



CODE OF CONDUCT
FOR
THE GAMBIA POLICE FORCE

ACKNOWLEDGMENT

It gives the National Human Rights Commission (NHRC) much pleasure to partner and collaborate with the Gambia Police Force in the designing and development of a Code of Conduct for members of the police force. This followed a successful workshop held at Tendaba in July this year on the subject matter and eventual adoption of the Code of Conduct on 2nd December 2020. The adoption of the said document is an expression of the commitment of the leadership of the Gambia Police Force towards a vibrant, effective, and efficient policing that serve the needs of people.

The timing of the validation and adoption of the Code of Conduct is quite apt as it has come against the background of the many challenges encountered by the police in the execution of their duties.

The Code of Conduct's incisive discussion of the various articles contained therein makes it simple and easy to read and understand. This Code of Conduct sets a minimum standard for police officers and will surely be a useful reference material for members of the Police Force because of the important issues covered.

The NHRC wishes to convey its gratitude to the Inspector General of Police for his commitment and leadership in seeing this laudable initiative through. We also acknowledge and greatly appreciate the active participation of the Assistant Inspector General of Police and the Police high command in both Tendaba and validation workshops.

It is our hope that the provisions of this Code of Conduct will be adhered to by all members of the Gambia Police Force. Together, we can make respect for human rights an enduring ethical standard for all law enforcers.



Signed

Emmanuel D. Joof
Chairperson NHRC

FOREWORD

Police Officers have a very crucial role to play in the promotion, protection, respect and fulfilment of the fundamental human rights of all persons. Thus, the way a Police Officer conducts himself or herself in the daily interaction with the public, in particular people in conflict with the law and other vulnerable groups, can have a negative or positive effect on people's human rights and, by extension, on how society perceives law enforcers and law enforcement.

This Code of Conduct for Police Officers stipulates the guidelines for the acceptable standards of behaviour and conduct for every member of the Gambia Police Force, in the due execution of duty as well as interaction with colleagues and members of the public.

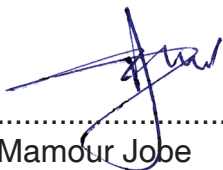
It is an indispensable tool that seeks to enhance professionalism and respect for human rights.

The leadership of the National Human Rights Commission (NHRC) and the high command of the Gambia Police Force exhort all Police Officers to be always guided by this Code of Conduct in their work.

We further urge Police Officers to internalise the values and principles contained in the Code of Conduct.

The NHRC and the Gambia Police Force are committed to working together towards the building of a culture of respect for human rights in The Gambia.

The NHRC, in particular, is committed to strengthening the professional capacity of the Gambia Police Force on human rights norms and standards and democratic policing.

A handwritten signature in blue ink, appearing to read 'Mamour Jobe', is written over a horizontal dotted line.

Mamour Jobe
Inspector General of Police
Gambia Police Force

PREAMBLE

In view of the crucial mandate and functions of the Gambia Police Force which among other things are, the preservation of law and order and protect life and property as provided for in **Section 178** of the 1997 Constitution of The Gambia and **Section 4 of the Police Act**.

CONSIDERING the findings of the Commission of Inquiry into April 10th and 11th students' demonstration, the Faraba Banta Commission of inquiry and the revelations at the Truth, Reconciliation and Reparations Commission (TRRC) on the conduct of the police.

CONSIDERING that it is desirable for police officers to have an active moral and physical support of the public they are serving;

RECOGNIZING that ethical standards, in particular human rights norms, are an important tool in the professionalization of The Gambia Police Force;

The Gambia Police Force hereby adopts this Code of Conduct on 2nd December 2020.

Citation

- a) This document shall be cited as the Code of Conduct for Police Officers.
- b) In case of any dispute or doubt as to their interpretation, the authorized committee established by the Inspector General of Police shall decide.

Application

This Code of Conduct shall apply to all members of the Gambia Police Force.

Interpretation

In this Code of Conduct, unless where the context so requires;

- a) “Police Officer” means any member of the force.
- b) “Unlawful action” means an act or omission prohibited by law.
- c) “Unlawful order” means any order or command from a superior police officer to his or her subordinate that violates human rights or any law in force in The Gambia.

Where any provision of this Code of Conduct is inconsistent with any law in force in The Gambia, the provision of the Code of Conduct shall be void to the extent of its inconsistency.

ARTICLE 1

PERFORMANCE OF DUTIES

Police Officers shall at all times fulfil the duty imposed upon them by law, by serving the community and by protecting all persons.

ARTICLE 2

RESPECT FOR HUMAN RIGHTS

In the performance of their duty, police officers shall respect and protect human dignity and maintain and uphold the human rights of all persons.

ARTICLE 3

USE OF FORCE

Police officers may use force guided by law and consistent with the fundamental principles of, “Proportionality, Legality, Accountability and Necessity”.

ARTICLE 4

CONFIDENTIALITY

Police Officers shall not divulge matters of confidential nature in their possession unless otherwise authorize by law.

ARTICLE 5

PROHIBITION OF TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT

- a) No police officer shall inflict, instigate, or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment,

- b) No police officer shall invoke superior orders or exceptional circumstances such as a state of war or a threat of war, a threat to national security, internal political instability or any other public emergency as a justification of torture or other cruel, inhuman or degrading treatment or punishment.

ARTICLE 6

PROTECTION OF ALL PERSONS

- a) Police officers shall treat all persons, including suspects and accused persons, with dignity and respect

- b) Police Officers shall ensure the protection of the health of persons in their custody and, in particular, shall take immediate action to secure medical attention whenever required.

ARTICLE 7

VICTIMS OF CRIME

All victims of crime shall be treated with compassion and respect.

Police officers shall ensure that proper and prompt aid is provided where necessary.

ARTICLE 8

CORRUPTION & ABUSE OF POWER

- a) Police officers shall not commit or attempt to commit any act of corruption or abuse of power. They shall rigorously oppose and combat all such acts.

- b) Police officers shall not, in the performance of their duties, accept or solicit any gifts, presents, subscriptions, favours, gratuities or promises that could be interpreted as seeking to cause the police officer to refrain from performing official responsibilities honestly and within the law.

ARTICLE 9

RESPECT FOR NATIONAL, REGIONAL & INTERNATIONAL INSTRUMENTS

- a) Police officers shall respect the laws of The Gambia as well as regional and international human rights instruments ratified by The Gambia and always act in accordance with them.

- b) Police officers who commit infractions against any part of the laws of The Gambia or international human rights instruments ratified by The Gambia shall, without prejudice to other legal proceedings, be liable to disciplinary action.

ARTICLE 10

UNLAWFUL ORDERS

- a) No Police Officer shall invoke superiors' orders as a justification for unlawful actions they execute in the performance of their duties.
- b) Junior officers who decline from executing unlawful orders from superiors shall be protected by laws and policies.

ARTICLE 11

USE OF APPROPRIATE LANGUAGE

Police officers shall maintain professionalism and use decent and appropriate language while interacting with other police officers or members of the public.

The use of vulgar or foul language is strictly prohibited for police officers.

ARTICLE 12

PROFESSIONAL CONDUCT

Police officers shall at all times comport themselves in a manner that will ensure they represent a good image and reputation of the Gambia Police Force

ARTICLE 13

USE OF INTOXICATING SUBSTANCE

No Police Officer shall take alcohol or other intoxicating substance while on duty or in uniform.

ARTICLE 14

APPEARANCE

Police Officers in uniform shall always appear neat and dressed in the complete outfit as appropriate for the duty to be performed. Sufficient identification shall be part of the complete uniform to be worn by Police Officers at all times.

ARTICLE 15

IMPARTIALITY

- a) Police officers shall act in an impartial and professional manner; not allowing feelings, prejudices, animosities, or friendship to influence their decision.

- b) Police Officers shall not practice favoritism towards any individual or group.

ARTICLE 16

HARASSMENT

Police officers shall desist from all forms of harassment, including sexual harassment and exploitation; victimization or discrimination; and overbearing conduct to a colleague, particularly one junior in rank or service.

ARTICLE 17

WILLFUL/RECKLESS DAMAGE TO PROPERTY

No Police officer shall intentionally or recklessly damage any property or equipment allocated for the purpose of Police function.

ARTICLE 18

DISCIPLINARY PROCEDURE

Any officer alleged to have violated any provision of this Code of Conduct, shall:

- a) be deemed innocent until proven otherwise;
- b) be informed of the alleged violation within a reasonable time (preferably not more than 48hrs);

- c) be accorded time and in any event not more than five working days to prepare and respond to the query; and
- d) as much as practicable, be heard at the jurisdiction where the violation is alleged to have been committed.

ARTICLE 19

DISCIPLINARY COMMITTEE

There shall be a Disciplinary Committee for the Code of Conduct, comprising 5 senior officers, of which not less than two (2) members shall be female.

ARTICLE 20

FILING OF GRIEVANCES (APPEALS)

There shall be an Appeal Committee set up by the Inspector General of Police in accordance with procedures and practices of the Gambia Police Force or other procedures established by law.

- a) The Appeal Committee shall comprise 5 members of the rank of Chief Superintendent of Police (CSP) and above, of which not less than two (2) members shall be female.

- b) Any Police officer who is directly affected by the findings/decision of the Disciplinary Committee, has 21 days to appeal against the findings/decision

ARTICLE 21

MONITORING

The Human Rights and Professional Standards Unit, in conjunction with the Office of the Chief Discipline Officer, shall be responsible for monitoring the implementation process of this Code of Conduct.

ARTICLE 22

RESPECT FOR THIS CODE OF CONDUCT

- a) Police Officers shall strictly abide by this Code of Conduct and avoid violating or causing others to violate it.

- b) Police officers who have reason to believe that a violation of the present Code has occurred, is occurring or about to occur shall report the matter to their superior authorities and, where necessary, to the Human Rights and Professional Standards Unit or other organs vested with reviewing or remedial power within the Gambia Police Force.