



# Institutionalising Accountable Policing in Sierra Leone

Progress Report on the Operationalisation of the IPCB



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## **ABBREVIATIONS AND ACRONYMS**

<b>ACHPR</b>	African Commission on Human and Peoples' Rights
<b>APCOF</b>	African Policing Civilian Oversight Forum
<b>ASJP</b>	Access to Security and Justice Programme
<b>CDIID</b>	Complaints, Discipline and Internal Investigations Department
<b>GoSL</b>	Government of Sierra Leone
<b>HRCSL</b>	Human Rights Commission of Sierra Leone
<b>IPCB</b>	Independent Police Complaints Board
<b>MDAs</b>	Ministries, Departments and Agencies
<b>PRSP</b>	Poverty Reduction Strategy Paper
<b>SOP</b>	Standard Operating Procedure
<b>SLP</b>	Sierra Leone Police
<b>SSR</b>	Security Sector Reform
<b>UNDP</b>	United Nations Development Programme
<b>UNIPSIL</b>	United Nations Integrated Peacebuilding Office in Sierra Leone

## FOREWORD BY THE CHAIRPERSON



The role and functions of the Independent Police Complaints Board (IPCB) are to receive and investigate complaints of a serious nature, and thereby to increase the public's confidence in policing. The IPCB is intended to act as an oversight and investigations body with a national scope and responsibility. The IPCB is also intended to be an independent body which operates at arm's length from both the Sierra Leone Police (SLP) and elected officials, and which investigates complaints about potential police abuses involving deaths in police custody, police motor vehicle accidents, the excessive use of force involving injury or death, or the use of firearms by police, among other things.

The underlying purpose of the IPCB is therefore to ensure that the SLP works constructively and effectively with the public, and that citizens have recourse to an independent agency and process that will help to improve policing across the country and that will increase the public's confidence in the SLP as an institution.

The above role and functions should be undertaken with a view to strengthening and improving the SLP as a whole, and to improving its reputation and standing within the community over the long term. Aside from improving policing services throughout Sierra Leone, this response can also help to avert problems before these lead to serious public unrest or violence.

The potential for effective and credible police accountability is now a reality in Sierra Leone, with acceptance for the critical role of police accountability increasing amongst stakeholders despite some initial implementation challenges.

In a 2006 resolution, the African Commission on Human and Peoples' Rights (ACHPR) recognised police accountability and oversight mechanisms as playing central roles in democratic governance, noting the potential for such mechanisms for 'enhancing the rule of law and assisting in restoring public confidence in the police; to develop a culture of human rights, integrity and transparency within police forces; and to promote a good working relationship between the police and the public at large.' The ACHPR called on African Union Member States to 'establish independent civilian policing oversight mechanism where they do not exist, and which shall include civilian participation'.

This is an undertaking that the Government of Sierra Leone is fully committed to and has taken on board with the establishment of the Independent Police Complaints Board of Sierra Leone.



**Valentine T Collier**  
Chairman, Independent Police Complaints Board  
March, 2014

# 1 INTRODUCTION

Sierra Leone has made significant progress towards stability after more than a decade of civil war ending in 2002. During the immediate years following the end of the conflict, the Government prioritized rebuilding state institutions with particular attention to the security sector, as well as basic infrastructure.

Although public perceptions of the security sector actions, particularly the police, have improved, surveys still reveal a lack of public trust. In its Agenda for Change, 2008–2012 (PRSP II), the Government of Sierra Leone concluded that only through enhancing the capacity of security actors and building oversight mechanisms for the sector can economic growth and peace be sustained. This conclusion resonates well with the 2005 observation of the UN Secretary General that there is “No development without security and no security without development”.

Building public trust is crucial to effective policing. A key aspect to restoring and enhancing public trust in the police is openness to external review and oversight. This is reflected in the support that the Government and donor partners have so far provided to the establishment and operation of the Independent Police Complaints Board (IPCB), which represents the central component of a national police accountability framework. It is therefore crucial that the IPCB functions in an effective and efficient manner, and is seen to do so by the public.

The IPCB is critical to police accountability in Sierra Leone and is designed among other things to improve the accountability of the Sierra Leone Police Force (SLPF), as well as increase the public’s confidence in policing in general.

Once fully operational, the IPCB will act as a strong oversight and investigative body, focusing on complaints of excessive police force while at the time maintain its status as an independent body at arm’s length from the SLPF.

## 2 LEGAL MANDATE OF THE IPCB

In July 2013, the Police Council, under section 158 of the Constitution of Sierra Leone (Act No 6 of 1991) gazetted the Independent Police Complaints Board Regulations.

The IPCB’s functions are set out in section 3 of the Regulation and include the following:

### ***The Board shall investigate:***

- the death of any person while in the custody of the police;
- a fatal road accident in which a police vehicle is involved;
- a shooting incident where a police officer has discharged a firearm or killed a person;
- incidents of injuries, assault or wounding caused by a police officer;
- allegations of misconduct involving an officer of the rank of Superintendent or higher;
- any matter involving misconduct by the police referred to it by the Inspector-General of Police where the Inspector-General of Police thinks an independent investigation will be in the public interest;
- any matter or incident which it thinks the action or inaction of the police is likely to impact significantly on the confidence of the people in the police;
- any matter whether remote or otherwise which gave cause for an investigation to be conducted under this regulation.

***The Board shall advise the Police Force on ways in which incidents involving the Police Force as provided in these Regulations may be avoided or eliminated.***

The IPCB is a statutory authority. The functions of the IPCB, set out in the regulations, provide the IPCB with a broad mandate to not only receive complaints, but to investigate specific cases of police abuses, and recommend proactive remedial action that can be taken to avoid future reoccurrence.

### **3 REPORTING TO PARLIAMENT**

The IPCB recognises that the role of Parliament and reporting by the IPCB to Parliament is a crucial aspect of the oversight body's work.

In this context, it is important for the IPCB to report to Parliament on progress made in operationalising the IPCB, and to brief Parliament on future steps that are being taken.

This report also acts as the first official report of the IPCB to Parliament.

### **4 CORPORATE ETHOS OF THE IPCB**

The IPCB's principal responsibility will focus predominately on securing and maintaining public confidence in its complaints and investigations systems. The IPCB's own reputation is crucial to achieving these aims; if the IPCB and its work are not well understood and respected, this will affect public confidence in the system it oversees.

The IPCB is accountable to the public and to parliament and must communicate its work in a way that engenders public confidence. Equally the Vision, Mission and Core Values of the IPCB must reflect the need for the IPCB to be a credible and reliable independent police oversight body.

During the IPCB Regulations drafting, due cognizance was taken of standards for external police oversight bodies recommended by the UN in a **Study on Police Oversight Mechanisms** by the Special Rapporteur on Extra Judicial Summary or Arbitrary Execution, Philip Alston in 2010 and in the Commonwealth Human Rights Initiative (2005 Report) entitled, ***Police Accountability: Too Important to Neglect, Too Urgent to Delay.***

In operationalising the IPCB, the Board, in collaboration with the African Policing Civilian Oversight Forum (APCOF) has worked on a number of organisational, regulatory and procedural issues that will govern its functions and performance. These *inter alia* include:

- Board and staff members Codes of Conduct;
- Job descriptions;
- An organisational structure;
- Guidelines for dealing with complaints; and
- Draft standing orders.

In addition, the Board has also finalised its Vision, Mission and Core Values as well as its logo, details of which are given below.

## 4.1 Vision Statement

The IPCB exists to ensure that the Sierra Leone Police Force is responsive to the needs and concerns of the people of Sierra Leone which it serves.

## 4.2 Mission Statement

The IPCB's mission is to build public trust and confidence in the Sierra Leone Police Force by seeking to establish the truth, determining fact, and ensuring that justice can prevail.

## 4.3 Core Values

In line with the IPCB's Vision and Mission, which consists of statutory oversight functions, the actions of the IPCB will be based on the following guiding principles:

- **Integrity** – consistency of actions, methods and principles based on honesty and truthfulness;
- **Justice and Respect for Human Rights** – are the cornerstone of human dignity, freedom and development. Injustice anywhere is a threat to justice everywhere;
- **Independence** – the IPCB is not subject to the control or direction of any other authority in the performance of its functions;
- **Transparency and Impartiality** – guaranteeing that in the discharge of its functions, fairness and equity will always prevail; and,
- **Responsiveness** – carrying out its functions with diligence and promptness to meet the needs of its clients.

## 4.4 IPCB logo

On 19 December 2014, His Excellency the President, Dr. Ernest Bai Koroma, who is also Minister for the Public Service, gave his kind consent to the IPCB to adopt and use a newly designed logo (emblazoned on the cover of this document), giving an 'identity' (branding) to the Board. The logo will also be used as the Official Seal of the IPCB and as its seal to authenticate all official documentation by and from the Board.

### 4.4.1 Logo interpretation

The design of the Logo was a joint effort of IPCB Board Members and staff. It depicts the sum total of the Vision, Mission and Core Values of the IPCB within the context of security sector reform (SSR) in Sierra Leone. To achieve the vision, mission and core values requires effective and accountable institutions to increase citizen security and safety, which in turn ensure democratic governance of the security sector on the basis of the Rule of Law as crucial to securing peace and sustainable development.

Injustice anywhere is a threat to justice everywhere. Therefore the Scales of Justice are unevenly set, weighted in favour of justice and fairness, with wings that enable (hopefully and expectantly) justice to rise and soar over and above all other considerations.

The national colours of Sierra Leone are depicted in the wings in flight.

The Motto, 'DO JUSTLY' sums up all of IPCB's endeavours in the above regard.

The motto also conveys two messages, viz: admonishing IPCB to live up to expectations by deeds and actions, and simultaneously 'talking' to the police and society in general.



## **5 PROGRESS ON THE OPERATIONALISATION OF THE IPCB**

### **5.1 Board membership**

The Independent Police Complaints Board (hereinafter referred to as the ‘Board’) consists of a Chairperson and six other members listed hereunder:

- Mr Valentine Collier                      Chairperson
- Mr Shollay-Davies                      ACC representative
- Mr Bryma V. S. Kebbie                      HRCSL representative
- Mr Teddy M. Williams                      Ministry of Internal Affairs representative
- Ms Doris Saffa-Nyangbe                      Police Council representative
- Rev. Dr Usman Fornah                      IRCSL representative
- Mr Elvis Kargbo                      Bar Association representative

The Inaugural Board Meeting took place on 25 June 2014 and members were formally introduced. At this meeting, initial operationalisation of IPCB was discussed as well as procedures, duties, responsibilities and functions of the Board. The Access to Security and Justice Programme (ASJP) Consultant, Mr Mark Reber – a former member of the Royal Canadian Mounted Police (RCMP) with twenty years working experience in policing and police reform – was in attendance and was also introduced. In his brief to the Board, Mr Reber gave an overview of his 20-day mission covering suggestions of internal processes and the development of a draft “Guidance Manual” specifying stages and sequence of complaints and investigation processes.

Two further Board meetings were convened on 30 July and 4 November 2014 respectively. Key issues addressed included:

- Office accommodation;
- Operational budget and funding of IPCB;
- Assets and office supplies from donor as well as other support by the United Nations Development Programme (UNDP);
- Recruitment and staffing;
- Complaints and Investigation;
- Formation of three committees. Complaints Handling, Investigation and Popularisation (sensitisation) Committees; and
- Reviewing of key operational documents including IPCB logo and organisational chart.

### **5.2 Appointment of staff**

The Regulations establishing the IPCB provide for the appointment of staff, subject to the requirements of the Public Service Commission of Sierra Leone.

To date, the Board has recruited five (5) staff members, namely, a Board Secretary, an Accountant, an Investigator, a Complaints Handling Officer and a Communications Officer.

Job descriptions have been developed for each of these positions and the Board is currently in the process of finalising an organogram for the IPCB.

## 5.3 GoSL and donor support

The idea for the establishment of the IPCB stems in part from discussions between key stakeholders, including the Ministry of Internal Affairs, the former UNIPSIL Police Section and the United Kingdom's Department for International Development's (DfID) Access to Security and Justice Programme (ASJP).

Since the enactment of the IPCB regulations, the UNDP Security Sector Reform (SSR) project and the ASJP became central to supporting government in the operationalisation of the IPCB.

The ASJP provided technical and material supports that were very essential at the inception stage of the IPCB. For instance, in 2014, ASJP provided a Consultant, Mr Mark Reber, who was instrumental in setting up the basic systems and structures of the IPCB. The ASJP also provided secretariat support for meetings and work related to the IPCB. This year, ASJP will provide further financial and technical support to the popularisation process of the IPCB.

The UNDP SSR project has supported the establishment of the IPCB through a series of focused interventions aimed at ensuring that the institution is empowered operationally to perform its functions.

In November 2014, the UNDP SSR project, in consultation with the IPCB, contracted APCOF to provide support to the operationalisation of the IPCB.

APCOF was established in 2004, and its secretariat is based in Cape Town, South Africa. It supports a network of African policing practitioners from state and non-state institutions. It is active in promoting police reform through strengthening civilian oversight over the police in Africa. APCOF believes that strong and effective civilian oversight assists in restoring public confidence in the police; promotes a culture of human rights, integrity and transparency within the police; and strengthens working relationships between the police and the community.

According to the scope of the agreement, APCOF will provide support to the Chair and Board of the IPCB through;

- a) Working with the IPCB on the establishment of internal systems and operating procedures;
- b) Assisting the IPCB with the development of a Monitoring and Evaluation Framework; and
- c) Providing technical assistance to the IPCB in the development of a Communications Strategy.

APCOF has significant experience in working with other police civilian oversight bodies in Africa and their engagement with the IPCB will draw on appropriate best practices and lessons learnt from these other oversight bodies.

## 5.4 Physical resourcing of the Board

Since the appointment of the Board, the Government of Sierra Leone (GoSL) has provided within its Supplementary Budget the amount of SLL 200m to cover the Board's operational expenses from August to December 2014.

In its 2015 Budget, the GoSL has allocated SLL 556 million to the IPCB for operational expenses.

As part of its focused support, the UNDP has provided the IPCB with office equipment, furniture and a vehicle. UNDP will also fund the rehabilitation of the IPCB's permanent office building allocated by GoSL at New England Ville.

## 5.5 Engagements with other bodies

On 30 June 2014, the IPCB held the first of what will be regular consultative meetings with key stakeholders. During that consultative meeting the following needs were discussed:

- To investigate serious complaints - the IPCB should review all complaints it receives and ensure these complaints fall within the mandate of the IPCB. If complaints are considered to be outside the mandate of the IPCB then they should be referred to the SLPF for action.
- To develop Protocols on the above and relations with the Police.
- To review patterns in police behaviour and to track complaints to identify trends.
- To conduct self-directed investigations based on behaviour patterns and trend.
- To clearly define the roles and responsibilities of the different entities such as IPCB, the Ombudsman and the Human Rights Commission of Sierra Leone (HRCSL).
- For the police to contain crime scenes of serious cases but to refrain from processing scenes and investigate cases.
- For the police to report serious matters even if a complaint has not been received by the IPCB.
- To clarify overlaps between the IPCB and the Complaints, Discipline and Internal Investigations Department (CDIID) and Police Internal Disciplinary Regulations.

Many of the issues raised during this partnership meeting are currently being addressed through the development of Standard Operating Procedures (SOPs).

In June 2014, the IPCB wrote to the Attorney General and Minister of Justice requesting clarification regarding overlaps between IPCB, and CDIID and Police Internal Disciplinary Regulations, to which a reply was returned providing the needed legal guidance. Exchange of correspondence in the above regard are annexed to this report.

In January 2015, the IPCB held a follow up meeting with the CDIID, SLHRC, Ombudsman, UNDP and ASJP. At this meeting, the IPCB advocated for an active partnership, proposing that notwithstanding variation in mandates, the end product, which should be in the interest of the common good within a democratic dispensation, should be a common purpose. High levels of collaboration should therefore be the key.

Knowledge and information sharing, together with linked human resource capacity development featured prominently in the meeting, as did complaints handling and management, and investigation training. The HRCSL and Ombudsman Office also expressed willingness to provide advice and assistance to CDIID and IPCB in the development of their data and case management systems.

## 6 OPERATIONS

### 6.1 Complaints audit

APCOF in collaboration with IPCB is currently undertaking an audit of police complaints in Sierra Leone. The audit will assess both trends in complaints against the police and also identify and develop recommendations on areas where complaints management can be improved and streamlined. The Complaints Audit process will result in the production of a report which will identify key development areas and provide the IPCB with baseline information to support its operationalisation.

## 6.2 Standard operating procedures

Since the appointment of the IPCB Board members, the Board has worked on a number of organisational issues related to Codes of Conduct and SOPs.

Some of the draft documents developed included:

- Board and staff members Codes of Conduct;
- A draft Guidance Manual on complaints; and
- A partnership paper.

Based on these documents, the IPCB, in collaboration with APCOF, is now working on the development of a broad range of SOPs for its use.

The SOPs will address both internal requirements of IPCB and operational matters that the IPCB will need to have in place. The SOPs will focus on the environments of investigations, complaints handling, and research.

Some of the issues that are being addressed in the SOPs include:

- Roles and responsibilities of the SLPF and IPCB, including procedures for reporting, securing and acquiring evidence; identification parades, etc.
- Role of the IPCB and that of the CDIID, including the division of responsibility between external review and the SLPF's own internal review systems and procedures for communication and referral.
- Procedures supporting relations between the IPCB, civil society and the SLPF.
- Procedures for public and non-police bodies in the referral of complaints.
- Managing the complaint review system, including screening complaints and procedures on complaints handling.
- Systems, processes and procedures for review of patterns and trends in police behaviour.
- Procedures for reporting, securing and acquiring evidence identification parades, etc.
- Procedures with regard to IPCB-initiated investigations.
- Procedures with regard to public hearings and submissions to IPCB linked to investigations.
- Procedures on the handling of recommendations arising from the complaints management system and investigations.
- Procedures with regard to criminal matters to be referred for criminal prosecution.

## 6.3 Communications

The IPCB, in collaboration with APCOF, is developing a communication strategy.

Alongside this strategy, the IPCB is also looking at the production of certain literacy material to inform and create awareness among the public about the importance of the IPCB's role.

The communication strategy speaks to both the internal and external communication environments. The messaging will be disaggregated to key audiences including the police, Ministries, Departments and Agencies (MDAs), civil society and the general public.

In late 2014, an introduction to the IPCB was published in the 'Police and Human Rights' newsletter of the ACHPR. In the newsletter, the ACHPR acknowledged that the establishment of the IPCB is an important step by the GoSL towards implementing the 2006 ACHPR Resolution on police oversight.

## 6.4 Monitoring and Evaluation

Performance-driven management is an important feature of most public organisations. It enables the entity to objectively juxtapose expenditure against impact and, in so doing, motivate for continued budget and political support. It is considered good practice for police civilian oversight bodies to monitor key indicators and track progress.

The IPCB is a new organisation and given the considerable public and political investment that has been made in its establishment, it is essential to establish a credible set of performance objectives. These objectives will enable the IPCB, GoSL and parliament to monitor and evaluate the performance of the IPCB and to constantly improve the manner in which the IPCB operates.

The IPCB is developing a credible and robust set of indicators and measures to be used to assess its performance across its mandate.

This monitoring and evaluation framework, which will be finalised once the SOPs are developed and approved, will be an integral component of a seamless system of performance management.

## 7 CHALLENGES IN OPERATIONALISING THE IPCB

From a historical perspective, there are a number of factors which run counter to moves being made during the past decade to institute oversight mechanisms such as the IPCB in Sierra Leone.

Contemporary policing is an inheritance of Sierra Leone's colonial past, and was created and groomed to enforce law and maintain order so that the colonisers could exercise dominance over the colonised. Policing then did not aim at meeting the needs of local communities; rather colonial police forces were trained and deployed as 'forces of occupation' to suppress any form of protest or dissent.

At Independence, post-colonial leaders adopted the status quo in all its forms. Post-colonial states in general thus experienced many instances of violation of basic human and peoples' rights associated with enforcement of law and order by the police, especially during civil unrest.

It is only within recent history, starting in the early 1990s and onwards, that African States including Sierra Leone embarked on democratic reforms and gave increasing recognition to citizens' human rights. However, draconian police methods continue to exist particularly, particularly in the context of civil unrest and protests and in the handling of criminal matters, where police actions have resulted in serious injuries and, at times, fatalities.

It is therefore within this historical context and the GoSL's determined efforts at security sector reform in which civilian oversight of the police constitutes an integral part, that the newly created IPCB is set to 'cut its teeth'; therein lies the challenge.

## 8 CONCLUSION

The enactment of regulations to create an independent police oversight body and the establishment of the IPCB represent important milestones in the process of reforming the security sector in Sierra Leone. The intention is to build a strong independent accountability mechanism for the SLPF. For this to happen, the IPCB needs to be seen as a crucial component of a holistic framework for police accountability in Sierra Leone. The experience and knowledge generated by the IPCB will be invaluable in informing the debate on the review of the Constitution of Sierra Leone and the review of the Police Act.

It is therefore crucial that the IPCB's operationalisation processes ensure that what emerges is a strong institution which inspires public confidence not only in the IPCB itself but also in the policing of the country.

The IPCB is accountable to parliament and the public. This first report of the IPCB aims to engage parliament during the inception phase of the IPCB's establishment and to ensure that parliament is briefed on the IPCB's progress. It also provides parliament with an opportunity to provide its input into the operationalisation of the IPCB.

Going forward, the IPCB should not only be in a position to provide parliament with regular reports on its operations, but also to engage parliament on any challenges, risks and opportunities that could impact on the work of the IPCB.





## **About the Independent Police Complaints Board**

The Independent Police Complaints Board (IPCB) is an independent police oversight body established by the Police Council under Section 158 of the Constitution of Sierra Leone 1991 (Act No.6 of 1991). The mandate of the IPCB is enshrined in The Independent Police Complaints Board Regulations, published on 11th July, 2013.

The Board exists to ensure that the Sierra Leone Police Force is responsive to the needs and concerns of the people of Sierra Leone which it serves.

The Board's mission is to build public trust and confidence in the Sierra Leone Police Force by seeking to establish the truth, determining fact, and ensuring that justice can prevail.

## **Contact the Independent Police Complaints Board**

The Independent Police Complaints Board  
167 Circular Road  
Freetown  
Sierra Leone  
Tel: + 232 25 338672