suffer the same thing, if the table turns in future” (Ghanaweb, July 23, 2019).

This reinforces the issues raised by the interviewees on political interference in the GPS. One participant pointed out that:

“The way and manner the ruling governments both past and present exercise their democratic rights give cause to worry because most of the decisions they take do not reflect the needs of the people but rather what they can do to satisfy their party officials and cronies so that they can hold on to power.”

The interviewee appeals to the conscience of politicians and stated that they should dissociate themselves from issues that borders on national security and allow security agents to do their work, as law enforcement work has no political colours. This calls for a robust amendment of the 1992 Constitution which gives the President the power to appoint the IGP, and instead allow the institution to elect their own IGP and other senior police officers based on merit, competence and dedicated service as ascribed in some public institutions in the country. This will motivate officers to give off their best and will inspire public confidence because it will enable the police to operate freely without any external influence or without fear or favour.

Research shows that in August 2009, during a conflict between supporters of the ruling party, the NDC and supporters of the Opposition New Patriotic Party (NPP), four supporters of the NPP were murdered close to the Agbogbloshie police station in Accra. It was alleged that the killers were known supporters and activists of the ruling National Democratic Congress (NDC) party together with other members of the party who controlled the slum area noted for various forms of crimes were left off the hook because majority of the people were alleged to be members of the party. The Greater Accra Regional Police Commander at the time was Deputy Commissioner of Police Rose Atenga Bio, who the opposition party suspected to protect the interest of the ruling party so there was likelihood that the suspects would be let off the hook. Though the murder occurred close to a Police Station in broad daylight, at the time of writing no arrest has been made yet. The results from the interviews show that the Ghana Police Service have the capacity to solve such murder cases, especially for this incident that they invariably witnessed, and it is a known fact that they have resolved more difficult incidences than this in

the past. However, it was believed based on the interviews that the police were not interested or had been asked by the-then ruling party government not to be interested in solving this problem because the alleged perpetrators were supporters of the NDC party (Modern Ghana, 2009; Daily Guide-Africa, 2017; Osei-Adubofour, 2017).

The 1992 Constitution Article 21 (d) guarantees the “freedom of assembly including freedom to take part in processions and demonstrations” but it was revealed in this study that such rights are not absolute. Based on this revelation, the findings from the interviews and observations suggest that the democratic freedom as enshrined in the Constitution is usually interpreted in different ways by the GPS who sometimes curtail this freedom, insisting that any person or group of persons who decide to go on demonstration should seek a permit from the police before they will be allowed to embark on protests. One citizen interviewee had this to say:

“It seems over the years police have been using this phrase (‘unless you have permit’) as a bargaining chip to deny citizens who want to exercise their constitutional and democratic rights to demonstrate against the ruling government on issues that they believe needed urgent attention” (CO18, Citizen respondent).

But the study further reveals that the Public Order Act of 1994 (Act 491) states clearly that: “any person who desires to hold any special event in any public place shall notify the police of his intention not less than 5 days before the date of the special event; the police officer has the power to request the organisers to postpone the special event to any date or to relocate the special event; failure of which the police officer may apply to any judge or a chairman of a Tribunal for an order to prohibit the holding of the special event”. However, references can be made to a highly contested case of the New Patriotic Party vs. IGP in which the Supreme Court of Ghana ruled that organisers of demonstrations do not need a permit or consent from the police as a “prerequisite for the enjoyment of fundamental human rights to assemble, process or demonstrate,” and that requirements for police permits are “unconstitutional, void and unenforceable” (African Human Rights Case Law Database, 1993, paragraph 60).

This ruling also indicates that police are answerable to the law and the entire citizenry but not politicians, and therefore cannot bend the rules to favour a cross section of people who they perceived to be sympathisers of the ruling government. Thus, it will not be out of place to suggest that political machinations and control exercised by politicians with little knowledge of professional considerations would give a different meaning to the work of the police.

Undoubtedly, the frequent examples of politicians both at the local and national level acting out of political interest or self-esteem leads many Ghanaians to question whether the law would be enforced to the letter without fear or favour. The most crucial question lies in determining whether politicians and the police are acting in the interest of the civilians or the government in power and its officials? (Tankebe, 2011; Osei-Adubofour, 2017). But considering some of the incidences that had occurred in the past and with the current Constitution of the country where the president has absolute control of the police, it would not be surprising to see a political twist in issues that involve people or group of people who are perceived to be opposed to the ruling government. And suffice it to say that from the data collected it was clear that the GPS can cross this hurdle only when the 1992 Constitution Act 202 has been amended.

As is supported in the literature research, a notable example was a police officer who appeared before the Emile Short Commission following a shooting incident that occurred on January 31, 2019, at the Ayawaso West Wuogon by-election following the death of a Member of Parliament (MP) in the area and who was a member of the current ruling government's party – NPP (www.graphic.com.gh, January 31, 2019). After the incident the Opposition party, the NDC accused the police and the National Security Operatives for orchestrating this violence agenda to scare their party members not to come out to vote on that fateful day so that the ruling party candidate can sail through the election. According to the report, a considerable number of people sustained various degrees of injuries as a result of police use of force or excessive use of force, and it appeared those who were hospitalised were members of the Opposition party. The opposition party accused the police and the National Security agents of being biased toward their members and for that matter, they cannot be trusted to represent the people but rather the ruling government.

The report revealed that when DCOP Patrick Adusei Sarpong, East Legon District Police Commander appeared before the Justice Emile Short Commission and was asked if he agreed with the assertion that opposition parties do not trust the police, DCOP Sarpong agreed by saying: “That is true. When they [opposition parties] are in government, they trust us [police] but when they are not in government, they don't trust us. The fact is when they are in government, they have some influences on the police; so, when out of government they don't have that, they become afraid and apprehensive because the powers they used when they were in power will be used against them, so they become afraid of their own shadows.” (Ghanaweb, October 11, 2019; BBC News, January 31, 2019). The findings further revealed that a typical

case in point was when he (former President Mahama) invoked article 72 (1d) of the 1992 Constitution and gave remission to the Montie 3; Alistair Nelson, Godwin Ako Gunn and Salifu Maase alias 'Mugabe' after the Apex Court of the land sentenced them to four months in prison for allegedly making threats against the lives of Supreme Court judges who sat on the Abu Ramadan and Gary Nimako versus the Electoral Commission's case. Even though the constitution allows the President to exercise this discretionary power (Prerogative of mercy) in the same vein, the constitution enjoins the President to be fair and unbiased in the exercise of discretionary use of those powers conferred on him by the constitution. But many people believed that the very fact that the Montie three made those utterances with the intent of favouring the ruling party, NDC invalidates the President's decision of granting clemency to the trio as biased (Pulse, August 26, 2016).

While political interference remains a challenge and this is partly due to the 1992 Constitution of Ghana (Act, 202), the legacy of colonialism is widely considered as a source of institutional failure and this issue featured prominently during the interviews. Even though successive governments and the current government have made giant strides to reform the GPS, leading to the setting up of several commissions and committees of enquiry including the Emile Short Commission (2019) and Okudjeto Commission (2001) with numerous recommendations, akin to democratic policing with the aim of minimising use of force and improving efficiency within the GPS. What is more, in a democratic environment where rule of law, good governance and respect for citizens' fundamental rights thrive, police are expected to be apolitical while at the same time legitimising its role of promoting law and order. But contrary to these unique expectations, "the state historically has been both an object of attack and a theatre of political contestation" (Coleman, 1992, p. 12; cited in Osei-Adubofour, 2017) - which invariably has affected the work of the GPS and being impartial in their service delivery as eluded by citizens who were interviewed. A similar observation was made by Baker when he tried to assess postcolonial institutional inheritance in Africa and the hegemony that has contributed to the non-performance of these state institutions.

Baker (2005: 68) explained that "Despite the expectations that the police at independence would be reorganised and re-orientated from regime policing to a force committed to serving the people, little changed. True, decolonisation had seen an expansion and the belated Africanisation and training of police forces. Nevertheless, there was no change in their role: they were there, as before, primarily to secure the new regime, which meant they were used for

repression rather than protection of citizens”. This is an indication of the fact that the inability or unwillingness of the Ghana Police Service to provide public-oriented, responsive, and accountable policing reflect a range of underlying political and institutional dispensation of the police which are often connected with the legacy of colonialism and is frequently characterised by use of force or abuse of power with impunity. Thus, the discussion gives credence to the argument regarding the power and ability of politicians to compel the police to ‘die in the ditch’ and testifies to the strength of what Lukes calls the ‘third dimension of power’ (Lukes, 1973).

This reflects the power dynamics of politics that dictate the pace of service delivery. It is this institutionalised power that effectively and consistently controls the police across the continent. This development ostensibly reinforces Critcher and Waddington (1996) work in which they expressed fear about the overt attempts by the ruling government to exert political pressure on state institutions such as the police and other government officials in order to pursue its vested interest by manipulating and controlling the system in order to achieve its political ends.

Accordingly, the extant literature suggests that when political power is exercised openly it can often be presented as the pursuit of vested interest at the expense of the citizens who have no political power to protect their fundamental rights and this can explain how people can be powerless on their own without action from the powerful (see: Dowding, 2006: p. 136 -145). However, the way and manner in which the GPS gives precedence to ruling governments and party officials at the expense of the citizens links with the legacy of colonialism and is widely cited as a source of political and institutional machinations in the entire Continent of Africa (Schwartz, 2015). This is the kind of police service that operates in Ghana today, and they are constantly under pressure and operate under control and command of the politicians especially the ruling government and its officials because of the regime-centred approach and outmoded legislations and standard operating procedures that regulate its operations.

5.4: Training of the Ghana Police Service

Training and in-service training help officers to perform their duties effectively. Based on the results obtained it appears officers can perform well if they receive adequate training. According to one of the officers who expressed his view on how police in Ghana pay more attention on training and in-service training:

“Through training, how erratic that is – eventually you know where your weapons are. You know how to approach incident that demand a split-second decision to bring intense situation

under control. At first, when you are asked to handcuff someone or ask to effect someone's arrest it is like, how to approach it, but through training and in-service training I can now handle such issues well." (PO8, Sergeant, 6 years of service)

Police training in Ghana takes approximately six months for new recruits at the basic level across the country while senior officers with degree qualifications undergo six – nine months training at the Police Command and Staff College in Winneba, according to the interviewees and the available literature. This is what Pokoo-Aikins (2009) calls the residential training. When asked whether the duration at the basic level is adequate to equip new recruits for their future roles, the majority of the police officers interviewed agreed that it is inadequate to prepare them with the requisite knowledge and skills needed to perform their duty effectively especially considering the emerging trends in crime. These officers recounted their experiences and stated that some of the subjects taught at the training school have no direct bearing on the field, and that the current training should be reviewed to include policing in a democracy, the nature of police authority, the importance of integrity and ethics in policing, and victimology, as the interaction between the officer and the subjects have greater impact on the way and manner in which they exercise their authority. The results further suggest that the training duration for new recruits should be extended to one year to enable them to acquire adequate skills and knowledge while on the field, to identify breaches of the law, and gain practical experience of the profession to ensure strict enforcement of the law.

It was also observed from the participants responses that in-service training and proper training on use force will reduce incidences of police use of force in Ghana. One respondent explained:

"The best way police can redeem its image in Ghana is to focus on how officers can handle situations that involve the use of force. I know police can achieve this through constant training." (PO14, Corporal, 5 years of service)."

These suggestions were found to be laudable and have been widely accepted as a means by which officers' response to a situation could be assessed, evaluated and this must be incorporated into the recruits training school curriculum. Also, the data extrapolated from the interviews indicate that if the afore-mentioned subjects are incorporated into the curriculum, it will improve police work, reduce crimes, protecting life and property, strengthening police-citizens relations and help in quelling disorder without necessarily using force during encounters. On the contrary, there were respondents (police officers) who felt that the duration

of the training is adequate and stressed that the majority of their colleagues are performing creditably in their areas of endeavour even outside of the country. For instance, as is supported in the previous literature and results from the interviews suggest that some of the officers who go on UN Peacekeeping mission in various countries are excelling in various capacities and during the period they also interact and receive similar training like their foreign counterparts. In some instances, officers have received distinguished awards for professional competence, and this indicates that the training offered in their home country is quite enough to prepare them for any police duty across the world.

The results further suggest that what the GPS should rather focus on is the continuous running of in-service training for officers as there are some officers who ever since they passed out from the training school have not had any training that will sharpen their skills, and this is seriously having an adverse effect on their service delivery. Consequently, all the officers agreed that continuous training and in-service training will enable them to be abreast of current trends of combatting crime and other related issues that could disturb peace and security in the country. According to Newstrom and Davis (2002), 40% of skills learned in training are transferred immediately; 25% remain after 6 months; and only 15% remain one year later. In addition, the interview results suggest that 20% of the critical skills needed to do the job are provided by training programmes, 80% are learned in the field.

When asked whether training on the use of force should be treated as a separate subject at the police training school, the results indicate that training should indicate for a broad approach to the use of force and make use of force a variety of situations in training. Officers should be trained not only for situations of arrest, but also for unexpected changes in situations and to deal with intoxicated and vulnerable people. Furthermore, the results of the observation suggest that the training of police officers should predominantly focus on verbal and physical force, since those types of force are used most often, according to the respondents. Training on the use of the baton and pepper spray also seems important, as police officers deliberately decide not to use a certain weapon when they feel less trained in its use. In short, training is of the utmost importance. The results from the field observations further suggest that training on the use of force will equip officers to understand all the intricacies surrounding the use of force, and officers will be much more cautious when taking a decision to apply force in a particular situation knowing that s/he could be called upon to justify its use at the law court when situation demands.

The data shows that while training is quite important in shaping professional standards it cannot be said that it can provide an alternative for the reality of experience that officers require to perform their duty. But other factors must also be considered such as the high level of stress on the officer whose life was been threatened by the suspect. This reflects Noppe and Verhage (2017) conception of the significance of training in policing and suggests that police training should focus on both attitudes and behaviour with the sole aim of enhancing effectiveness of the police. It should reflect the local requirements and focus on the day-to-day activities of policing with regards to knowledge of the local area and where the officer will be operating. Such a conception of training will enable the officer to approach his or her work with high level of professionalism based on the training acquired, adopt pragmatic measures that will promote human interactions, and create awareness of the existence of impartiality of the police, equip officers with behavioural skills when dealing with the citizens and this will help inspire public confidence in the police (Tankebe, 2011; Pike, 1985; Klinger and Brunson, 2009; Terrill and Mastrofski, 2002; Alpert and Dunham, 2004).

When asked whether there is any standard training procedure for officers on crowd control, most of the officers interviewed stressed that the current level of training offered at the recruit's training schools on crowd control (public order policing) lacks content. The results also suggest that the basic and refresher training for senior officers and other ranks involved in law enforcement should include courses not only on human and constitutional rights, but also scientific techniques and other best practices for the professional discharge of their duties within the public protest space. The observation data indicate that policing is often regarded as a function requiring highly discretionary activity since there is no single standard instruction in the work of policing during public demonstrations. This indicates that police officers could be called upon without being supervised by superiors to make decisions and to take appropriate actions to bring situations under control and these require tactical knowledge and professional prowess to deal with such issues. It also indicates that the basic training offered in the country's Police Training School places more emphasis on theoretical work than practical. Therefore, more time should be spent on crowd control, police-citizens relations, victimology and other issues that will directly involve police with the citizens during encounters.

The results found in the interviews suggest that there appears to be no empirical studies on the content and impacts of training to evaluate officer's performance and this came to light when interacting with participants. Though from the researcher's point of view, it seems the training

of junior ranks focuses more on physical drills and basic skills with little follow-ups through in-service training or specialised workshops. The data suggest that some of the officers have been in the service for more than six years but have not had any in-service training apart from what they were taught at the training school. This therefore calls for a robust review of the system and development of policy guidelines that will focus on post-training so that officers in active service can continue to build their capabilities to effectively enhance their performance and also to respond to the emerging crimes that require high level skills to manage the situation.

Chan et al. (2003: p. 44) gives an overview of the significance of training programmes to new recruits and emphasises that, “officers who have effective communication skills, commitment to ethical standards, respect for individuals’ fundamental rights and inter-personal skills will obviously become accountable, effective decision maker, and operationally independent.” Even though specific training objectives were not detailed in the academic literature, however, the researcher presumes that having such training will complement the skills needed to perform their duties as officers. It is significant to note that much of the available literature suggests that training should reflect the needs of trainees and individual police officers to pursue the functional balance between institutional objectives, the institution’s current position on use of force and officer’s personal expectations. These must reflect officer’s confidence level, the skills acquired, using the legitimate techniques and equipment as prescribed in the institution’s policy guidelines. Thus, the call for a thorough review of the curriculum at the Police Training School is quite urgent if the GPS aims at enhancing democratic policing in the country.

Curriculum use by police trainers at the police training schools in Ghana

The curriculum for the Police Training School (PTS) is essentially the same in every training school across the country. The same topics are covered in each school although the instructor will choose the content and teaching methods to deliver the course. Except for the RPTS in Pwalugu in the Upper East region, none of the schools teaches a module on child protection or mental health patients. It was observed that the Juvenile Justice Act and Mental Health Act have not been covered under the schools’ curriculum. Additionally, it was found that all the training schools’ commanders and instructors were very open to developing a curriculum in child-friendly and mental health status policing and understood fully the benefits of these subjects. The teaching method most used is lecture style, with recruits permitted to ask questions for clarification. Because the time allocated to each subject is not enough for instructors to cover the topic, recruits are advised to use study handout materials (usually notes

from the instructor) as they will be tested on their ability to reproduce what they have been taught. In all the regions that I visited, it was realised that most instructors do not have access to PowerPoint facilities, instead use a whiteboard to highlight taught themes and sub-themes. In assessing the recruits learning skills, evaluating their performance in the two written exams – one at the end of the first semester (after 3 months) and a final examination at the end of the term (at 6 months), one of the Trainers explained: *“When a recruit fails exams in the first semester, s/he is given permission to re-write the failed subject(s). But when a recruit fails the final examination, Human Resource Department (HRD) at the Headquarters is informed and a decision on how to proceed is taken at that level”*. According to the trainer, in most cases, these recruits are given additional lessons in the area they failed to study and are permitted to re-write the examination again (PTS, Koforidua, 2018; www.police.gov.gh).

Police Science (BPS)

Course Code	Course Title	Credit Hours
BPS 01	Service instructions	2
BPS 02	Professional policing ethics	2
BPS 03	Criminal investigations	2
Total Credit Hours		6

Legal Studies (Bls)

Course Code	Course Title	Credit Hours
BLS 01	Law of evidence	2
BLS 02	Acts and decrees	2
BLS 03	Human rights	2
BLS 04	Criminal law	2

BLS 05	Criminal procedure	2
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Total Credit Hours		10
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Social Science (BSS)

Course Code	Course Title	Credit Hours
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BSC 01	Map reading	1
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BSC 02	Criminology and social psychology	1
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BSC 03	Community policing	1
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Total Credit Hours		3
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Communication Skills & Information Technology (BCS)

Course Code	Course Title	Credit Hours
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BCS 01	English language	1
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BCS 02	French	1
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BCS 03	Report writing	1
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BCS 04	ICT	1
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Total Credit Hours		4
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Basic Officer Skills (BOS)

Course Code	Course Title	Credit Hours
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BOS 01	Practical police duties	2
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BOS 02	Physical training	5
BOS 03	First aid/STI/HIV/AIDS	1
BOS 04	Physical drill	5
BOS 05	Musketry	2
BOS 06	Defence and Safety skills	2
Total Credit Hours		17

Source: *Ghana National Police Training School – Tesano - Accra, 2018.*

Similarly, Cadet Officers also undergo six to nine-month training at the Police Command and Staff College to enhance their skills and specialise in the following areas:

<u>Course Title</u>	<u>Course Subjects</u>
Police Studies	Criminal Investigations, Practical Police Management, Police Ethics, Contemporary Policing Issues, and Basic Officer Skills.
Legal Studies	Acts, Decrees and Laws, Criminal Law, Law of Evidence, Criminal Procedure, and Human Rights.
Social Studies	Sociology and Social Psychology.
Management and Comm	Studies: English and Report Writing
Administrative Skills	Principles of Management and Financial Administration.
Physical Training and Drill	Parade, Musketry/Shooting, and Physical Training

Source: *Police Command and Staff College, Winneba – Central Region, 2018*

The study findings revealed that the use of force prevention and consistent training are the only solution to professionalism in this critical era of democratic policing but unfortunately, none of the schools teaches it as a separate module. For this to become a reality, there should be a complete overhaul to the system that currently exists, and police administrators should have a

greater responsibility of coming up with innovative ideas that will lead to use of force prevention that will stand the test of time. The current training programmes must reflect the needs of law enforcement officials in pursuing the functional balance between institutional objectives, the GPS's current status and individual officer's expectations. Such training needs must be identified in a manner that portrays the officer's understanding and confidence level with the requisite skills required, using the right techniques and equipment in accordance with ethical standards of the Ghana Police Service. Finally, the results from the study suggest that all the RPTS instructors in the regions are to ensure that training on use of force should be consistent with the institution's standing orders and other protocols that meet international standards, and adopt the three types of use of force training: (a) basic training which focuses on common minimum standards of use of force and basic skills (use of force continuum); (b) in-service training which is oriented on knowledge and skills updates, and (c) specialised training as a channel to develop and provide unique skills (IACP, 2012; Palmiotto, 2017: 176; Tankebe, 2010).

5.5: Challenges facing the Ghana Police Service.

Results from the interviews indicate that colonialism has had a serious impact on most African countries, weakening shared norms, values, and beliefs, as well as undermining the effective operation of state security agencies. The police in Ghana are among the state security agencies that have experienced the negative effects of the colonial rule and continue to suffer after several decades of political independence. The lack of police legitimacy or voluntary acceptance of the police by the citizens is one of the major problems that the police in Ghana are confronting at the moment. Most of the citizens constantly disrespect the police and defy orders of its members. The only way that the police get their directives obeyed is through the use of force or excessive use of force, which is highly unacceptable in a democratic country such as Ghana. However, with the current democratic dispensation, police officers can no longer operate by using repressive methods to achieve compliance and cooperation of citizens. Instead, they must strive to earn public voluntary acceptance.

In order to gain legitimacy, the police service must first embark on a campaign for attitudinal transformation among its members. This will aim at training and educating police officers to have positive views of the public they serve, which is crucial because the manner in which the police view the public has a significant effect on their performance and behaviour. Boateng and Darko (2016) stated that officers' perceptions about Ghanaians influenced their behaviour

and effectiveness in combating crimes. Specifically, the authors argued that officers who perceived the public to be cooperative tended to be effective and behave pro-socially on the street. Their findings are well supported by studies conducted in other social contexts (see Wu, Boateng and Yuan, unpublished). At present, most police officers negatively view the public as uncooperative and disrespectful, and this attitude is affecting their performance and relationship with citizens.

Logistical constraints

Due to logistical constraints on police service delivery, the interviewees highlighted some of the challenges such as vehicles for routine patrols, electronic devices like body-worn cameras, and Closed-Circuit Television CCTV cameras in hotspot areas.

Basic protective gear such as bullet proof vests, safety boots, office equipment like computers, printers, photocopy machines, stationery, fixed office telephone lines at the charge office, poor working conditions and workload, inadequate personnel and political interference. Also, lack of transparency in recruitment processes, inadequate training, lack of in-service training and lack of accommodations are the main challenges facing the institution and these came to light during the interviews.

The results from the interviews suggest that all the officers agreed that logistical constraints are hampering their work and they can effectively combat crimes only when they are well resourced with the necessary logistics. One officer with many years of service said:

“My major headache is lack of logistics in my work place, and these are having a toll on us. Because of this the community in which I work perceive us as ineffective in responding to their security needs Sometimes we find it difficult to attend to distress calls coming from the public. If I tell you where I work, there are no stationery to write complaint from the general public will you believe me? It’s about time we let the public know what we are going through in the discharge of our duty.”

The results also indicate that in one district police office which has five police stations in different towns has only one vehicle so controlling crime in such areas are always difficult. One officer said:

“Since there are no vehicles in the police stations it is always difficult to respond to emergency situations because there are no vehicles in the police stations, besides, the roads are unmotorable and there are no telephones or regular communication channel for the public to contact charge office in case of emergency. The serious repercussion is, sometimes by the time we get to the scene the issue might have gotten out of hand.”

It was also established that sometimes due to communication disparity the public try to secure assistance from the police by establishing personal relationships with some police officers so that they can exchange mobile phone numbers which according to the citizens, are more convenient and reliable to contact the police in distress situations. But the dilemma here is that only a few people have access to these officers’ mobile phone numbers, therefore, for the majority of the people reaching out to the police in emergency situations remain a challenge. Therefore, the majority of the public rely on the local FM Radio stations to request for help from the police and they consider it as an effective way of putting pressure on the police to assist them when they are in difficulty.

Lack of fixed telephone lines and stationery

Results obtained from the interviewees suggest that lack of communication gadgets and other equipment have become a source of worry to many officers. One officer lamented about the current situation that they find themselves and indicated:

“I always wonder how the public expect us to do our work. Though they have every right to blame us but sometimes they have to appreciate the frustrations we go through in performing our duties. As I speak with you, we don’t have stationery to write citizens’ complaints. See the kind of chair am sitting on, and besides, have you seen any vehicle around, no. So, in case of emergency how do we respond? It’s quite sad.”

It was found that most of the police stations do not have office telephones which they can use to invite suspects to the station unless they go to the vicinity of the suspect which often leads to physical confrontations. In some police stations, police officers complain of lack of stationery, computer and printer and because of this they print confidential documents in internet café, and this leads to the public to have access to confidential information. One civilian interviewee informed me that when she visited a police station in her area to make a complaint the officer in-charge told her that unless she buys A4-sheet (paper) he cannot take her statement because the station has no stationery. According to her, the officer said they are

still waiting for delivery of stationery from the police headquarters which are not forth-coming so unless she buys from a near-by shop he cannot take her statement. The results indicate that some officers have capitalised on this to extort money from the complainants. The citizen stressed that the most shocking aspect of all, is that the officers will direct you to a specific shop where you could purchase the A4-sheet from and if you fail to buy it from the said shop, they will refuse to take your statement. According to the interviewee, it was later discovered that the stationery shop belongs to one officer's wife.

Again, one officer mentioned corruption as one of the major issues confronting the institution today. The officer gives account of how the citizens and other agencies perceive the GPS. This is what he said:

“Most Ghanaians and some foreign organisations believe that corruption is quite extensive, from top to bottom in the GPS, and this has contributed more to the image of the Service as a corrupt organisation. But in reality, we are not corrupt though there are few officers amongst us who have been accused of extorting money from the public in their routine road checks. But these are bound to happen in any organisation where you can find such characters. The public should rather have trust in us because without us, there will be insecurity and abuse of citizens' rights.”

The majority of the citizens expressed their displeasure about corrupt practices that is being perpetuated in most of the police stations which invariably has affected public trust in the police. It appears this issue has existed for many years and the perception out there is that if you don't have money or know any political party officials there is no need to go to the police station. Now the question many citizens are asking is whether the current problem persists because of ineffectiveness of police administrators to provide the necessary logistics, or the police have deliberately decided to entrench corruption with the apparent lack of resources. The study also established that these problems have arisen because of inadequate budget from the central government. Detectives and office staff bring their own pens and pencils to work, while in some police stations there were no computers for office correspondence. Some of the officers bought their own laptops to carry out official duties, and the danger here is that most often confidential information is found in the public. Most of the police stations have no toilet facilities, no tap water, and no exhibit rooms while others work in dilapidated structures which were built by the British many years ago. Ceiling fans, tables, chairs, television set and fridges

had logos of private donors either local businessmen, Ghanaians living overseas, churches or NGOs.

According to one station officer, *“we depend on these donations to run our offices as we cannot rely on government subvention to purchase these items. For the past four years had it not been for one private company that continues to donate paints to us, my brother, this building wouldn't have been painted for years.”*

Despite all these challenges especially the GPS's inability to swiftly respond to emergency situations, majority of the citizens interviewed overtly refer to the police as an anchor of social order with unique traits that guarantees individuals' security. They were of the view that without police there is a tendency of total breakdown of social order which potentially can lead to chaos and ineffective proper protection of individuals in society. Officers also mentioned working conditions and hours as another challenge facing them. It was established that the majority of them, mostly lower ranked officers worked more than eight hours, and only a few of them who are office staff or administrative officers work eight hours. Some of them work for more than twelve hours because of lack of personnel. The consequences of working for long hours are that officers become stressed out and experiencing fatigue on their jobs, this affects performance. Most of them might be sleeping on during working hours because their jobs do not make room for rest. After a while, working for long hours would affect the health and efficiency of the police officers.

Lack of personnel and recruitment process

The above issues featured prominently in the discussion. The GPS has a minimum height requirement for male and female (1.73/1.63 metres) respectively. Applicants for direct entry to the service must be physically, mentally and medically fit, and must be of good character and possess a Senior High School Certificate and must be at least 18 and not more than 25 years at the time of making the application. Currently, the institution has a staff strength of 34, 982 representing 1:808 police to civilians, thus falling below the United Nations requirement of 1:500 (Ghanaweb, February 8, 2020). Citizens expressed concern about the minimum requirement for entry into the service which they considered as a clandestine way of preventing individuals who have the requisite qualification from gaining access to the service. All the officers argued that the aim of the height and physical requirement should be phased out because these were colonial models to ensure that the men selected were physically strong to

deal with the various functions of the police force. These men were trained by the British to use 'brute force' in dealing with the public to serve the interest of the colonial administration and were to use some physical force on the people therefore the use of physical appearance especially 'height' was considered as the main factor in selecting the people for the then police force.

This study revealed that the use of 'height' as a requirement should be reconsidered by the Ghana police service because majority of the officers agreed that the use of 'height' as a selection requirement did not have much significant impact on their performance. The results indicated that the majority of the respondents preferred academic performance and entrance examination as the main criteria that should be used by the service to select new recruits. They indicated that for effective policing, knowledge in communication skills would be more relevant and could be considered as one of the selection criteria. The results from the field work suggest that the Constitution of Ghana, 1992 and Criminal Evidence Act 1960 (Act 29, section 36) mandate police officers to use a minimum force to defend themselves whenever they are under attack in the course of performing their duties, and this calls for personnel with good physical strength. The question that remains unanswered, is there any correlation between 'height' and 'physical' strength? The use of 'height' could deny many people who have the requisite qualification but do not meet the height requirement but have a good physical body, are highly intelligent and also have the skills to do proper policing that could uplift the image of the police in Ghana (Gyamfi, 2012).

5.6: Summary

The research questions assisted in gathering data for a better understanding of what civilians and the police believe the use of force is, how it is used and what can be done to minimise its use during encounters. Participants described their lived experiences and how it affected them emotionally and their perceptions of the use of force. A thorough explanation of each level of force was provided in this research study. The research results increased the understanding of existing research and built on it by providing lived experiences and explanations of sixty participants on the use of force by the police. Despite previous research conducted on the excessive use of force, police accountability, and public perceptions, there is a need for the phenomenon to be examined based on recent officers' involvement in unnecessary shootings and the excessive use of force in public encounters. Indeed, this study is distinctive because it focuses on lived experiences and how those experiences affected participants' perceptions of

the use of force. The research results lead to new ideas on how to improve on public perceptions and understandings of how use of force is important in police work. Several proactive measures were suggested by the interviewees to improve understanding of police use of force and improve police-citizens relations. The traditional methods that have been used need to be reviewed to see how effective they are in promoting public trust in the police and minimising the use of force in encounters.

Again, the research questions assisted in gaining a better understanding of what civilians and police believe the use of force is, how it is used and what can be done to minimise its use. Participants described their lived experiences and how it affected them emotionally and their perceptions of the use of force. A thorough explanation of each level of force was provided in this research study. One major outcome relevant to policing agencies is to educate society on the levels of force and what constitute each level of force to be used in a particular situation. Additionally, this research demonstrated how accountability mechanisms, body worn cameras, can capture incidents where a use of force was used. Through technology, investigations can be done with live footage to determine if the police officer used appropriate force during the arrest. Furthermore, this research demonstrated the lack of information that news media and social media have when they first publicise their stories. Citizens and the media should be educated on police use of force and how the level of force is determined for each incident. As indicated, when citizens and police work together, it allows the police officers to perform at optimum level, increases positive public relationships, it increases the potential to save lives, and provides education to citizens about the use of force. Police officers and citizens working together to provide safer environment and improve police relationships with citizens is essential to building a healthy relationship between law enforcement, citizens, and the media fraternity in Ghana. The major recommendations of the study are hereby presented in the Conclusion and Recommendations Chapter that follows.

Chapter Six

Conclusion

6.1: Study summary

A considerable body of literature on police use of force has been written in the context of the developed countries such as the US, UK, and Canada and this may vary depending on the kind of encounter and skills used by the officers to deal with a particular situation within their jurisdictions. As a result, they are not fully applicable or transferable in a Ghanaian context or those of post-colonial countries. Bittner, Palmiotto and other researchers (Mazerolle, Antrobus, Bennett, and Tyler, 2013; Mazerolle, Bennett, Antrobus, and Eggins, 2012; Murphy, 2005; Tyler and Lind, 1992, 2001; Manning, 1977: 40; Waddington, 1999) have written comprehensively on policing and the use of force and have critically advocated for a complete paradigm shift to minimise its use in order to safeguard the rights and well-being of citizens. Apart from Aning and Tankebe, whose research have mainly focused on Ghana (Tankebe, 2008a; Tankebe, 2008b; Tankebe, 2009a; Tankebe, 2009b; Tankebe, 2011; Tankebe, 2013; Aning, 2002; Aning, 2006; Aning, 2010), and a small number of others (Boateng, 2012; Boateng, 2015; Pryce, 2014; Osei-Adubofour, 2017), the majority of these researchers have not focused on African countries and as a result, it appears there is a gap in the extant literature relative to African countries and other parts of the developing world (Fagan, 2008; Gau, 2014; Hough, 2013; Hough et al., 2010; Jackson et al., 2012; Reisig & Lloyd, 2009). As such, considering the socio-political and culture dimensions of the developed and developing countries which are very diverse, one wonders whether conclusions drawn in the developed countries context-specific literature can be applicable to developing countries, and more specifically Ghana.

This chapter therefore provides a summary of the main findings which were highlighted in this study. Similarly, utilises the findings and provided a comparative analysis on how they interacted with various existing theoretical frameworks. This is followed by a demonstration of how the objectives of this study were accomplished, and then recommendations are made which focus on minimising use of force while promoting security in Ghana. Finally, directions for future research are highlighted.

6.2: Main research findings

The discussion chapter revealed that the themes and subthemes such as political interference, accountability, training, logistics, socio-economic status, colonialism, corruption, recruitment process and public engagement were the major contributors to both citizens' and police

officers' perception of the use of force are influenced and fashioned in Ghana. This study compares its findings to most of the existing literature to critically evaluate whether the theoretical framework (human security) adopted for the study is helpful in understanding the nature of the problem and whether it can be applicable in other parts of the world considering the socio-political, cultural and ethnic settings to achieve this study's objectives. The results obtained from the study revealed that due to lack of statistical data on police use of force specifically in Ghana, comparing a Ghanaian perspective on this phenomenon with other developed countries across the globe remains unachievable (Tankebe, 2018). This is because the socio-cultural, ethnic, and political considerations pertaining to these developed countries may be quite different from that of the developing countries and for that matter, civilians' perceptions, and attitude towards police officers, and the approach that will be adopted by the police in the developed countries might not be the same strategy that will be applied in developing countries such as Ghana. Therefore, the study attempts to fill a gap in the literature by approaching police use of force from the perspective of human security which emphasises the individual as the referent object of the internal security through the merging of the previously independent issues of development and security. It makes the security of "those over there" an international matter and inextricably linked to "us over here." The link between human insecurity and international insecurity has been invigorated (MacFarlane and Khong, 2006: 230), rather than relating the existing policing models to the British colonial policing system, which was considered by many local people as repressive, brutal, and militaristic (Gyima-Boadi, 2010; Afari, 2004; Aning, 2006).

Results from the study suggest that encounters between the police and citizens in Ghana was bound to influence citizens' demographic characteristics, the behaviour of police officers, discretionary powers, communication and the services that officers provide to citizens. For example, in Ghana, citizens demographic characteristics such as socio-economic status was responsible for influencing how officers communicated with people in different ways, how officers respected citizens and the kind of services that were offered to citizens of different status. Age was also found to influence citizens' demographic characteristics in encounters. For example, the youth (males) in Ghana were found to have heightened encounters with the police than the older citizens. This was identified as being common amongst Ghanaian youth (mostly unemployed males). The results from the study highlighted that deprived communities were mainly inhabited by these vulnerable citizens and both the police and these youth had a lack of respect for each other because of these citizens' high level of involvement in illegal

activities. As a result, these youth were more hesitant to cooperate with the police and less likely to develop and have positive and favourable perceptions towards police officers (Webb and Marshall, 1995; Brown and Benedict, 2002; Johnson and Kochel, 2012; Mathura, 2019). This study also suggested that police officers often treated these vulnerable citizens in a more coercive and unfair manner as compared with other citizens from the affluent societies. All these contributed to how citizens of different social stratification perceived police officers.

The results also show that the term use of force in policing requires a comprehensive discussion with both citizens and the police as both parties have differing views regarding its applicability. During the interviews it was found that the majority of the participants (citizens) had a different view to that of the police that the use of force powers invariably violates their constitutional rights and suggested this power should be guided by specific principles in order to safeguard the rights of citizens. One of the interviewees (citizens) stated that the exercise of these coercive powers inevitably indicates an attack on their fundamental rights and stressed that such powers must not be used against citizens unless the police have a palpable cause to believe that the subject poses a threat to the police officer, and even in such circumstances, the officer must find means of dealing with the situation without necessarily applying force. Though the law permits the police to use minimum force in the course of their duties, at the same time, limitations are set defining the extent of force that the police may exercise in maintaining order and enforcing laws. Such limitations have two interrelated components. The first is legally based and stems from the US Supreme Court verdict - *Graham vs. Connor*, 490 US 86 (1989), which states that force at arrest must be “objectively reasonable in view of all the facts and circumstances of each particular case.” Despite direction from the US Supreme Court, determining force that is “objectively reasonable” is not an easy task. In view of this, police officers rely on a second component, use of force policy, which is administratively based to establish parameters for the application of force (Walker, 2007; Terrill and Paoline III, 2012). Within this context, such policies are sometimes linked to a continuum of force, which detail varying levels of force in terms of severity, with the explicit purpose of offering officers’ guidelines on how to respond to resistant citizens (Terrill, 2005; Terrill and Paoline III, 2012; Palmiotto, 2017).

Therefore, force continuum policies attempt to clarify more freely what may be considered objectively reasonable. In a situation where force is needed to be applied, officers must take into consideration many factors before they decide to use force. In the circumstances where force must be applied, the officer must decide if the force is justified, and use of force can be

justified when it is necessary to make an arrest, detain a suspect, or to protect the officer or the general public from existential threats of violence. In order to assist police officers when to use the appropriate level of force, a use of force continuum has been designed as a guide for police officers. The continuum of force determines the appropriate extent of force that could be used in addition to the US Supreme Court decision on *Graham vs. Connor* (1989) which defines objective reasonableness of force in all encounters.

Additionally, police officers' behaviour was also suggested in this study as a major contributor to how citizens perception of police officers in Ghana are influenced and developed. Officers' behaviour was defined by police culture, colonialism, training, and accountability. The colonial legacy where officers were mainly concerned with public order duties as opposed to providing a service and the frequent use of force eventually established an environment and culture for officer's lack of respect for citizens and accountability. Poor levels of police recruitment processes and practice was suggested as being influenced by politicians and could be responsible for the poor qualities in officers and their inability to perform their role and function as professional police officers. This study suggested that the civilians in Ghana suffer from serious problems relating to officer's involvement in misconduct, especially inappropriate use of force against citizens, acceptance of bribes and corruption. These problems in addition to the lack of accountability and inadequate supervision were more likely to determine and promote compromised and lack of accountability in police officers. As such, citizens' lack of trust and confidence in officers have contributed to the development of unfavourable and negative perceptions of the police.

The data from this study suggested that some police officers' conduct call into question their constant disregard to respect the rights and dignity of citizens in an encounter situation. It was found that some police officers performed their duties with a lack of ethical consideration by being abusive, repressive, intimidating and overly reliant on the use of force and not concerned with assisting the citizens to improve their security needs. It was also indicated that some officers lacked moral judgement. Citizens felt that police officers did not care about how their actions or inactions could affect their rights and psychological well-being. Some citizens pointed out that there are instances where the police lay charges against innocent citizens especially the unemployed youth (males) just to incriminate them without any apparent reason. It was found in the study that because of the police dominant position in society where they were able to use coercive authority over others, it was less likely for officers to extend respect to people who occupy subordinate positions in the social hierarchy. For example, people from

different levels of the social hierarchy were given respect according to the status. The results from this study suggested that citizens who have experienced use of force occupy the lower class were more likely to receive little or no respect from police officers. Citizens from the affluent sections of the societies received the most respect from officers. Therefore, it can be suggested that citizens' perceptions of the police in Ghana varied and was shaped in accordance with the level of respect they received from the GPS which reflected their status within the social hierarchy.

Political interferences by the ruling government and its officials in the GPS has been suggested in this study as having a major effect on policing. For example, politicians were identified as being able to manipulate the police recruitment process to allow their party faithful became recruited regardless of their academic qualifications and recruitment requirements as a police officer. This study also suggested that politicians often manipulated police officers and the legal system to favour their party followers who are involved in illegal activities. Politicians who request special treatment for themselves and their party officials often manipulated and pressurised senior police officers to participate in illegality or biased activities in order to fulfil their request. As a result, citizens were treated disproportionately, and this was more likely to influence citizens' negative perception towards the police. Also, results obtained from this study confirm that the police in Ghana do not exhibit political neutrality and that this shows a relationship with a low citizens' trust and confidence in the police. These then also are associated with low citizens' perceptions of police legitimacy. In other words, police political impartiality associates with higher levels of citizens' trust will lead to public trust in the police (Gau, 2014; Sunshine & Tyler, 2003; Tankebe, 2009b; Tyler & Huo, 2002; Osei-Adubofour, 2017), and, consecutively, higher perceptions of police legitimacy (Hough et al., 2010; Hough et al., 2012; Hough et al., 2013). As noted previously, the findings in this study associates with the postulates of the procedural justice theory that fairness, impartiality, respect for citizens' rights and democratic policing principles elicit citizens' viewpoints of police trustworthiness, and thereby higher citizens' perceptions of police legitimacy. An unfair police institution presents many setbacks to democratic policing values and to society in general.

In addition to the findings that emerged from the interviews, a review of the literature also focused on one major area that needed detailed attention: colonial structural legacy. The colonial model of policing has been repeatedly identified as being unproductive for developing and maintaining any type of working relationship between the police and citizens during encounters (Anderson and Killingray, 1991; Sinclair, 2006; King, 2009; Wallace, 2011; Aning,

2006). Colonialism had manifested a culture through its aim and objectives which created various negative effects and disadvantages towards the type of interaction that citizens experienced with police officers, how citizens of different ethnic background were treated, the manner in which police officers interacted with citizens from different socio-economic status, the level and equality of justifiable treatment the citizens received, the demeanour of police officers, how politicians interacted with police officers and how the police treated people of different age groups demonstrate that colonialism has had an adverse effect on police service delivery (Anderson and Killingray, 1992; Deosaran, 2002; Cole, 2003; Sinclair, 2006; King, 2009; Wallace, 2012). With these emerging concerns, the research findings further reveal that the police continue to use repressive measures and other paramilitary tactics in discharging their civil mandates. Criminal and non-criminal suspects are constantly being beaten and tortured during interrogations. This is coupled with continuous harassment and disrespect of fundamental human rights of innocent citizens (UNDP, 2007). The violent and abusive tactics employed by the GPS today were learned from their predecessors. Colonial police forces operated in an environment characterised by violence, brutality, and abuse of power, which was carefully nurtured by the British colonial authorities to oppress the indigenous citizens for political and economic gains (Atuguba, 2003; Killingray, 1991; Boateng, 2012). Thus, the legacy of colonialism is still considered as a dominant force in the operations of the Ghana Police Service.

6.3: Theoretical implications

The data obtained from this study suggested that human security (UNDP, 1994) theory which focuses on individuals rather than the state as a referent object of security and its associated features such as 'freedom from fear' is consistent in a Ghanaian context. The human security theory is considered as a means of broadening the concept of security and it is considered as an alternative means of resolving the use of force by the police, and therefore, the concept focuses on insecurities that confront citizens because of state agents such as the police actions and inactions. It represents a significant paradigm shift from the traditional notion of security from the state-centric to people-centred approach. In other words, individuals are considered as the primary referent object of security. Human security, therefore, provides a starting point to understanding human vulnerabilities such as police use of force and emerging trends of 'New Wars' around the globe (Kaldor, 2007). Today, the police in Ghana forcibly use force or excessive force against the citizens without any form of provocation (UNDP, 2007). This assertion points to the fact that Ghanaians deserve a police service that upholds the interest of

the people first instead of exclusively safeguarding the authority of the state. Human security challenges the GPS's approach to security especially on use of force during encounters with the citizens in at least two ways: it shifts the focus towards the individual, and it bases security firmly on common values, rather than providing security for abstract entities such as the state.

In view of this, Booth (2007) provides a comprehensive account on the relevance of the concept of human security and stated that the foundations of the state rests on the consent of its citizens and this was revealed in one of his academic writings, *Security and Emancipation* (1991). Booth reiterated that accurate security "can only be achieved by people and groups if they do not deprive others of it" (Booth 1991, p. 319). What this means is that people in authority should not underestimate the value of human life because the true meaning of security according to Booth is the absence of threat and this can only be achieved through proper protection of individual's fundamental human rights, and review of the existing laws governing the use of force and respect of human dignity. Similarly, Kaldor (2007) emphasises "how citizens feel safe if they trust their institutions and citizens trust their institutions if they see them acting effectively" (Kaldor 2007; p. 184). This underscores the need for the GPS to adopt the concept of human security in all their day-to-day activities, as the concept focuses on democratic policing principles that promote police- citizens' relationship, increase citizens' level of trust, and protection of individual's fundamental human rights without recourse to use of force or violence during an encounter with the citizens. Therefore, it is not surprising that the human security concept which is the core value driving this study along has been adopted to address issues regarding police use of force, as it seeks to protect individuals from any existential threats of violence and promotes the well-being and dignity of persons.

The legitimacy theory by Tyler (1990) suggested that citizens are more likely to accept the police as being legitimate when officers have demonstrated that they treated everyone in a fair and equal manner. Tyler's (1990) theory was found to be consistent in Ghana. However, the theory focused mainly on what the police should do to obtain legitimacy from citizens but failed to establish the variables that might contribute to how and why police officers treat citizens differently. Most of the findings from the interviews suggest that an authority's legitimacy is linked to people's satisfaction with the procedural justice aspect of an encounter that they have with state security agents including the police (Mazerolle, Antrobus, Bennett, and Tyler, 2013; Mazerolle, Bennett, Antrobus, and Eggins, 2012; Murphy, 2005; Tyler and Lind, 1992, 2001). It was evident through the research conducted for this thesis that when people are treated fairly, they tend to be more satisfied with authorities than when they are not

treated fairly. Thus, a citizen of Ghana is likely to say that he or she has been treated with respect by the police if he or she was listened to in the first place and his or her fundamental rights were highly respected and protected during an encounter (Pryce, 2016). When this occurs the people of Ghana will consider the police to be impartial, respectful and value the dignity and well-being of peoples' security needs; the resultant effect is that citizens of Ghana will cooperate fully with the police and will be willing to offer any form of support that will aid the police in their investigations to apprehend suspects who posed threat to officers as well as to the public. This will strengthen police-citizens' relationship and improve public trust in the police (Sunshine & Tyler, 2003; Thomassen, 2013; Tyler & Huo, 2002).

The results obtained from the study further suggest that there are conflicting issues that relate to what Tankebe (2008) describes as lack of proper interpretation of the existing laws and lack of knowledge on the part of the civilians on how the laws governing use of force operate and enforced, which according to him, are the main issues that have influenced police-citizens debate. These issues are extremely critical which cannot be swept under the carpet, specifically if the GPS is aiming at reforming the institution and to actualise that it has indeed changed from a force to service since the country attained independence. For instance, the GPS operate within the confines of the Criminal Procedure Code of 1960 (Act 29) of the Republic of Ghana, which authorises police officers to use force including deadly force but failed to define when and how force could be used, and at what level can use of force be perceived as a misconduct. However, results from the interviews point to the fact that inasmuch as the law did specify on its use, there are other protocols that are applicable in the Ghanaian context such as the UN Code of Conduct for Law Enforcement officials 1979 (Article 3) as well as the US Supreme Court ruling on *Graham vs. Connor* (1989) and the force continuum principle are ways by which the GPS can rely on when exercising use of force during an encounter.

Additionally, the majority of the officers interviewed during the fieldwork for this doctoral study agreed to the use of force mechanism with this statement in which one of the participants claimed: "Police in Ghana will continue to perform their legal obligations even at the peril of their lives to safeguard the rights and well-being of individuals, but it seems this selfless sacrifices go unnoticed by the general public, as police are always accused by the public of using this power to intimidate civilians who have no such power to protect themselves". This issue has led to widespread public claims that police officers use force deliberately and unlawfully to abuse members of the public and such violent actions amount to police brutality. Therefore, the argument advanced for this position is that such actions compromise the

principles of reasonableness and necessity, and the resultant effect is that it undermines the relationship that exists between the police and civilians (Kempen, 2013).

The greatest expectation of every Ghanaian is the provision of adequate security protection by the government and its security agencies. The public perception of the GPS is characterised by widespread use of police force or brutality especially against the poor and marginalized who most often become victims or targets of the circumstances (Hough, 2004). Though the study determined that Ghanaians have a desire to cooperate with the police, the relationship that exists between public perceptions of police legitimacy on the use of force and public cooperation with the police was not quite encouraging. This study supports the work of equity researchers on the procedural aspect of an encounter that citizens have with the police and its resultant effect on the use of force. According to equity researchers, fair treatment is a major concern to people because it is the outcome in an encounter (Messick, Bloom, Boldizer, and Samuelson, 1985; Mikula, Petri and Tanzer, 1990). Ghanaians are expecting their police to be fair, tolerant, respect their fundamental rights and remain impartial during an encounter. They expect the police to exhibit a high sense of professionalism to demonstrate that indeed the police that they knew in the years' past, have changed from a force to service. Thibaut and Walker (1975) emphasised that when people are offered an opportunity to voice their opinion or are treated fairly, they judge a procedure and the outcome of that procedure fairer and more positive, even if the outcome itself did not go in their favour (Tyler, 1987; Tyler, Rasinski, & Spodick, 1985).

The main objectives of this study were to examine empirically three main issues: First, examine the procedures used by the GPS to minimize the use of force. Second, ascertain whether police officers who use force or excessive force are held accountable for their actions, and finally, identify the challenges faced by the GPS during police-citizens encounter. Evidence presented in this study are based on data from both police and citizens in four selected regions in Ghana using semi structured interviews. This is consistent with other studies (Tankebe, 2011; Boateng, 2012) on Ghanaians' attitude towards the use of force as well as a survey conducted by the Bureau of Justice and Statistics (1996) on police-citizens encounters in the US. These studies indicated an inherent support for democratic policing that goes beyond police use of force. However, in the case of Ghana, it will not be out of place to suggest that this critical democratic policing principle might be weakened by continuous distrust with how Ghanaians continue to experience police use of force or brutality.

To address the phenomenon this study examined the procedures that have been adopted by the Ghana Police Service to minimise use of force in the course of promoting security, ascertain whether officers who use inappropriate force against citizens are held accountable and identify challenges being faced by the GPS and whether these issues have a negative effect on service delivery. The results show that citizens of Ghana perceive the GPS as lacking accountability mechanisms to investigate officer's misconduct, political interference, lack of consistent in-service training, lack of proper interpretation of the laws governing use of force, and inadequate central government budget allocation to meet both administrative and operational costs are the major challenges facing the Service today. The study further found that there is confusion between legality and legitimacy, lack of public trust and confidence in the police which have combined to negatively affect public perception of the Ghana Police Service, specifically on the use of force. Despite these challenges the citizens of Ghana continue to have confidence in the police and rely on them when they are in distress.

This study has concentrated on those aspects and has highlighted the need for police reforms in Ghana. It emerged from the study that the GPS can improve its human rights violations if the administration and operations of the Service is decoupled from politics, but this issue seems far-fetched especially in Ghana where the President of the Republic appoints the Inspector General of Police, Minister of Interior, Commissioners of Police and controls the Police Council as well (Constitution of Ghana, 1992, Act 202). For instance, apart from the political interferences, lack of police accountability, lack of consistent in-service training, issue of use of force or brutality, arbitrary arrest and detention, infringement on citizens' privacy rights and forcible dispersal of demonstrators were issues that emerged from the literature (UNDP, 2007). As revealed in this study's findings, in every police encounter with citizens the officer involved must consider whether the force used was "objectively reasonable considering all the facts and circumstances of each particular case including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of others, and whether he is actively resisting arrest or attempting to evade arrest by flight" (Tankebe, 2008; Graham vs. Connor, 1989). It is only when all these features have become exhausted that the use of force can be accepted as reasonable or necessary.

As a result, democratic policing cannot be achieved without recourse to complete reform of the organisation. Baker (2005: 68) explained that "despite the expectations that the police at independence would be reorganised and re-orientated from regime policing to a force committed to serving the people, little changed. True, decolonisation had seen an expansion

and the belated Africanisation and training of police forces. Despite all these, there was no change in their role: they were there, as before, primarily to secure the new regime, which meant they were used for repression rather than protection of citizens”. This indicates that the inability or unwillingness of the Ghana Police Service to provide public-oriented, responsive, and accountable policing reflect a range of underlying political and institutional dispensation of the police which are often connected with the legacy of colonialism, lack of accountability, lack of training and in-service training, which are often associated with use of force or abuse of power with impunity.

6.4: Recommendations

After the above discussions, the researcher proposes the following recommendations: First, the researcher recommends for a revision of the Legislative Instruments (LIs) and other laws regarding the use of force. Second, proper accountability mechanisms to deal with police misconduct. Third, regular training and in-service training on prevention of use of excessive force, fourth, adherence to standard operating procedures and lastly, adoption of technology. These recommendations will address challenges facing the GPS and serve as a policy framework to critically address the relative absence of data in this study area in Ghana.

6.4.1: Revision of Legislative Instruments (LIs) procedures on use of force

As indicated in this study, lack of proper interpretation of the existing laws and lack of knowledge on the part of the civilians on how the laws regarding how use of force operates and are enforced continue to remain a challenge. The researcher suggests that revision of the legislations regarding use of force must be carried out to give clear meaning as to what might constitute a reasonable use of force and how much force can be acceptable in law. This resolves future confrontation that usually occurs leading to altercations between police and civilians. The Police Administration must call for proper interpretation of the Standard Operating Procedures and other Legislative Instruments (LIs) governing the use of force, as they remain unclear and there is no point of commonality, and such rules and regulations should be reviewed with clear sense of purpose and direction. It is strongly recommended that the government should be proactive in taking measures to address police use of force, rather than waiting for the public to mount pressure before the government investigates issues regarding use of force (Emile Short Commission Report, 2019). The revision of the existing laws regarding the use of force will bring an end to unnecessary confrontations which usually lead to injuries and deaths in Ghana. For example, the Criminal Procedure Code 1960 (Act 29) which is the legal document authorising the police to use force including deadly force against

civilians who posed as threat to them and other peoples but failed to define when and how this power can be used. This is like what was found in the literature concerning the GPS Standard Operating Procedures (SOPs) which gives the police the right to arrest suspects without warrant, but this same SOP gives the public the right to exercise their constitutional freedoms. These legal frameworks must be updated to suit modern crime trends and correspond to the socio-political, ethnic, and cultural diversity of the people. It can therefore be argued that if citizens and the police begin to assess use of force along these paths it will bring an end to issues surrounding use of force which continues to damage police-citizens relationships, However, it does not remark on the fact that ironically although the reference is made to the effectiveness of guidelines for use of force in the USA, currently this issue has engulfed the US in mass demonstrations and public rallies to express dissatisfaction with the police use of force. That should, in itself, call into question the argument being made here that guidelines will solve the problem in Ghana.

6.4.2: Accountability mechanism

Police accountability depends to a very large extent on the following factors, and these include respect for citizens' fundamental rights, proper and effective investigation of public complaints, ability to justify the use of force or excessive use of force, adherence to procedural rules and code of conducts. These factors are relevant in assessing an institution that prides itself as democratic and subject to the rule of law rather than the dictates of the established regimes (Goldsmith, 2005; Lambert, 1986; Tankebe, 2011; Tyler, 1990; Mazerolle et al., 2013). The study recommends that the GPS must strengthen its human rights commitments and replace the existing Police Intelligence and Professional Standards Bureau (PIPS) with an Independent Police Complaints Commission (IPCC) to investigate police misconduct and all allegations levelled against officers must be published online or made available to the general public as in the case of UK to serve as a deterrent to other officers. This policy recommendation will change the negative perception of the police and will inspire public trust and confidence in the police. The police must be independent in their operations and must be seen to be impartial and accountable as accountability is a necessary ingredient to minimise the use of force, as lack of impartiality and lack of credible structure of accountability in the affairs of the police have serious implications for democratic policing. The Police Administration must also develop a strategy for dealing with crowd control and report any incident of use of force, this will enable the GPS to have statistical data to assess police use of force in Ghana.

6.4.3: Political interference

A considerable body of literature has shown that police are inherently political, and its institutions evidently operate in an environment that is shaped by prevailing political contestation (Osei-Adubofour, 2017). Therefore, there should be a robust review of the 1992 Constitution (ACT 202) to enable the police to operate freely without any external influence or without fear or favour. The institution must be allowed to elect its own Inspector General of Police (IGP) and other senior officers based on merit, competence and dedicated service as ascribed in some public institutions. This doctoral study also recommends that the Police Council must be replaced by an Independent Police Commission to win public trust in the police, and this will put an end to the daily politics associated with police work in Ghana. The GPS must also focus its attention on the citizens since they are the main referent object of security rather than giving precedence to ruling governments and party officials, as such behaviour links with the legacy of colonialism and widely cited as a source of political and institutional machinations by the authorities in Ghana and the entire Continent of Africa (Schwartz, 2015).

6.4.4: Police training and in-service training

To ensure effective implementation of the use of force policy guidelines, police training should address proper application of physical control technique, competence in using force tools, including firearms, restraints, weapon handling, frequent review of GPS policy, legal frameworks in the country and conducting use of force investigations. Use of force training should also focus on tactical knowledge and professional prowess to deal with such issues. The basic training offered in the country's PTS place more emphases on theoretical work than practical. Therefore, more time should be spent on crowd control, police-citizens' relations, victimology and other issues that will directly involve police with the citizens. Additionally, training of junior ranks should focus more on physical drills and basic skills with more follow-ups through in-service training or specialised workshops. Also, there should a robust review of the current training system with policy guidelines that will focus on post-training so that officers in active service can continue to build their capabilities to effectively enhance their performance, and to respond to the emerging crimes that require high level of skills to manage the situation. This notwithstanding, the Ghana police service should consistently focus on Chan et al. (2003: p. 44) on the significance of training programmes for new recruits which states that, "officers who have effective communication skills, commitment to ethical standards, respect for individual's fundamental rights and inter-personal skills will obviously become

accountable, effective decision makers, and operationally independent”. Therefore, Police Administrators and police departments are to ensure that use of force training is consistent with their policies and protocols.

Apart from the above, the following should be incorporated into the policy strategy agenda:

- Decouple politics from police work by calling for an urgent amendment of the 1992 Constitution that gives the President the power to appoint the Inspector General of Police. This will enable the police to be independent and become accountable to the citizens.
- Develop a strategy for dealing with crowd control; this will provide police officers greater guidance regarding how to respond to various kinds of subject resistance without applying force while at the same time protecting the fundamental rights of citizens.
- Establish a well constituted independent body made up of retired police and army officers, parliamentarians, lawyers from the Ghana Bar Association, security experts, and others to protect police from political pressure and to ensure that police act according to laid down rules and regulations governing their work.
- Establish a unit to assess police performance and build a database on the use of force and publish the data on the institution’s website, at least every six months.
- Working conditions and hours must also be reviewed to enable the police work effectively.

The GPS must develop strong use of policies that express the value of both police and civilian lives and restrict the conditions under which force can be used. Research suggests that police services with restrictive use of force policies have lower use of force rates than services with more lenient or unclear policies. Critics maintain that lenient use of force policies tend to emphasise the safety of officers over the safety of citizens. More restrictive policies emphasise the value and safety of both police officers and citizens. A focus on the safety and wellbeing of civilians can increase the institutional importance of de-escalation tactics and reduce the likelihood that physical force will be used.

6.4.5: Technology

The Ghana Police Services should continue to examine the effectiveness of technologies such as dashboard cameras, police body-worn cameras, and interrogation room cameras and recorded footages if they may reduce use of force incidents. The argument is that police officers are less likely to engage in illegitimate force if they know they are being watched, and police officers are no exception. The advantage is that officers who wear body cameras are likely to be less aggressive and more respectful when they interact with the general public. Police officers will also be more reluctant to use force – unless it is crucial to protect themselves and the public (Twumhene, 2019; Mathura, 2019). This reduces police and citizens confrontations and aggressiveness and may further reduce the need to resort to the use of force. The data obtained in the study indicate that availability and release of video footages could also increase police transparency and improve public confidence in law enforcement. At the time of writing, evaluation research on police body worn cameras has produced mixed results: some studies have found that cameras reduce use of force, others have found that they have little impact and consider the body cameras as a form of distrust because they feel that the purpose of the device is to monitor or track their movements. Nonetheless, police body-worn cameras have been identified as a promising technology that deserve further investigation.

6.5: Conclusion

The public perception of the GPS is characterised by a perception of widespread use of police force or brutality especially against the poor and marginalized who most often become victims or target of circumstances (Hough, 2004). The main objectives of this study were to explore empirically three main issues: First, examine the procedures use by the GPS to minimise the use of force. Second, ascertain whether police officers who use force or excessive force are held accountable for their actions and third, identify the challenges being faced by the GPS during police-citizens encounter. Evidence presented in this study is based on data from both police and citizens in four selected regions in Ghana using semi structured interviews. Findings drawn from the study revealed that the most challenging issue facing Ghanaians is police use of force or excessive use of force. This is consistent with other studies (Tankebe, 2011; Bureau of Justice Statistics, 1996) on Ghanaians, attitudes towards police use of force as well as a Survey conducted by the Bureau of Justice and Statistics on police-citizens encounters in the US. These studies indicated an inherent support for democratic policing that goes beyond police use of force. However, in the case of Ghana, it will not be out of place to suggest that

this critical democratic policing principle might be weakened by continuous distrust with how Ghanaians continue to experience police use of force or excessive use of force.

This research study has focused on those viewpoints and has featured the requirement for strategy execution. It rose out of the investigation that the GPS can improve its basic liberties infringement if the organization and functions of the Service is decoupled from governmental issues, yet this issue appears to be implausible particularly in Ghana where the President of the Republic appoints the Inspector General of Police, Minister of Interior, Commissioners of Police and controls the Police Council also (Constitution of Ghana, 1992, Act 202). It is against this foundation that the proposals made in this investigation are viewed as ideal to decouple the police establishment from governmental issues. Aside from political obstruction, absence of police responsibility, absence of reliable public complaint unit, the issue of utilization of power or mercilessness, invasion of residents' protection rights and aggressive dispersal of demonstrators are common in Ghana as was exemplified in the UNDP (2007). These are significant worries that the suggested proposals will address.

The study has identified these phenomena and has offered recommendations to ensure that police use of force is minimised, but one critical issue that needs to be addressed in any future research is the revision of the Criminal Procedure Code 1960 (Act 29) which fails to define when and how force can be used, and when use of force will constitute a misconduct. It is only when these proposed recommendations are implemented that the police in Ghana can maintain high standards of democratic policing, as anything which falls short of the expected outcomes of any encounter with the citizens will lead to a lack of confidence and trust in the police. The implications of this are loss of lives and injuries, conviction and sentencing of citizens to jail, lack of credible accountability structure to explore police wrongdoing. Democratic policing principles will be subverted, increase public distrust in the police and these will have an unfavorable impact on the fundamental rights of the individuals.

6.6: Future Research

This study was based on four geographic locations of Ghana and should not be interpreted as a representation of the general population. Therefore, it would be useful for further research to be conducted in different geographic locations of Ghana which could be added to this study thereby formulating a more comprehensive understanding of the citizens' perception of the use of force by the police in Ghana. During this study it was revealed that there is a lack of data on police use of force in Ghana, and within the sub-Saharan African countries. As such, it would

be useful to extend this study into other African countries to obtain a better understanding of the phenomenon, which could present vital information on contemporary policing methods and strategies that other post-colonial African countries might have adopted to reduce the use of force. Therefore, this study could be extended based on the results of any further studies. This study was focused on gaining knowledge and understanding about citizens and police perception of use of force in Ghana. Samples were taken from members of the public and police officers. It would be more useful for future research to take samples from the military to gain knowledge and understanding about the use of force and also how officers of the Ghana Police Service perform their duties.

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Appendix A

Data collection for Master of Philosophy thesis writing

Interview Guide

Peter **Twumhene** is conducting research on the topic, *“A Critical Analysis of the Ghana Police Service and Use of Force in Promoting Security.”*

The purpose of this study is to gain a comprehensive understanding of the Ghana Police Service’s mode of operations with particular attention to use of force and its impact on citizens’ fundamental rights. In view of this doctoral research, the researcher is collecting data from the ‘Ghana Police Service’ who are in active service and ‘Citizens’ who have had encounter(s) with the police in order to understand the complexities surrounding police use of force and how it can be minimised in Ghana.

The study is entirely an academic exercise in partial fulfilment of the requirements for the award of Master of Philosophy degree in Politics and International Relations at the Nottingham Trent University in the United Kingdom. In view of this, the researcher would be grateful if you could make some time out of your busy schedule to assist in answering the interview questions.

Your invaluable contributions and experiences to this phenomenon under investigation will go a long way to enhance the outcome of this research, which unavoidably will contribute chiefly to the existing body of knowledge of literature to critically address the relative absence of data in this research area and future research in Ghana.

All data collected in the interviews (face-to-face) are mainly for academic purposes and therefore strict adherence to non-disclosure of names of persons and institutions involved in order to ensure complete anonymity and confidentiality will be given greater attention.

You are at liberty to withdraw your data from the research at any time up to 14 days after the date that you gave consent. This can be done by contacting me or a member of the project team. Contact details are set out at the end of this information sheet and also on the consent form.

I hope that you will find the interviews interesting, and your participation will help a lot to develop knowledge of this important topic. I am also of the view that you will find the results of this study helpful and take delight in the fact that your answers will provide solutions to the

problem under investigation, and perhaps prevent other people from going through the same experience as you.

Thank you in advance for your participation.

Peter Twumhene (Research Candidate)

School of Social Sciences, Department of Politics and International Relations

Nottingham Trent University, United Kingdom

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Appendix B

Informed Consent

Thank you for agreeing to participate in this research project. This is a consent form for research participants. It contains relevant information about this study and what to expect if you decide to participate. Please consider the information carefully. Feel free to discuss the study with your friends and family and to ask questions before making your decision whether or not to participate. In order to ensure that this is the case, please confirm your understanding by initialling each of the statements set out below and sign as indicated at the bottom of this form.

(1) I have been given, read and understood written information about the project and have had an opportunity to ask questions from the project team.

(2) I understand that my participation is voluntary and that, I may withdraw my data from the project at any time up to 14 days after signing this form without giving reasons. I understand that there are no implications involved in choosing not to take part in the study or withdrawing my data. I understand that I can withdraw from the study by contacting one of the project team whose details are set out at the bottom of this form.

(3) I understand that the interview will be digitally recorded and that, this data will be stored securely until the completion of the project at which point it will be destroyed.

(4) I understand that my identity will be kept confidential and that the project team will ensure that, any associated persons or organisations will not be obviously identifiable through the project outcomes. I further understand that the only circumstances in which the project team would reveal my identity would be if it were required to do so as part of an official investigation or where in the opinion of the project team there exist a significant and realistic risk of future misconduct.

(5) I agree to take part in the research and for any data generated as a result of my participation to be used in the ways described in the participant information sheet.

Name of participant / (code name)

Date:

Signature:

If you wish to be kept informed of any outcomes resulting from the research, please provide an email address at which you can be contacted or telephone number.

.....

Contacts for further information

Please feel free to contact the project office for further information at the following addresses:

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Appendix C

Interview schedules

The Department of Politics and International Relations

Police Officers in active service. This interview schedule is designed to examine the use of force by the Ghana Police Service in promoting security.

The information required from this interview is for research purpose only and will be kept as confidential as possible.

Section 1: Demographic Data:

1. Age:

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

2. Gender:

Male [] Female []

3. Educational level:

No education [] Elementary/JHS [] Secondary/SHS [] Teachers Cert A [] Diploma []

Degree [] Masters [] PhD [] Others (specify).....

4. What is your rank in the service:

Commissioner of Police [] Deputy Commissioner [] Assistant commissioner []

Superintendent of Police [] Deputy Superintendent [] Assistant Superintendents of

Police [] Chief Inspector [] Inspector [] Sergeant [] Corporal []

Constable []

5. What is your position in the service:

Regional Commander [] Deputy Regional Commander [] Operations Commander []

Divisional Commander [] District Commander [] Crime officer [] Station Officer []

Detective officer [] Patrol Officer [] Office Staff [] Motor Traffic and Transport Department (MTTD) Commander []

Section 2 – Police Use of Force:

1. What are the main responsibilities of the police in society?
2. What do you understand by the term ‘use of force’ in policing?
3. Why do you think police use of force usually occurs while maintaining law and order?
4. Are use of force effective in controlling crime or to subdue a subject in encounters? If yes, how?
5. In your own opinion, do you personally approve or disapprove of use of force? If yes, why?
6. Do you think the police organisation and other related agencies support police use of force against citizens in Ghana? Explain your answer.
7. How does the media usually in your region react to incidents of police use of force or excessive use of force?
8. What do you think is the public’s perception of police use of force?
9. In what other ways can police officers react to confrontational situations without using force?
10. Tell me about a time when you were required to arrest a subject who decided that he or she was going to resist the arrest. What happened and how did you respond?
11. How would you describe the past and present record of the Ghana Police Service as far as the use of force is concerned?
12. Are you familiar with any legislation and constitutional frameworks that govern police activities especially on the use of force in Ghana? If yes, what are they?
13. Tell me, do you think there are some deciding cases elsewhere that regulate police conduct on the use of force? If any, mention them.
14. In what other ways can police officers protect citizens fundamental rights without recourse to the use of force?
15. What motivated you to become a police officer?

Section 3: – Police Training:

1. What training policy and standards do you have in the Ghana Police Service?
2. Is there any standard training programmes for officers on crowd control and use of force?
3. In your own opinion, do you think police officers apply the knowledge and skills receive

during training on the field? If yes, in what ways do they apply it without using force during an encounter with citizens?

4. Tell me, do you think the current training given to police officers on the use of force is adequate to prepare them for current and future encounters?

5. What types of uses of force do police officers use on subjects who resist arrest in encounter situations?

6. What kind of approach/model have the Ghana Police Service adopted in crowd control?

7. Do you think the approach/model adopted by the police is adequate to minimise police use of force? If yes, explain.

Section 4: - Police Accountability:

1. Do you think the police in Ghana follow their professional ethics and code of conduct? If yes, explain.

2. Do you think the police allow themselves to be questioned by the public when they act wrongly? If yes, explain

3. Do you think the police in Ghana are democratic and believe in rule of law? If yes, explain

4. Do you think the police respect the rights of individuals in Ghana? If yes, in what ways?

5. Do the police give answers to the public about their actions and inactions on use of force when the general public demand for accountability? If yes, explain.

6. How often do citizens report incidents of police use of force in your work place?

7. What actions do you take to ensure the officer become answerable to his/her actions?

8. Do you think the institutions that are supposed to ensure police accountability are enforcing the law? If yes, can you name the institution and what actions have been taken to bring such officers to book?

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

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

Section 5: Challenges and Recommendations:

1. What do you consider to be the 3 most serious challenges facing the police service?

2. What recommendations would you suggest to improving police-citizens encounter?

Appendix D

Interview schedules

The Department of Politics and International Relations

Citizens who have had encounter(s) with the police - This interview schedule is designed to examine the use of force by the Ghana Police Service in promoting security.

The information required from this interview is for research purpose only and will be kept as confidential as possible.

Section 1: Demographic Data:

1. Age:

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

2. Gender:

Male [] Female []

3. Educational level:

No education [] Elementary/JHS [] Secondary/SHS [] Teachers Cert A [] Diploma [] Degree [] Masters [] PhD [] Others

(specify).....

4. Employment Status:

Unemployed [] Employed [] Self-Employed []

Section 2: Police Use of Force(s):

1. What are the main duties of a police officer in society?
2. Have you had any contact with the police within the past 12 months? If yes, what form did this contact takes?
3. Have you ever experienced any problems with the police? If yes, what types of problems did you experience?
4. In your own opinion, do you think the police have the right to use force to subdue a subject who refused to follow police orders? If yes, explain.
5. Tell me about instances where police officers have used force on citizens, and do you think they were right? If yes, explain.
6. What motivates police officers to use force against citizens during encounters?
7. Do you think the police in Ghana follow their professional ethics and code of conduct? If yes, explain.

Section 3: Accountability:

1. In your own opinion, do you think the police in Ghana are above the law? If yes, explain.
2. Do you think the police allow themselves to be questioned? If yes, explain.
3. Do you think the police in Ghana are democratic and respect the rights of citizens? If yes, explain.

4. Do you think the institutions that are supposed to ensure police accountability are enforcing the law? If yes, can you mention the name(s) of the institution and what actions have they taken against officers who used force during encounters?
5. What do you think should be done by the police authorities to keep the police accountable?
6. What do you think the public should do to make the police accountable?
7. What do you think should be done by the accountability institutions in Ghana to make the police accountable?
8. What do you think the police can do to improve public trust?
9. Do the police give answers to the public about their actions and inactions on use of force? If yes, explain.
10. How will you describe the Ghana Police Service in terms of professionalism in promoting security?

Section 4: Measures to Prevent Future Occurrence:

1. What recommendations would you suggest to improving police use of force during encounters?
2. What do you consider to be the 3 most serious challenges facing the police service?

Appendix E

Interview schedules

The Department of Politics and International Relations

Members of the National Peace Council of whom some are security experts, ex-police and military officers, the Clergy, traditional rulers, counsellors and have in-depth knowledge on security related issues - This interview schedule is designed to examine the use of force by the Ghana Police Service in promoting security.

The information required from this interview is for research purpose only and will be kept as confidential as possible.

Section 1: Demographic Data:

1. Age:

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

2. Gender:

Male [] Female []

3. Educational level:

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

4. Employment Status:

Unemployed [] Employed [] Self-Employed []

Section 2 – Democratic Policing:

1. What are the main duties of police officers in society?
2. In your own opinion, do you think the police have the right to use force during encounters?
3. Is it an effective measure to control crime or to subdue subjects who failed to follow police orders?
4. Why do you think police use of force has become a grievance concern in Ghana over the past few years?
5. How do the public react to police use of force more specifically on excessive use of force in Ghana?
6. What is the media's attitude towards police use of force in Ghana?
7. Are there any political dimensions or influences towards police use of force in Ghana?
8. How do you evaluate police and politics in Ghana?
9. Do you think the Human Rights Commissions or NGOs have been effective in putting a check on police use of force in Ghana?
10. What are your views on the protection of human rights of an alleged criminal or someone posing as a threat to the police and the public?

Section 3 – Police Use of Force

1. What motivates police officers to use force against citizens during encounters?
2. What other ways can police deal with citizens who resisted arrest or posed threat to the officer and the public without using force?
3. In your own opinion, how will you describe the Ghana Police Service as far as the use of force is concerned?
4. What do you think about the laws governing police use of force in Ghana? Are they adequate to guide police officers to minimise its use or need some amendments in this democratic dispensation?
5. Tell me, do you think there is a need for police reforms in the use of force or the entire police service?
6. Do you think there are adequate legal and ethical considerations that serve as a guide to police officers on the use of force?

Section 4 - Police Accountability:

1. Do you think the institutions that are supposed to ensure police accountability are enforcing the law? If yes, can you mention the name(s) of the institution(s)?
2. What do you recommend to police authorities to ensure that police officers who uses illegitimate force are held accountable for their actions?
3. What do you think the public should do to make the police accountable?
4. Do the police give answers to the public about their actions and inactions on the use of force? If yes, explain.

Section 5 – Challenges faced by the Ghana Police Service:

1. What do you consider to be the 3 most serious challenges facing the police in Ghana?
2. What recommendations would you suggest to improving police use of force during encounters?

Probing Questions:

Please describe... Please elaborate... Do you think...In what ways... Can you provide an example of... Identify the most/least; benefit/challenge... In your own opinion...Can you explain further...Do you need me to reframe the question?

The Closing

Thank you for taking the time to talk with me. Is there anything from this interview that you would like to comment on? Is there anything else that you would like me to know about you or your experiences on police use of force? What questions do you have for me?

Ghana Police Service Ranking Structure (In Ascending Order)

Constable

Lance Corporal

Corporal

Sergeant

District Sergeant Major

Regional Sergeant Major

Inspector

Chief Inspector

Assistant Superintendent of Police

Deputy Superintendent of Police

Superintendent of Police

Chief Superintendent of Police

Assistant commissioner of Police

Deputy Commissioner of Police

Commissioner of Police

Deputy Inspector General of Police

Inspector General of Police

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