

## A BILL ENTITLED

Short title

### The Police Act 2025

Being an Act to provide for the management, administration, organization, operation, discipline, powers and duties of the Sierra Leone Police Service and other related matter.

Date of  
commencement

[ 2025]

ENACTED by the President and Members of Parliament in this present Parliament assembled.

#### PART 1 - PRELIMINARY

Interpretation

1. In this Act unless the context otherwise requires-

"auxiliary police" refers to part-time or enforcement personnel that assist regular and full-time Police Officers.

"enlistment" refers to the process of formally joining or enrolling in the Police Service.

"call logs" refers to records of incoming and outgoing calls, including the date, time, duration, and phone numbers involved.

"mobile network operator" refers to any telecommunications service provider that offers mobile phone services.

"subscriber" refers to an individual or entity that is a registered or unregistered user of the mobile network operator's services.

"intimate sample" is a sample of blood, semen or any other tissue fluid, urine, saliva, pubic hair, a dental impression or mouth swab, a swab taken from any part of the genitals or from a person's body orifice other than the mouth.

"non-intimate sample" includes fingerprints, body prints, footprints, hair, and fingernail scrapings.

“procession” includes the proceeding on any highway of any body of persons or vehicles in orderly succession.

“subscriber details” refers to information and data associated with a customer or user who has subscribed to a telecommunication service.

“senior Police officer” means any Police Officer of or above the rank of Assistant Superintendent to Chief Superintendent of Police.

“superior police officer” means any police officer of or above the rank of Assistant Commissioner of Police

Objectives  
of the Act

**2.** The specific objectives of this Act are to:

- (a) provide for a Police Service that is responsive to the needs of the general public and has entrenched in its operations the values of fairness, justice and equity;
- (b) reposition the Service to uphold and safeguard the fundamental rights of every person in Sierra Leone in its operations;
- (c) bring about a positive change in the public perception of the Police Service by ensuring that its functions are performed in a manner sensitive to the needs and well-being of the general public;
- (d) empower the Police Service to effectively prevent crimes without threatening the liberty and privacy of persons in Sierra Leone;
- (e) strengthen the Police Service in the performance of its functions, including safety and security of all persons, communities, and property in Sierra Leone;
- (f) ensure that the police perform its functions by creating the enabling environment to foster cooperation and partnership between it and the communities it serves to effectively prevent or eradicate crimes;
- (g) provide for more robust, modern, efficient and scientific ways of investigating and detecting crimes;
- (h) develop professionalism in the Police Service by providing relevant training in all police formations in Sierra Leone for enhanced performance; and

- (i) respect for rights of victims of crime and an understanding of their needs.

## **PART II – ESTABLISHMENT OF THE POLICE SERVICE**

Establishment  
of the Police  
Service

- 3.** (1) There shall continue in existence the Sierra Leone Police Force established under section 3 of the Police Act 1964 as the Sierra Leone Police Service.

(2) No person shall raise any Police Service in Sierra Leone except by or under the authority of an Act of Parliament.

(3) No member of the Police Force shall hold office as President, Vice-President, Minister or Deputy Minister, or be qualified for election as a Member of Parliament whilst he remains a member of the Police Force.

(4) Any person who violates subsection 2 commits an offence and is liable on conviction to imprisonment for a term not exceeding 10 years.

Head of the  
Police Service

- 4.** The head of the Police Service shall be the Inspector-General of Police.

Appointment  
of the  
Inspector-  
General

- 5.** The Inspector-General shall be appointed by the President acting on the advice of the Police Council subject to the approval of Parliament.

Qualification  
of Inspector-  
General

- 6.** A person shall not be qualified for appointment as Inspector General unless such person:

- i. is a serving Police Officer of at least twenty years standing with proven abilities in matters relating to and pertaining to policing;
- ii. is the holder of a degree from a recognized University;
- iii. is not a registered member of a political party;
- iv. is someone of integrity, probity and good character;
- v. has proven skills in strategic planning and management.

Functions of  
the Inspector-  
General of  
Police

- 7.** The powers and functions of the Inspector-General shall include:

- i. subject to the provisions of the Constitution and to the control and direction of the Police Council the operational control and administration of the Police Service;
- ii. lead the Service in executing its mandate under this Act and any other law;
- iii. determine the strategic direction of the Service;
- iv. issue administrative instructions to guide the proper functioning of the Service consistent with this Act and regulations made under this Act;
- v. design and execute programmes for maintaining high professional standards in the Service;
- vi. design and implement programmes, strategies and policies to promote cooperation between the Service and local communities;
- vii. issue guidelines on community policing and ensure co-operation between the Service and the communities it serves in combating crime;
- viii. design and implement programmes for cooperation between the Service and national and international security agencies;
- ix. effect periodic transfers and rotation of Police officers and civilian personnel;
- x. taking into cognisance the security situation across the country and its population, determine the manpower distribution of the Service based on its numerical strength after due consultation with the Police Council;
- xi. administer and organize the Service into various components, units or groups for overall optimal performance and effectiveness;
- xii. ensuring regular training of Police officers and other staff and personnel of the Service and for this purpose, establish and maintain training institutions or centres for the training of members of the Service;
- xiii. ensuring the physical, mental and psychological well-being of Police personnel;
- xiv. develop a policing plan before the end of each financial year, setting out the priorities and objectives of the Service;
- xv. determine the establishment and maintenance of police stations, posts, outposts, units or unit bases, divisions, departments and regions in the country and determine their boundaries;
- xvi. organize the Service into various formations, units or components;

- xvii. determine the distribution and deployment of officers in the Service;
- xviii. recommend the establishment and management of training institutions, centres or places for the training of officers joining the service and other officers;
- xix. provide the command structure and system of the Police for the efficient administration of the Police nationally;
- xx. subject to this Act or any other law, cooperate with and implement the decisions of the Police Council;
- xxi. performing such other functions or exercising such powers as may be conferred on him under this Act or any other law.

Establishment  
of police  
structures

**8.** The Inspector-General acting in consultation with the Police Council may create posts, stations, units, departments, divisions and regions for the effective and efficient management of the Police.

Functions of  
the Deputy  
Inspector-  
General of  
Police

**9.** Subject to the authority and direction of Inspector-General, the Deputy Inspector-General shall perform the following functions:

- (i) assist the Inspector-General in the exercise of his duties;
- (ii) act in the place of the Inspector-General when he is absent from Sierra Leone or unable to perform the functions due to incapacity of body or mind;
- (iii) chair the Management Board of the Sierra Leone Police in the absence of the Inspector-General;
- (iv) exercise the responsibilities that may be delegated to him by the Inspector-General;
- (v) coordinate the activities of the Directors and Regional Police Commanders and report to the Inspector-General;
- (vi) perform any other duties that may be assigned to him by the Inspector General.

Instituting  
proceedings

**10.** (1) Criminal proceedings in the Magistrate's Court may be instituted by -

- (a) a Police Officer, pursuant to the powers conferred on the Attorney-General and Minister of Justice under subsection (3) of section 64 and on the Director of Public Prosecutions under subsection (5) of section 66 of the Constitution by-

(i) bringing a person arrested with or without a warrant before a Magistrate or Justices of the Peace upon the charge upon which he has been arrested; or

(ii) laying an information before a Magistrate for the issue of a warrant or a summons;

(b) a person or legal practitioner, making a complaint or laying an information before a Magistrate for the issue of a warrant or summons in respect of the complaint or information:

Provided that -

(i) the complaint shall be in writing; and

(ii) if a warrant is requested, the complaint shall be on the oath of the person making the complaint or a witness to the offence.

(2) It shall be sufficient if in the title of the committal proceedings or in a summary trial, the prosecutor is -

(a) a Police Officer, described as the "Inspector-General of Police"; and

(b) a private person, whose name shall appear in the title of the proceedings as the prosecutor.

Removal of  
the Inspector-  
General from  
office

**11.** The Inspector-General may be removed from office by the President acting on the advice of the Police Council for:

(i) serious violations of the Constitution;

(ii) gross misconduct;

(iii) physical or mental incapacity to perform the functions of the office;

(iv) incompetence;

(v) bankruptcy;

(vi) conviction for any offence involving fraud or dishonesty.

Oath of office  
of the  
Inspector-  
General Police

**12.** The Inspector-General and the Deputy-Inspector-General shall each take and subscribe to the oath or affirmation as set out in **the first Schedule**.

Tenure of office  
of Inspector-  
General

**13.** The Inspector General of Police shall be appointed for an unrenovable fixed term of four years.

Composition  
of the Police  
Service

**14.** The composition of the Police Service shall be—

- (i) the Inspector-General;
- (ii) the Deputy Inspector-General;
- (iii) Assistant Inspector-General;
- (iv) Commissioner;
- (v) Assistant Commissioner;
- (vi) Chief Superintendent;
- (vii) Superintendent;
- (viii) Deputy Superintendent;
- (ix) Assistant Superintendent;
- (x) Chief Inspector;
- (xi) Inspector;
- (xii) Sub-Inspector;
- (xiii) Sergeant-Major;
- (xiv) Sergeant;
- (xv) Corporal;
- (xvi) Constable;
- (xvii) Recruit;
- (xviii) all persons who before the enactment of this Act were members;
- (xix) such other persons as may from time to time be appointed under this Act;
- (xx) such other ranks as may from time to time be created.

### **PART III – THE POLICE COUNCIL**

Composition  
of the Police  
Council

**15.** (1) There shall continue to be in existence the Police Council.

(2) The Police Council shall be composed of the following:

- a. the Vice-President who shall be Chairman;
- b. the Minister of Internal Affairs;
- c. the Inspector-General;
- d. the Deputy Inspector-General;
- e. the Chairman of the Public Service Commission;
- f. a member of the Sierra Leone Bar Association who shall be a legal practitioner of not less than ten years standing as a practicing barrister, and shall

be nominated by that body and appointed by the President;

g. two other members appointed by the President, subject to the approval of Parliament.

(2) Every member of the Police Council shall take and subscribe the oath as set out in the **second schedule** of this Act.

(3) The Permanent Secretary of the Ministry responsible for matters relating to the Police shall be Secretary to the Council.

Functions of the Police Council **16.** The Police Council shall be responsible for the following:

- a. advising the President on all major matters of policy relating to internal security, including the role of the Service, Police budgeting and finance, administration and any other matter as the President shall require;
- b. making regulations, subject to the prior approval of the President, for the performance of its functions under the Constitution or any other law;
- c. the effective and efficient administration of the Police Service;
- d. to appoint persons to hold or act in an office in the Police Service from the rank of Assistant Superintendent of Police and above, excluding the Inspector-General, (including the power to make appointments on promotion and to confirm appointments), and to dismiss, reduce in rank and to exercise disciplinary control over persons holding or acting in such offices.
- e. acting on the recommendation of the Inspector-General to appoint persons to hold or act in any office in the Police Service below the rank of Assistant Superintendent of Police, (including the power to make appointments on promotion and to confirm appointments), and to dismiss, reduce in rank and to exercise disciplinary control over persons holding or acting in such offices.
- f. on the recommendation of the Inspector-General, to approve for enlistment of fit men to serve as special constables for full-time or part-time employment with the Service.
- g. to determine the types and quality of equipment and supplies to be procured by the Service;



- h. to approve standards of recruitment and training within the Service;
- i. to ensure efficient organisation and administration of the Service;
- j. to ensure that the Service is of a national character and composition.

Regulations  
made by  
the Council

**17.** The regulations made pursuant to the provisions of section 16 (b) shall include the following matters—

- (a) the control and administration of the Police Service of Sierra Leone;
- (b) determining the ranks of officers and men of each unit of the Police Service, the members in each such rank and the use of uniforms by such members;
- (c) the conditions of service, including those relating to enrolment and to pay, pensions, gratuities and other allowances of officers and men of each unit and deductions therefrom;
- (d) the authority and powers of command of officers and men of the Police Service;
- (e) the delegation to other persons of powers of commanding officers to discipline accused persons, and the conditions subject to which such delegation may be made.

#### **PART IV - FUNCTIONS OF THE POLICE**

Functions  
of the  
Police

**18.** (1) The functions of the Police are to:

- (a) protect the lives and property of all persons in Sierra Leone;
- (b) prevent and detect crimes and protect the rights and freedoms of every person in Sierra Leone as provided in the Constitution and any other law;
- (c) maintain public safety, law and order;
- (d) enforce all laws and regulations without prejudice to the enabling Acts of other security agencies;
- (e) discharge such duties within and outside Sierra Leone as may be required of it under this Act or any other law;
- (f) collaborate with other agencies to take any necessary action and provide the required assistance or support to persons in distress including victims of road accidents, fire disasters, earthquakes, floods and any other disaster;

- (g) facilitate and collaborate with other persons or authorities to ensure the free passage and movement on highways, roads and streets open to the public; and
- (h) adopt community partnership techniques and methods in the discharge of its responsibilities under this Act or under any other law.

- (2) The provisions in subsection (1) shall not in any way derogate from the powers and functions that may be conferred on the Police by any other law.

## **PART V – RECRUITMENT, ENLISTMENT AND TRAINING OF POLICE OFFICERS**

Oath of Police Officers	<p><b>19.</b> (1) Every superior Police officer shall on appointment take and subscribe to an oath set out in the <b>third schedule</b> of this Act.</p> <p>(2) The oath shall be taken either before the Inspector-General or any Police officer authorized by the Inspector-General.</p>
Certificate of appointment	<p><b>20.</b> (1) The Inspector-General shall issue a certificate of appointment to every person appointed as a Police officer.</p> <p>(2) A certificate issued to a Police officer under this section shall be prima facie evidence of that officer's appointment.</p>
Retirement from the Service.	<p><b>21.</b> A Police Officer may retire at any time after attaining the age of fifty-five years and shall vacate his office on attaining the age of sixty years.</p>
Membership of international associations.	<p><b>22.</b> It shall be lawful for Police officers to be members of international police associations subject to the control or regulation of the Police Council.</p>
Training Policy and Curriculum	<p><b>23.</b> (1). There shall be established, kept and maintained institutions and facilities for the training of Police officers.</p> <p>(2) The Inspector-General shall ensure that all Police officers undergo periodic training in, inter alia, the following areas:</p> <ul style="list-style-type: none"> <li>(a) basic policing, ethics, code of conduct and standard operating procedures;</li> <li>(b) crime detection and law enforcement,</li> </ul>

- (c) investigation and gathering of evidence;
  - (d) effective nationwide citizen engagement;
  - (e) human rights, gender, public relations and other emerging areas;
  - (f) good governance, anti-corruption and the rule of law;
  - (g) criminal prosecution and defence of cases.
- (3) The Inspector-General, in consultation with the Police Council shall be responsible for the revision of the training duration and the contents of the training programmes of Police officers.
- (4) The Inspector-General shall ensure that training programmes are made available to all police officers irrespective of gender and for all other staff or employee charged with responsibilities for discharging the duties and responsibilities of the Police Service.

Enlistment  
and service  
of constables

**24.** Every constable shall before enlistment sign an attestation paper in the form as set out in **the Fourth Schedule** and shall, on appointment be enlisted to serve in the Service for six years or such other period as may be fixed by the Minister, to be reckoned in all cases from the date on which he has been approved for service and taken on the strength. For the first three years of service a constable shall be on probation and if during that same period is found unfit for his duties shall thereupon cease to belong to the Service or have any claim against the Service except for any pay which may be due to him when he so ceases to belong to the Service:

provided that for the first six months of service or until he has completed the period of training a constable shall be considered a recruit, and will draw such pay as may be laid down for a recruit.

Declaration  
on enlistment

**25.** Every constable shall on being enlisted make and sign the declaration set out in the **Fifth Schedule** before the Inspector-General or before a Superior Police Officer authorized by the Inspector-General to receive such declaration, and the Inspector-General or other officer receiving such declaration shall date and sign it as having been made before him.

**26.** (1) Any constable of good character who has completed or is within six months of completing his period of enlistment may, with the approval of the Inspector-General, re-engage to serve for subsequent periods of three years until he has completed a total of twenty-one years of service reckoning from the time of his enlistment. A constable who so re-engages shall make before a Superior Police Officer the declaration set out in the **Sixth Schedule**.

- (2) Upon completing such period of twenty-one years he may, if he so desires, and with the approval of the Inspector-General continue to serve in the Service for such extended periods as may be approved in the same manner in all respects as if his term of service were still unexpired, except that it shall be lawful for him to claim his discharge at the expiration of three months after he has given notice to the Inspector-General of his wish to be discharged.
- (3) If a constable offers to re-engage within six months after having received his discharge he will, if his offer of service is accepted, on re-engagement be entitled to the rank which he was holding at the time of his discharge, provided that there is a vacancy in the establishment of that rank at the time he re-engages.
- (4) The Inspector-General may at his discretion permit a constable to re-engage after a period of six months has elapsed since discharge and may, further in his discretion, reinstate such constable to the rank he held prior to discharge.
- (5) Any constable whose period of service expires during a state of war, insurrection, hostilities or local disturbances may be retained in service and such service may be prolonged for such period as the Inspector-General may direct.

- (6) Subject to the provisions of subsection (2) no constable shall be at liberty to resign, or to withdraw himself from his duties, unless expressly allowed to do so by the Inspector-General.

Discharge  
of certain  
police  
officers

**27.** Any police officer of and below the rank of Inspector may at any time during the currency of any term of engagement be discharged, when such police officer –

- (i) has been pronounced by a medical officer to be physically or mentally unfit for further service; or
- (ii) in the appropriate case has applied for his discharge under subsection (2) of section 26 or has been permitted by the Inspector-General to resign.

Enlistment  
of special  
constables

**28.** (1)(a) It shall be lawful for the Inspector-General, subject to the approval of the Police Council to enlist fit men as special constables for full-time or part-time employment with the Service when it is necessary to augment the regular Service for the preservation of public peace and the prevention and detection of crime.

(b) The Police Council may prescribe the terms and conditions of service, including the rates of pay of special constables, and may prescribe different terms and conditions for such special constable as the Police Council may direct.

(c) The Inspector-General may designate any person enlisted as special constable to a post not above the rank of Inspector.

(2) When it shall appear that any unlawful assembly or riot, or disturbance of the peace has taken place, or may be reasonably apprehended, and that the ordinary officers employed for preserving the peace are not sufficient for its preservation and for the protection of the inhabitants and the security of property, a police officer, not below the rank of Assistant Inspector-General may forthwith enlist fit men as special constables for such time as shall seem necessary for the preservation of the public peace.

- (3) On enlistment every special constable shall receive a notice of appointment in the form set out in the **Seventh Schedule**.

Powers  
and duties  
of special  
constables

- 29.** (1) Every special constable shall have the same powers, privileges and protection and shall be liable to perform the same duties, and be amenable to the same penalties and be subordinate to the same authorities as a Police officer.

- (2) Every special constable shall have such rank as shall be assigned to him by the Inspector-General under paragraph (c) of subsection (1) of section (28).

Equipment  
of special  
constables

- 30.** The clothing and equipment for the use of special constables for the proper carrying out of their duties shall be provided at the public's expense.

Refusal to  
serve or  
obey orders  
as special  
constable

- 31.** If any person, being appointed a special constable and being called upon to serve, refuses or neglects to serve or obey such lawful orders and directions as may be given to him for the performance of his duties, he shall, for every such refusal or neglect, be liable, on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding five thousand leones unless he satisfies the Magistrate that he was prevented by sickness or other unavoidable cause as may in the opinion of the Magistrate be a sufficient excuse from so serving or from performing the duties required of him.

Termination  
of special  
constable's  
service

- 32.** (1) The Inspector-General, or a Superior Police Officer duly authorised by him may terminate the services of any special constable, and shall forthwith transmit notice thereof in writing in the form set out in the **Seventh Schedule** to the special constable concerned.

(2) Every special constable shall within one week after the receipt of a notice terminating his appointment deliver to such person at such time and place as may be stated in the notice, his form of appointment, clothing and other equipment which may have been provided for such special constable under this Act.

(3) Any special constable or Police officer who refuses or neglects to make such delivery prescribed in subsection (2) commits an offence and is liable on summary conviction to imprisonment for a term not exceeding one month or a fine not exceeding five thousand leones or to both such fine and imprisonment and shall be required to pay the costs of any clothing and equipment not so delivered.

Return of  
police  
equipment  
upon  
cessation of  
service

**33.** (1) A Police officer shall, within ten days after ceasing to be a member of the Service, whether arising by termination, dismissal, retirement or otherwise deliver to such person at such time and place as may be communicated to him by the Inspector-General or any other Superior Police Officer his clothing, arms, ammunition and other equipment which may have been provided for him under this Act.

(2) Any special constable or Police officer who refuses or neglects to make such delivery prescribed in subsection 1 commits an offence and is liable on summary conviction to imprisonment for a term not exceeding one month or a fine not exceeding five thousand leones or to both such fine and imprisonment and shall be required to pay the costs of any clothing and equipment not so delivered.

Gratuities  
for special  
constables

**34.** (1) No special constable shall by virtue of his service as such have any claim on any police fund or for a pension or gratuity under this Act or any other law; provided that, notwithstanding the provisions of this subsection, special constables

enlisted and designated Auxiliary police by the Inspector-General shall be eligible for payment of gratuities on the same conditions as other non-pensionable officers.

- (2) The dependants of a special constable who is killed in the actual discharge of his duty may be paid such gratuities and pensions as may be provided by Rules made under this Act.

Powers of  
Police  
Officers-  
prosecution

- 35.** In exercise of powers conferred upon him by the Constitution (the Attorney-General & Minister of Justice may issue general or special instructions governing the conduct of the prosecution of offences and such instructions may confer power and impose duties on any constable, public officer or other person (other than an accused or a defendant) concerned in or otherwise connected with the prosecution of any criminal proceedings respecting the conduct of those proceedings.

Control of  
traffic

- 36.** The Superior Police Officer in charge of the Police in any area may make such orders as he thinks fit for the temporary direction and parking of any vehicular traffic which includes cars, lorries, cycles, hand carts or any animal-drawn vehicle.

## **PART VI – PROCESSIONS**

Processions  
may be  
prohibited

- 37.** (1) Any person who intends to take part or takes part in organising or holding any procession shall first notify the Inspector-General in writing of his intention to do so and any person who fails to give such notification as aforesaid shall be guilty of an offence.

- (2) The Inspector-General shall by order in writing addressed to such persons giving notice, disallow the holding of any procession or impose such conditions as he shall think fit on any procession where in his opinion the interests of defence, public order, public safety or public morality so require.



- (3) Any person who takes part in any procession which has been disallowed by the Inspector-General or fails to comply with any of the conditions imposed by him under the provisions of sub-section (2) shall be guilty of an offence.
- (4) Any person found guilty of an offence under this section is liable on conviction to a fine not exceeding ten thousand Leones or to imprisonment for a period not exceeding three months or both such fine and imprisonment.
- (5) This section shall not apply to processions of the following nature—
  - a) circumcision;
  - b) funeral;
  - c) marriage;
  - d) scouts or girl guides;
  - e) schools.

Power to  
stop  
processions

**38.** (1) Any police officer may stop any procession which has been disallowed under this Part or which violates any of the conditions imposed under this part, and may order such procession to disperse.

(2) All persons taking part in any such procession who refuse to obey an order by a police officer to stop or disperse commits an offence and is liable on conviction to a fine not exceeding five thousand leones or to imprisonment for a period not exceeding three months or to both.

Provisions as  
to exempted  
processions

**39.** (1) Every person taking part in any procession exempted under the provisions of subsection (5) of section 35 shall keep to the left of the middle line of any road through which such procession shall pass and shall comply with any direction of the police in regard to the route which it shall follow.

(2) Any person who contravenes any of the provisions of subsection (1) or who shall in any way interfere with vehicular or pedestrian traffic commits an

offence and is liable on conviction to a fine not exceeding five thousand leones or to imprisonment for a period not exceeding one month or both such fine and imprisonment.

Prohibition  
of certain  
acts

**40.** (1) No person taking part in a procession shall except with the permission in writing of the Inspector-General

- a) carry a lighted torch; or
- b) carry or bear any offensive weapons.

(2) Any person who contravenes any of the provisions of this section commits an offence and is liable on conviction to a fine not exceeding five thousand leones or to imprisonment for a period not exceeding six months or both such fine and imprisonment.

Ejection of  
disorderly  
persons

**41.** Any person conducting himself in such a manner in any public place, street or highway, as to cause an obstruction or annoyance to the public, may be moved on by any police officer or arrested and taken before a Magistrate and on summary conviction is liable to a fine not exceeding five thousand leones.

Provisions  
only to apply  
when not in  
force by  
proclamation

**42.** It shall be lawful for the President, whenever any tumult or riot has taken place or may reasonably be apprehended, or public order is otherwise endangered, by proclamation, to put in force for a period not exceeding three months in such areas as are named in the said Proclamation all or any of the following provisions—

- a) A police officer may disperse any assemblage whatever; which in his opinion is likely to cause, provoke, facilitate or render more serious, any disturbance or breach of the peace in any street, highway, path or public place and may arrest any person in such assemblage refusing or delaying to disperse, or reassembling, after dispersal. Any person so reassembling shall if the Magistrate considers that there was reasonable ground for dispersing the assemblage, be liable on summary conviction to imprisonment for a period not

exceeding six months, or to a fine not exceeding one hundred leones, or both such fine and imprisonment.

- b) Any person found in a street, highway, path or public place in possession of any stick, stave, bludgeon, iron bar, or weapon of any sort or description which, in the opinion of the police officer, he is carrying either for the purpose of assisting a disturbance or is likely to use in case of a disturbance arising, may be arrested, and if the Magistrate is of the same opinion, be summarily tried and if convicted by him shall be punished in like manner as is laid down in paragraph (a);
- c) Any person making use of any words or gestures which in the opinion of a police officer is likely to lead to a breach of the peace, may be arrested and may be summarily tried and if convicted shall be punished in like manner as is laid down in paragraph (a).

## **PART VII - ARRESTS GENERALLY – BY POLICE & PRIVATE CITIZENSWITH & WITHOUT WARRANT**

Arrests  
generally

- 43.** (1) A suspect or defendant alleged or charged with committing an offence established by an Act of Parliament or under any other law may be arrested, investigated, tried or dealt with according to the provisions of this Act.
- (2) A person shall not be arrested for a civil wrong or for a breach of contract.
- (3) A suspect shall be brought before the court as prescribed by this Act or any other law or otherwise released conditionally or unconditionally.

Physical  
contact  
in arrest

- 44.** In making an arrest, the Police Officer or other person making the arrest shall actually touch or confine the body of the suspect, unless there is a submission to the arrest or custody by word or action.

No  
unnecessary  
restraint

- 45.** A Police officer effecting an arrest may not handcuff, bind or subject the suspect to restraint except:

- a. there is reasonable apprehension of violence or an attempt to escape;
- b. the restraint is considered necessary for the safety of the arresting officer, the suspect or defendant; or
- c. by an order of court.

Notification of cause of arrest and rights of suspect

**46.** (1) Except when the suspect is in the actual course of the commission of an offence or is pursued immediately after the commission of an offence or has escaped from lawful custody, the police officer or other person making the arrest shall inform the suspect immediately of the reason for the arrest.

(2) The police officer, the person making the arrest or the police officer in charge of a police station shall inform the suspect of his rights to:

- (a) remain silent or avoid answering any question until after consultation with a legal practitioner or any other person of his choice;
- (b) consult a legal practitioner of his choice before making, endorsing or writing any statement or answering any questions put to him after arrest.

Arrest in lieu prohibited

**47.** The police shall not arrest another person in place of a suspect.

Humane treatment of arrested suspect

**48.** Every person arrested by the Police shall be:

- (a) treated humanely and with dignity; and
- (b) not be subjected to any form of torture, cruel, inhumane or degrading treatment.

Arrest by police

**49.** (1). A police officer may, without an order of a court or a warrant, arrest:

- (a) any person who commits any offence in his presence;
- (b) any person whom any other person positively accuses of having committed any felony or an offence punishable by a sentence of life imprisonment, or an offence of larceny, embezzlement, or obtaining property by false pretences or receiving of stolen property;
- (c) any person whom any other person suspects of having committed any felony or any misdemeanour mentioned in paragraph (b), if the suspicion of such other person appears to the constable to be well founded;

- (d) any person whom he has reasonable cause to suspect of having committed or being about to commit any felony unless the law creating the offence provides that the suspect cannot be arrested without a warrant;
- (e) any loose, idle or disorderly person whom he finds in any way disturbing the peace, whether in a public or private place, or causing annoyance to any person;
- (f) any person who obstructs a police officer while in the discharge of his duty, or who has escaped or attempted to escape from lawful custody;
- (g) any person in whose possession any property or thing is found which may reasonably be suspected to be stolen property or who may reasonably be suspected of having committed an offence in relation to the property or thing;
- (h) any person whom he suspects on reasonable grounds of being a deserter from the Police or any of the armed forces in Sierra Leone;
- (i) any person whom he suspects on reasonable grounds of having been involved in an act committed at a place outside Sierra Leone which, if committed in Sierra Leone, would have been punished as an offence, and for which he is, under a law in force in Sierra Leone liable to be apprehended and detained in Sierra Leone;
- (j) any person having in his possession, without lawful excuse, any implement of housebreaking, car theft, firearm or any offensive or dangerous weapon, illegal substances or contraband;
- (k) any person whom he has reasonable cause to believe that a warrant of arrest has been issued against by a court of competent jurisdiction;
- (l) any person found taking precautions to conceal his presence in circumstances, which afford reasons to believe that he is taking such precautions with a view of committing an offence;
- (m) any person whom he is directed to arrest by a judge or magistrate;
- (n) any person whom he reasonably suspects to be planning to commit an offence for which the police officer may arrest without a warrant, if it appears to him that the commission of the offence cannot be otherwise prevented;
- (o) any person to protect a child or other vulnerable person from the suspect in question; and

(p) any person to prevent the person in question from:

- (i) causing physical injury to himself or any other person;
- (ii) suffering physical injury;
- (iii) committing an offence against public decency where members of the public going about their normal business cannot reasonably be expected to avoid the person in question; or
- (iv) causing loss of or damage to property.

(2) The authority given to a police officer to arrest a person who commits an offence in his presence is exercisable in respect of an offence committed in the officer's presence notwithstanding that the Act creating the offence provided that the suspect cannot be arrested without a warrant.

Arrest without  
warrant by  
private person

**50.** A private person may arrest without a warrant, a person -

(a) who in his presence commits a felony or an offence punishable by a sentence of life imprisonment;

(b) whom he suspects of having committed a felony or an offence punishable by a sentence of life imprisonment if -

(i) the felony or other offence had actually been committed; and

(ii) he has reasonable grounds to believe that the person arrested has committed that offence;

(c) offering to sell, pawn or deliver property which he has reasonable grounds to believe to be stolen property;

(d) about to commit an act which would manifestly endanger another person's life;

(e) detaining or suspected of detaining another person with the intent to kidnap or unlawfully remove him from Sierra Leone.

Handing over of  
an arrested  
suspect by  
private person

**51. (1)** A private person who arrests a suspect shall immediately hand over the suspect to a police

officer or, in the absence of a police officer to an official authorized by law to make arrests.

- (2) Where a suspect so arrested by a private person is handed over to a police officer or an official of an agency authorized by law to make arrests, the police officer or official shall take note of the name, residential address and other particulars of the private person making the arrest, and the date, time and other circumstances of the arrest, and where the arrested suspect is taken to a police station or to the agency, the officer shall make the entries in the crime diary, log book or document provided for that purpose.
- (3) The police officer or officials to whom the arrested suspect is handed over by a private person shall obtain from the private person who made the arrest a formal witness statement setting out the facts and circumstances of the arrest.

Arrest for offence committed in presence of judge or magistrate

- 52.** A judge or magistrate may arrest or direct the arrest of a suspect committing an offence in his presence and shall thereupon hand him over to a police officer who shall thereafter take the necessary action.

When public is bound to assist in arrest

- 53.** (1) A person is bound to assist a judge, magistrate, police officer or other person reasonably demanding his aid in arresting or preventing the escape of a suspect whom the judge, magistrate, police officer or other person is authorized to arrest.

- (2) Where a Police Officer is assaulted or obstructed when making an arrest, a private person, on whom he may call for aid, shall go to his assistance.

Arrested suspect to be taken immediately to police station

- 54.** (1). A suspect who is arrested, whether with or without a warrant shall be taken immediately to a police station, or other place for the reception of suspects, and shall be promptly informed of the allegation against him in the language he understands.

- (2) A person who has the custody of an arrested suspect shall give the suspect reasonable facilities for obtaining legal advice, access to communication for taking steps to furnish bail and

otherwise making arrangements for his defence or release.

- (3) Any communication or legal advice shall be done without the presence of the officer who has custody of the arrested person.

Recording  
of arrests

**55.** (1) Where a suspect is arrested, whether with or without a warrant, and taken into a police station or any other agency effecting the arrest, the police officer making the arrest or the officer in charge shall cause to be written immediately, in the prescribed form, the following record of the arrested person:

- (a) the alleged offence;
- (b) the date and circumstances of his arrest;
- (c) his full name, occupation and residential address; and
- (d) for the purpose of identification:
  - (i) his height;
  - (ii) his photograph;
  - (iii) his full fingerprint impressions; or
  - (iv) such other means of his identification.

- (2) The process of recording the details in subsection (1) shall be concluded within a reasonable time of the arrest of the suspect, but in any event within a period not exceeding 48 hours.

- (3) Any further action in respect of the suspect arrested under subsection (1) shall be entered in the record of arrests.

- (4) Where a suspect who is arrested, with or without a warrant, volunteers to make a confessional statement, the police officer shall ensure that the making and taking of the statement is in writing and may be recorded electronically on a retrievable video or by an audio-visual means.

- (5) Notwithstanding the provision of subsection (4), the oral confession of an arrested suspect may be admissible in evidence.

- (6) Any Police officer who illegally procures a confession from an arrested person commits an offence and is liable on conviction to a fine not exceeding twenty thousand leones or to



imprisonment for a term not exceeding three months or to both such fine and imprisonment.

Power to  
break out of  
a house or  
place for the  
purpose of  
liberation

**56.** A Police officer or any other person authorized to make an arrest may break out of a house or place in order to liberate himself or any other person who, having lawfully entered for the purpose of making an arrest, is detained in the house or place.

Inventory of  
property of  
arrested  
suspect

**57.** (1) A Police officer making an arrest or to whom a private person hands over a suspect, shall immediately record information about the arrest and an inventory of all items or property recovered from the suspect.

(2) An inventory recorded under subsection (1) shall be duly signed by the police officer and the arrested person, but the failure of the arrested person to sign the inventory shall not invalidate it.

(3) Where the arrested person refuses to sign the inventory pursuant to subsection 2, the Police officer shall make a note of the refusal.

(4) The arrested person, his legal practitioner or such other person, as the arrested person may direct, shall be given a copy of the inventory.

(5) Where any property has been taken under this section from an arrested person, a police officer may, upon request by either the owner of the property or parties having interest in the property, release such property on bond pending the arraignment of the arrested person before a court.

(6) Where a police officer refuses to release the property to the owner or any person having interest in the property under subsection (5), the Police officer or the owner of the property shall immediately make an application to the court in respect of the fact of the property taken from the arrested suspect and the particulars of the property.

(7) The court to which the application is made under subsection (6), may, if it is of the opinion that the property or any portion of it can be returned in the interest of justice to the safe custody of the owner

or person having interest in the property, direct that the property or any portion of it be returned to the owner or to such person having interest in the property.

- (8) Where any property has been taken from an arrested person under this section, and that person is not charged before a court but is released on the ground that there is no sufficient reason to believe that he has committed an offence, any property so taken shall be immediately returned to him, provided the property is neither connected to nor a proceed of crime.

### **PART VIII - POWERS OF THE POLICE TO SEARCH WITH OR WITHOUT A WARRANT**

Power to search

- 58.** (1) A police officer may seize and retain anything for which a search has been authorized.

- (2) In every case in which property is seized under this section, the person on whose premises it was at the time of seizure or the person from whom it was taken, if other than the person on whose premises it was, may be summoned or arrested and brought before a court to account for his possession of the property, and the court shall make such order on the disposal of the property and may award costs as the justice of the case requires.

- (3) While searching any such premises, a Police officer shall not violate the human rights of persons found in those premises.

Powers to stop and search

- 59.** (1) A Police officer may exercise the power to stop and search in any:

- (a) place the public or any section of the public has access to, on payment or otherwise, as of right or by virtue of express or implied permission; or
- (b) other place to which the public has ready access at the time when he proposes to exercise the power but which is not a private residence.

- (2) A Police officer may detain and search any person or vehicle where:

- a) reasonable grounds for suspicion exist that a suspected person is having in his possession; or

conveying in any manner anything which he has reason to believe to have been stolen or otherwise unlawfully obtained;

- b) reasonable grounds for suspicion exist that such person or vehicle is carrying an unlawful article;
- c) reasonable grounds for suspicion exist that incidents involving serious violence may take place within a locality;
- d) information has been received as to the description of an article being carried or of a suspected offender being transported; and
- e) a person is carrying a certain type of article at an unusual time or in a place where a number of burglaries or thefts are known to have recently taken place.

(3) If, in the course of a search, a police officer discovers an article which he has reasonable grounds for suspecting to be a stolen or prohibited article, it may be seized.

(4) An article is prohibited for the purposes of this part of this Act if it is:

- (a) an offensive weapon; or
  - (b) an article made or adapted for use in the course of or in connection with an offence to which this section refers; or
- intended by the person having it with him for such use by him or by some other person.

(5) The offences to which subsection (4) (b) (i) applies are:

- (a) burglary, robbery, house breaking and larceny;
- (b) offences related to receiving stolen property or of harboring thieves, or of any offence involving fraud or dishonesty.

(6) In this part of this Act “offensive weapon” means any article:

- (a) made or adapted for use for causing injury to person; or
- (b) intended by the person having it within him for such use by him or by some other person.

Action before  
a search  
takes place

**60.** (1) Where a police officer is exercising the powers under section 59 of this Act, he shall, before carrying out the search, question the person about his behaviour or his presence in the circumstances which gave rise to the suspicion.

- (2) If the person to be searched has a satisfactory explanation which makes a search unnecessary or other circumstances come to the attention of the police officer that make the search unnecessary, no search may take place.
- (3) A police officer shall before any search of a detained person or vehicle may take place give the person to be searched or in charge of the vehicle:
  - (a) his name and the name of the police station to which he is attached;
  - (b) the object of the search; and
  - (c) his grounds or authorization for undertaking the search.
- (4) A police officer exercising the power to stop and search shall be in uniform or visibly wearing or carrying a valid Police identity card.

General  
conduct of  
the search

- 61.** (1) A police officer shall make reasonable effort to minimize the embarrassment that a person or the person whose property is being searched may experience.
- (2) The co-operation of the person to be searched shall be sought in every case.
- (3) A forcible search may be used as a last resort only if it has been established that the person being searched or about to be searched is unwilling to co-operate or resists the search.
- (4) The length of time for which a person or vehicle may be detained for a search depends on the circumstances, but this shall be within a reasonable time.
- (5) Searches in public shall be restricted to superficial examination of outer clothing.
- (6) Where it is considered necessary to conduct a more thorough search that requires a person to take off his cloth or headgear, it:
  - (a) shall be done out of the public view and by an officer of the same sex with the person being searched; and

- (b) may not be made in the presence of anyone of the opposite sex unless the person being searched requests it.

Search of  
arrested  
suspect

**62.** (1) Where a suspect is arrested by a police officer or a private person, the police officer making the arrest or to whom the private person hands over the suspect may search the suspect if the police officer has reasonable grounds to believe that the arrested person may present a danger to himself or others.

(2) A police officer shall also have the power in any such case to search the arrested person for anything:

- (a) which he might use to assist him to escape from lawful custody; or
- (b) which might be evidence relating to an offence.

(3) Where an arrested suspect is admitted to bail and bail is furnished, he shall not be searched unless there are reasonable grounds for believing that he has on his person:

- (a) stolen article;
- (b) instrument of violence or poisonous substance;
- (c) tools connected with the kind of offence which he is alleged to have committed; or
- (d) other articles which may furnish evidence against him in regard to the offence, which he is alleged to have committed.

(4) The power to search conferred under subsection (2) is only a power to search to the extent that is reasonably required for the purpose of discovering anything or evidence.

(5) The powers conferred under this section to search a person are not to be construed as authorizing a Police officer to require a person to remove any of his clothing in public.

(6) A police officer may not search premises in the exercise of the power conferred under subsection (2) (b) unless he has reasonable grounds for believing that there is evidence for which a search is permitted on the premises under that subsection.

- (7) A police officer shall place in safe custody all articles other than necessary wearing apparels found on the suspect.

Examination  
of arrested  
suspect

**63.** (1) Subject to the provision of this section, an intimate search of a suspect may be carried out, if a police officer of at least the rank of Assistant Superintendent of Police, or a Police Officer in charge of a Police Station or Police Post has reasonable grounds for believing that the suspect in lawful custody:

- (a) may have concealed on him anything which:
  - (i) could be used to cause physical injury to himself or others; and
  - (ii) might so use while he is in police detention or in custody of a court;
  - (iii) is a substance or product that is illegally in his possession; or
- (b) that evidence of the offence alleged to have been committed can only be obtained from examination of the suspect.

(2) An authorization under subsection (1) may be given orally or in writing, and where an oral authorization has been given, it shall be confirmed in writing as soon as practicable specifying the grounds for the intimate search.

(3) A police officer carrying out the intimate search shall inform the person who is to be subjected to search of the:

- (a) purpose for the search; and
- (b) authorization and grounds for the search.

(4) An intimate search shall be done by way of examination by a suitably qualified person.

(5) Where an officer of the rank of at least an Assistant Superintendent of Police considers it impracticable for an intimate search to be done by way of examination by a qualified person, the intimate search may be carried out by a police officer of the rank of sergeant and above.

(6) No intimate search may be carried out except:

- (a) at a police station, post or unit;
- (b) at an hospital; or
- (c) at airports and border crossings;

- (d) other scenes of crimes;
  - (e) at such other places used for medical purposes.
- (7) When an intimate search of a person is carried out, the custody record relating to him shall state:
- (a) the authorization by virtue of which the search was carried out;
  - (b) the grounds for giving the authorization;
  - (c) the fact that any appropriate consent was given;
  - (d) which parts of his body were searched; and
  - (e) why they were searched.
- (8) The information required to be recorded by subsection (7) of this section shall be recorded as soon as practicable after the completion of the search.
- (9) The custody officer at a police station may seize and retain anything which is found on an intimate search of a person, or cause any such thing to be seized and retained if he;
- (a) believes that the person from whom it is seized may use it to:
    - (i) cause physical injury to himself or any other person;
    - (ii) damage property;
    - (iii) interfere with evidence; or
    - (iv) assist him to escape.
  - (b) if he has reasonable grounds for believing that it may be evidence relating to an offence.
- (10) Where anything is seized under this section, the suspect from whom it is seized shall be told the reason for the seizure unless he is:
- (a) violent or likely to become violent; or
  - (b) incapable of understanding what is required to be said to him under this subsection.
- (11) Where the appropriate consent for an intimate search of any suspect was refused without good cause, in any proceeding against that suspect for the offence for which the search was required, the court, magistrate or presiding judicial officer may draw such inferences from the refusal as it is considered proper.
- (12) In this section “*suitably qualified person*” means a registered:
- (a) medical practitioner; or

(b) nurse.

Where  
reasonable  
suspicion  
never exists

**64.** The following shall not be grounds for reasonable suspicions:

- (a) personal attributes, including a person's color, age, hairstyle or manner of dress;
- (b) previous conviction for possession of an unlawful article; or
- (c) stereotyped images of certain persons or groups as more likely to be committing offences.

Search of place  
entered by  
suspect sought  
to be arrested

**65.** (1) Where a person or Police officer acting under a warrant of arrest or otherwise having authority to arrest, has reason to believe that the suspect to be arrested has entered into or is within any house or place, the person residing in or being in charge of the house or place shall, on demand by the Police officer or any person acting for the Police officer, allow him free access to the house or place and afford all reasonable facilities to search the house or place for the suspect sought to be arrested.

(2) Where access to a house or place cannot be obtained under subsection (1) of this section, the person or police officer may enter the house or place and search it for the suspect to be arrested, and in order to effect an entrance into the house or place, may break open any outer or inner door or window of any house or place, whether that of the suspect to be arrested or of any other person or otherwise effect entry into such house or place, if after notification of his authority and purpose, and demand of admittance duly made, he cannot obtain admittance.

(3) Where the suspect to be arrested enters a house or place in the actual occupancy of another person being a woman who by custom or religious practice does not appear in public, the person making the arrest shall:

- (a) before entering the house or place, give notice to the woman that she is at liberty to withdraw; and
- (b) afford her every reasonable opportunity and facility for withdrawing, and may then enter the house or place, but the notice shall not be necessary where the person making the arrest is a woman.



When Police Officer may arrest without warrant

**66.** A Police officer may, without a warrant enter any premises or place where a suspected kidnapped person is held or detained or where any person is held against his will for an unlawful purpose.

Action after search is carried out.

**67.** (1) An officer who has carried out a search shall make a written record unless it is not practicable to do so, including situations where the number of persons to be searched is large or in situations involving public disorder.

(2) The records shall be completed and signed by the officer and person being searched on the spot and a copy given to the person being searched or the vehicle driver if it is a vehicle.

(3) Subject to subsection (2), in case the search record is not available on the spot, the officer that carried out the search shall advise the person searched or the driver of the vehicle searched, of the police station the person may pick up the search records.

(4) A searched person may refuse to collect a search record that his signature is not appended on.

(5) Where the person to be searched is unwilling to provide detailed information about himself, the officer may not detain him, he shall be allowed to go unless unlawful items are found in his possession or in the vehicle searched.

Search warrant safeguards

**68.** (1) A search warrant is unlawful unless it complies with the provisions of this section.

(2) Where a police officer applies for any search warrant, it shall be his duty to state:

- (a) the ground on which he makes the application;
- (b) the law under which the warrant would be issued;
- (c) the premises to be searched; and
- (d) the article or person to be searched.

(3) An application for a warrant shall be made in writing under oath and supported by necessary information.

(4) A warrant shall authorize an entry on one occasion only.

(5) A warrant shall:

- (a) specify:
  - (i) the name of the person who applies for it;
  - (ii) the date on which it is issued;
  - (iii) the law under which it is issued; and
  - (iv) the premises to be searched.
- (b) warrant shall identify, as practicable as possible, the article or person to be searched.
- (6) Two copies of a warrant shall be made and clearly certified by the judge, magistrate or justice of the peace ordering it.

Execution  
of search  
warrant

- 69.** (1) A search warrant shall be executed by the Police Officer or other person who shall have charge thereof; and he may be accompanied by any other persons necessary to assist him.
- (2) A search warrant may be issued and executed on any day including a Sunday or a public holiday.
  - (3) A search warrant shall ordinarily be executed between the hours of 5 o'clock in the morning and 10 o'clock at night, but a Judge, Magistrate or Justice of the Peace issuing it may by an order endorsed on it, give authority for its execution at any other time.
  - (4) Where the occupier of the premises which is to be searched is present at the time when a police officer seeks to execute a warrant to enter and search, the police officer shall:
    - (a) identify himself to the occupier and, if not in uniform, shall produce to the occupier, his official identity card;
    - (b) produce the warrant to the occupier; and
    - (c) supply the occupier with a copy.
  - (5) Where the occupier is not present, but some other person who appears to the Police officer to be in charge of the premises is present, subsection (4) of this section shall take effect as if the occupier is present.
  - (6) Upon the execution of a warrant a Police officer shall make an endorsement on it stating whether;
    - (a) the articles or persons sought were found; and
    - (b) any other articles were seized, other than articles which were sought.

Return of  
search warrant  
and disposition  
of seized  
property.

**70.**(1) Where a search warrant has been executed, the person who executed it shall return the warrant, together with everything seized under it to the High Court, a Judge, a Magistrate or Justices of the Peace sitting in Court.

(2) Upon receipt of the search warrant and of all the things seized under it the High Court, a Judge, Magistrate or Justices of the Peace sitting in Court may make an order as to the immediate custody of the things seized and, at any time thereafter, may make an order as to their disposal as may seem proper.

(3) Subject to subsection (1), the Court shall, if of the opinion that property or any portion thereof can be returned to the person identified as the owner, without prejudice to the interests of justice, order that the property or any portion of the property be returned to the owner or to any other person as the Court may direct.

(4) Where a property has been taken from a person under this section, and the person is not charged before any Court but is released on the ground that there is no sufficient reason to believe that he has committed any offence, any property so taken from him shall be restored to him.

Execution of  
search  
warrants

**71.**(1) A search warrant issued by a Judge, for the discovery of property stolen or otherwise unlawfully obtained may be executed in any part of Sierra Leone.

(2) A search warrant issued by a Magistrate or Justice of the Peace in the Western Area or in a district in the Provinces, for the discovery of property stolen or otherwise unlawfully obtained may be executed in any part of the Western Area or in a district of the Provinces, although such part or district is outside the jurisdiction of the Magistrate or Justice of the Peace issuing the warrant.

(3) Where property is alleged to have been stolen or otherwise unlawfully obtained is seized in pursuance of this section, a Police Officer or other person to whom the search warrant was directed shall, without special authority in that behalf,

arrest the person on whose premises the property was at the time of seizure, or the person from whom it was taken, if other than the person on whose premises it was, and take him before the Court within whose jurisdiction the seizure was made, to account for the possession of the property and in every such case the Court before whom the person is brought shall have jurisdiction to hear and determine the matter notwithstanding that the alleged offence was committed outside the jurisdiction of that Court.

(4) Where property has been taken under this section from a person charged before a Court with an offence, a report shall be made by the police to the Court of the fact of the property having been taken from the person charged and of the particulars of such property and the Court shall, if it is of the opinion that the property or a portion can be returned consistent with the interest of justice, direct that the property or a portion be returned to the person charged or to such other person as the Court may deem proper.

Recording  
of  
statement  
of suspect

**72.** (1) Where a suspect is arrested on allegation of having committed an offence, his statement shall be taken, if he so wishes to make a statement.

(2) The statement may be taken in the presence of a legal practitioner of his choice, or where he has no legal practitioner of his choice any other person of his choice, provided that the legal practitioner or any other person mentioned in this subsection shall not interfere while the suspect is making his statement, except for the purpose of discharging his duty as a legal practitioner.

(3) Where a suspect does not understand or speak or write in the English language, an interpreter shall record and read over the statement to the suspect to his understanding and the suspect shall then endorse the statement as having been made by him, and the interpreter shall attest to the making of the statement.

(4) The interpreter shall endorse his name, address, occupation, designation or other particulars on the statement.

- (5) The suspect referred to in subsection (1) shall endorse the statement with his full particulars.

Refusal to  
give name  
and  
residence

**73.** (1) Where a suspect who, in the presence of a Police officer, has committed or has been accused of committing an offence triable summarily, refuses, on demand of the police officer, to give his name and residential address, or gives a name or residential address which the officer has reason to believe to be false, he may be arrested by the officer in order that his name or residential address may be ascertained.

- (2) Where the true name and residential address of the suspect have been ascertained, he shall be released on his entering a recognizance with or without sureties to appear before a magistrate if so required, but if the person is not resident in Sierra Leone, a surety or sureties resident in Sierra Leone shall secure the recognizance.

- (3) Where the true name and address of the suspect cannot be ascertained within 48 hours from the time of arrest, or if he fails to execute a recognizance, or, where so required, to furnish sureties, he shall immediately be brought before the nearest magistrate having jurisdiction.

Grounds  
for arrest  
or  
detention

**74.** Any person who is arrested or detained in any of the following circumstances:

- a. for the purpose of bringing him before a court or tribunal, as the case may be, in execution of the order of a court;
- b. for the purpose of bringing him before a court or tribunal, as the case may be, in execution of the order of a court-

and who is not released shall be brought before a court of law —

- i. within ten days from the date of arrest in cases of offences carrying life imprisonment and economic and environmental offences; and
- ii. within seventy-two hours of his arrest in case of other offences.

Identification  
parade

**75.** (1) Any police officer investigating an offence may hold an identification parade for the purpose of ascertaining whether a witness can identify a

person suspected of the commission of that offence.

- (2) Any police officer investigating an offence may require any person whose participation is necessary for the investigation of an offence to attend and participate in an identification parade.
- (3) No person who is required under subsection (2) to attend and participate in an identification parade shall refuse or object to attend and participate in the identification parade.
- (4) Any person who, without just cause, or who unreasonably refuses to attend and participate in an identification parade commits an offence and is liable on conviction to a fine not exceeding ten thousand Leones or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

Non-liability for  
acts done  
under irregular  
warrant

**76.** If any legal proceedings other than legal proceedings for unlawful arrest or detention, be brought against any member of the Service for any act done in obedience to a warrant purporting to be issued by a judge, magistrate or justice of the peace or other officer authorized by law to issue warrants, such member shall not be liable for any irregularity in the issuing of the warrant or for want of jurisdiction in the person issuing the same, and upon producing the warrant containing the signature of the person reputed to be a judge, magistrate or justice of the peace or other such authorized officer, and upon proof that the acts complained of were done in obedience to the warrant, judgment shall be given in favour of such member.

Power to  
request  
documents for  
investigation

**77.** A Police officer of the rank of Inspector and above, conducting an investigation may make an application to a judge to direct entities including financial institutions, telecommunication companies or internet service providers to provide documents and information that may be helpful in the investigation.

## **PART IX - POLICE ACCESS TO TELECOMMUNICATIONS DATA**

Conditions  
for requesting  
call logs

**78.** A judge may on an application made at the request of the Inspector-General, the Deputy Inspector-General or an Assistant Inspector-General order the call logs or any other telecommunications records of any person or body of persons from any mobile network operator to be delivered to the Police.

Authorization  
for Access

**79.** The Police may under subsection 78 request the call logs or any other telecommunications records from mobile network operators for the purposes of:

- (a) investigating serious criminal offenses;
- (b) preventing imminent threats to public safety or national security;
- (c) conducting criminal investigations where call logs are deemed crucial evidence.

Request  
Procedure

**80.** A Police Officer conducting an investigation shall submit a written request to the Inspector-General, the Deputy Inspector-General or an Assistant Inspector-General detailing:

- (a) the nature of the investigation and the relevance of the call logs;
- (b) the specific call logs or other telecommunications records requested, including time, period and individuals involved;
- (c) any previous efforts to obtain the information through less intrusive means.

Issuance of  
Order

**81.** The Inspector-General, the Deputy Inspector-General or an Assistant Inspector-General shall direct that an application be made to a judge if satisfied that:

- (a) there are reasonable grounds to believe the call logs or other telecommunications records are essential for the investigation;
- (b) the request is proportionate to the needs of the investigation;
- (c) adequate safeguards are in place to protect the privacy of individuals.

## **PART X - MOBILE NETWORK OPERATOR'S OBLIGATIONS:**

- |  |   |
|--|---|
| Compliance with Requests                             | <b>82.</b> Every mobile network operator shall forthwith, and in any event within forty-eight hours, comply with an order of Court for call logs or other telecommunications records to be produced.  |
| Timely provision of call logs                        | <b>83.</b> The mobile network operator shall provide the requested call logs or other telecommunications records in a timely manner and in format specified in the order.   |
| Notification to Subscribers                          | <b>84.</b> A mobile network operator shall not notify a subscriber about the order for the production of his call logs or other telecommunications records until permitted by the police or the court.  |
| Safeguards and Oversight – Confidentiality           | <b>85.</b> All call logs or other telecommunications records obtained under this Act shall be kept confidential and used solely for the purposes of the investigation.  |
| Penalties for misuse, unlawful use etc of call logs. | <b>86.</b> A police officer or any other person who misuses, unlawfully discloses or negligently handles call logs or other telecommunications records obtained by the police commits an offence and is liable on conviction to a fine not exceeding fifty thousand leones or to a term of imprisonment not exceeding one year or to both such fine and imprisonment.                           |
| Penalties for Falsifying call logs                   | <b>87.</b> Any mobile network operator who furnishes the police with call logs or other telecommunications records that are false, altered or distorted or wilfully manipulates such call logs commits an offence and is liable on conviction to a fine not exceeding one hundred thousand leones or to a term of imprisonment not exceeding three years or to both such fine and imprisonment. |
| Refusal to comply with police order                  | <b>88.</b> A mobile network operator who refuses to comply with an order of court demanding call logs or other telecommunications records or discloses the order of court to the subscriber or any third party commits an offence and is liable on conviction to a  |



fine not exceeding one hundred thousand leones or to a term of imprisonment not exceeding three years or to both such fine and imprisonment.

**PART XI - POWER TO TAKE FINGERPRINTS  
ETC.**

Taking  
fingerprints &  
other marks  
of persons  
charged with  
an offence

- 89.** (1) A police officer of or above the rank of Inspector or the police officer for the time being in charge of a police station shall, whenever a person is charged and prosecuted before a Court with an offence, whether the offence is to be tried summarily or on indictment, or whether the person has or has not been admitted to bail, cause to be taken for use and record, photographs, measurements, thumbprints, fingerprints or other scientific methods of identification of the person.
- (2) Where a conviction of the person is not followed as a result of or in connection with, the prosecution, then, and in every such case, the photographs of the person shall, together with the records of the person charged and prosecuted, measurements, thumbprints, fingerprints or other scientific methods of identification, be handed over to him or if this is not possible, be destroyed.
- (3) A police officer of or above the rank of Inspector or the Police officer for the time being in charge of a police station shall take all necessary action and do all such things as may be reasonably required for the proper and efficient execution of this section.
- (4) A police officer may, where a thumbprint or a fingerprint is likely to become an exhibit in a criminal case, take for comparison the thumbprints or fingerprints or other biometric data of a person who is reasonably suspected of having made that thumbprint or fingerprint.
- (5) A person who refuses to submit to the taking and recording of his photographs, measurements, thumbprints, fingerprints or other scientific

methods of identification shall be taken before a Magistrate who shall, on being satisfied that the person-

- (a) has been charged and prosecuted before a Court with an offence;
- (b) is reasonably suspected of having made a thumbprint or fingerprint likely to become an exhibit in a criminal case; or
- (c) has left on the scene of a crime or on a document or thing or a physiological or bodily fluid or substance relevant to a criminal case, make an order, as he thinks fit, authorising a police officer to take the measurements, photographs, thumbprints, fingerprints or other scientific methods of identification of that person.

Intimate  
samples by  
consent of  
suspect

- 90.** (1) A Police Officer who arrests on a charge of an offence against the person may cause the person arrested to be examined by a medical practitioner.
- (2) Where a medical examination under subsection (1), involves the taking of dental impressions, the extraction of body and intimate samples or requires the use of swabs, such examination shall be authorised by a Police Officer not below the rank of Assistant Superintendent of Police, the Police Officer in charge at a Police Station or Police Post.
  - (3) A medical examination or the taking of intimate and other samples under subsection (1), shall only be done -
    - (a) if the officer considers that such impression, sample and swab shall confirm or disprove the suspect's involvement in the offence;
    - (b) by a qualified medical practitioner, or a person qualified to do the same; and
    - (c) with the consent of the suspect.
  - (4) Before a person is asked to provide an impression, sample and swab, he shall be warned

that a refusal to provide the impression, sample and swab may be treated as corroboration of any fact in issue at the subsequent trial.

Intimate  
samples by  
order of  
court

- 91.** (1) A judge or magistrate may, on an application of a Police officer not below the rank of Assistant Superintendent of Police, the Police Officer in charge at a Police Station or Police Post, allow a medical officer to examine a person in lawful custody in respect of an offence or may allow a medical officer to take and analyse any specimen from such a person if he has reasonable grounds for believing that the examination or analysis would provide evidence relating to the offence.
- (2) After the medical officer has made the examination and analysis as provided under subsection (1), he shall submit a written report of the same to the court and the Police officer that made the application.
- (3) In any proceedings, a court may order that any person who is a party to or a witness in the proceedings submits himself for medical examination and that person shall so submit himself.
- (4) The medical officer shall, after examining a person in respect of whom the court has ordered that he submits himself for medical examination in accordance with the provisions of subsection (3), transmit to the court ordering the examination a written report pertaining to the examination.

Non-  
intimate  
samples

- 92.** (1) A non-intimate sample may be taken from a person if:
- a. he is in police detention or is being held in custody by the police on the authority of a court; and
  - b. an officer of at least the rank of Assistant Superintendent authorises it to be taken.
- (2) An officer may only give an authorisation under subsection (1) if he has reasonable grounds-
- a. for suspecting the involvement of the person from whom the sample is to be taken in a serious arrestable offence; and
  - b. for believing that the sample will tend to confirm or disprove his involvement.

(3) An officer may give an authorization under subsection (2) orally or in writing, but, if he gives it orally, he shall confirm it in writing as soon as practicable.

(4) Where -

a. an authorisation has been given; and  
b. it is proposed that a non-intimate sample shall be taken in pursuance of the authorisation, an officer shall inform the person from whom the sample is to be taken-

(i) of the giving of the authorisation; and  
(ii) of the grounds for giving it.

(5) The duty imposed by subsection (2) includes a duty to state the nature of the offence of which it is suspected that the person from whom the sample is to be taken has been involved.

(6) If a non-intimate sample is taken from a person by virtue of subsection (1)—

a. the authorisation by virtue of which it was taken; and  
b. the grounds for giving the authorisation,

shall be recorded as soon as is practicable after the sample is taken.

(7) If a non-intimate sample is taken from a person detained at a police station, the matters required to be recorded by subsection (6) shall be recorded in his custody record.

## **PART XII - OFFENCES**

Mutiny

**93.** (1) Any member of the Service who—

(a) takes part in a mutiny involving the use of violence or the threat of violence; or  
(b) incites any other member of the Service or any member of the Sierra Leone Armed Forces or the Sierra Leone Correctional Services to take part in any such mutiny, whether actual or intended, commits an offence and is liable on conviction to imprisonment for a term not exceeding thirty years.

- (2) Any member of the Service who, in a case not falling within subsection (1) of this section, takes part in a mutiny or incites any such person as is referred to in paragraph (b) of subsection (1) to take part in a mutiny, whether actual or intended, commits an offence and is liable on conviction to imprisonment for a term not exceeding thirty years.
- (3) In this section— “mutiny” means a combination between two or more members of the Service or services referred to in paragraph (b) of subsection (1) or between persons two at least of whom are members of any such Service or Services—
  - (a) to overthrow or resist lawful authority in any such Service or services; or
  - (b) to disobey such authority in such circumstances as to make the disobedience subversive of discipline.

Destruction  
of Police  
property.

- 94.** (1). Any person who shall wilfully and maliciously destroy or injure the personal property of the Police, commits a felony and on conviction thereof, is liable to imprisonment for a term not exceeding three years or to a fine of twenty thousand Leones or to both such fine and imprisonment.
- (2) The Court shall in addition to the punishment prescribed in subsection 1 order the defendant to compensate the State for the full value of the property.

Inhumane  
and  
degrading  
treatment

- 95.** Any Police officer who treats or subjects any person to torture, cruel, inhumane and degrading treatment commits a felony and on conviction thereof, is liable to imprisonment for a term not exceeding three years or to a fine of twenty thousand Leones or to both such fine and imprisonment.

Prohibition  
against  
membership  
of political  
parties and  
trade Unions

- 96.** (1) Police officers shall not have any connection whatsoever with, any political party, organisation, or movement of a political nature, or with any trade union, or any union (civil or otherwise), either within or without Sierra Leone.
- (2) Any breach of the provisions of subsection 1 shall be regarded as gross misconduct and shall warrant immediate dismissal from the Police Service.

Police officers  
not exempt  
from ordinary  
course of law

**97.** Nothing in this Act shall be construed as exempting any Police officer from being proceeded against in the ordinary course of law when accused of any offence punishable under any other law.

Person  
acquitted are  
not punishable  
under the same  
charge

**98.** (1) A person who has been acquitted by a court of competent jurisdiction of any offence shall not be tried on the same charge or suffer any punishment under this Act.

(2) Where a police officer has been convicted by a court of competent jurisdiction for an offence, he is not liable to be punished for the same offence under this Act, but may have his rank or grade reduced or be dismissed from the Police Service.

Suspension  
of Police  
Officers

**99.**(1) The Police Council or the Inspector-General may suspend a member—

(a) pending his trial or after his conviction for any offence, whether under this Act or any other law; or

(b) pending the holding of an inquiry; or

(c) where the Police Council or the Inspector-General is considering acting in terms of paragraph (b) of this section.

(2) A member shall be deemed to have been suspended while he is under arrest or is serving a sentence of imprisonment.

(3) While a member is on suspension in terms of subsection (1) or (2)—

(a) He shall not cease by reason of such suspension to be a member; and

(b) The powers, functions and authority vested in him as a member shall be in abeyance; and

(c) He shall continue to be subject to the same responsibilities, discipline and penalties as if he had not been suspended.

(4) The suspension of a member in terms of subsection (1) may be terminated at any time by the Police Council or the Inspector-General.

Conviction  
of Police  
Officers

**100.** If an officer, is convicted of any offence and sentenced therefore to imprisonment without the option of a fine, whether or not the execution of such sentence is suspended, the Police Council or Inspector-General may—

- (a) discharge the officer, in which case the discharge may take effect from the date of his conviction; or
- (b) impose any one or more of the following penalties—
  - (i) reduction in rank;
  - (ii) loss of seniority;
  - (iii) withholding of an increment of salary; or
  - (iv) reprimand the officer.

Police officers  
not to engage  
in other  
employment

**101.** No member of the Police Service shall, without the consent of the Inspector-General, engage in any employment or office whatsoever otherwise than in accordance with his duties under this Act.

Loss of, or  
damage to  
arms

**102.** In all cases of damage or loss of arms, clothing, equipment, or any Government property, in addition to such other punishment as may be awarded, the offender shall be put under stoppages of pay until he has made good the cost of repairing or replacing the articles lost or damaged:

Provided that the total amount of such stoppages shall not exceed in any one month one-fifth of the offender's monthly rate of pay.

Erection of  
barriers

**103.**(1) Notwithstanding the provisions of any other law in force, an Assistant Superintendent of Police may, if he considers it necessary so to do for the maintenance and preservation of law and order or for the prevention and detection of crime, erect or place barriers in or across any road or street or in any public place in such manner as he may think fit.

(2) A police officer in uniform may take all reasonable steps to prevent any vehicle being driven past any such barrier and any driver of any vehicle who fails to comply with any reasonable signal of such police officer requiring him to stop such vehicle before reaching any such barrier, commits an offence and is liable on conviction to a fine not exceeding five thousand Leones or a term of imprisonment not exceeding three months or to both such fine and imprisonment.

(3) Any person who fails to comply with any such signal as provided in subsection (2) may be arrested by any police officer without a warrant.

- (4) No police officer shall be liable for any loss or damage resulting to any vehicle or for any injury to the driver or any other occupant of such vehicle as a result of the driver of such vehicle failing to obey any police officer acting under the provisions of subsection (2).

Regulation  
and control  
of traffic

- 104.**(1) It shall be lawful for a Police officer to regulate and control traffic in the following manner:
- a. to divert all or any particular kind of traffic when in the opinion of the Police officer in charge of traffic, it is in the public interest to do so;
  - b. to close any street for the purpose of preventing the interruption of any public proceedings by the noise or presence of street traffic;
  - c. to keep order and prevent obstructions on public roads, streets, thoroughfares, landing places, or other places of public resort or to which the public have access, or on the occasion of assemblies and processions on public roads and streets, or in the neighbourhood of places of public worship during the time of worship therein, or in any case when any road, street, thoroughfare or landing place may be thronged or may be liable to be obstructed.
- (2) Every person who opposes or disobeys any lawful order given by a police officer in the performance of his duty under this section commits an offence and is liable on conviction to a fine not exceeding four thousand Leones or to imprisonment for three months or to both such fine and imprisonment.

Police officer  
taking drugs  
or liquor  
whilst on duty

- 105.**While on duty, a Police Officer shall not take any intoxicating liquor, psychotropic substances or stimulants, and where he does, he shall be punished in accordance with the Police disciplinary procedures.

Harbouring  
& giving  
liquor to a  
police officer

- 106.**A person who:
- (a) knowingly harbours or entertains, or either directly or indirectly, gives any intoxicating liquor, psychotropic substance or stimulant to any Police officer while on duty, or permits any such Police officer to abide or remain in his house or premises unlawfully;
  - (b) by threats or by offer of money, gift, spirits, liquors, psychotropic substances or stimulants induces or attempts to induce any Police officer to commit a



breach of his duty as a Police officer or to omit any part of such duty,

commits an offence and is liable on conviction to a fine not exceeding five thousand leones or to a term of imprisonment not exceeding three months or to both such fine and imprisonment.

Making  
false  
statement  
to gain  
enlistment

**107.**(1) Any person who:

- (a) knowingly uses or attempts to pass off any forged or false certificate, letter, or any other document for the purpose of obtaining admission into the Police Service; or
- (b) on applying for enlistment, makes any false answer to any question put to him by any appropriate authority,

commits an offence and on summary conviction thereof, is liable to imprisonment for a term not exceeding six months or to a fine of five thousand Leones or to both such fine and imprisonment.

- (2) A police officer may arrest without a warrant any person whom he reasonably believes or suspects of having committed an offence under this section.

Making false  
statement to  
the police

**108.** Any person who-

(a) wilfully makes or causes to be made to the Police a false complaint or report that an offence has been committed under this Act or any other law; or

(b) misleads the Police by giving false information or making a false statement or accusation; or

© wilfully makes any false statement, wilfully provides a false answer to a question or gives information to the Police which he does not believe to be true,

commits an offence and is liable on conviction to a fine not exceeding five thousand leones or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Offering bribes  
to the police

**109.**(1) A person who, while having dealings of any kind with a Police officer gives or offers any bribe, financial or other benefits to that officer or any

other officer to influence the work of the Police commits an offence and shall on conviction is liable to a fine not exceeding ten thousand leones or to imprisonment for a term exceeding one year or to both such fine and imprisonment.

- (2) A police officer, who while having dealings with any member of the public or any other person accepts a bribe, financial or other benefits to influence his work or that of the Police commits an offence and is liable on conviction to a fine not exceeding twenty thousand leones or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

Impersonating  
a police officer

**110.** Any person, not being a member of the Police Service, who—

- (a) by words, conduct or demeanour pretends that he is a member of the Police Service; or
- (b) agrees with or induces or attempts to induce any member of the Police Service to omit to carry out his duty or to do anything in conflict with his duty; or
- (c) is a party to or aids or abets or incites the commission of any act with the intention that any lawful order given to a member of the Police Service or any provision of this Act or any other law will be evaded;

shall be guilty of an offence and on conviction thereof, is liable to imprisonment for a period of six months or to a fine of five thousand Leones or to both such fine and imprisonment.

Receiving State  
Property  
illegally  
disposed of

**111.**(1) Any person who receives or has in his possession any property of the State of whatever description issued for the use of the Police Service, or any property of the Police Service, knowing the same to have been stolen, sold, pledged, lent or otherwise disposed of in contravention of this Act or any other law, shall be guilty of an offence and on conviction thereof, is liable to imprisonment for a period of six months or to a fine of five thousand Leones or to both such fine and imprisonment.

- (2) Subsection 1 shall apply to uniforms and other items privately bought by Police officers for use in their official duties.

Unlawful possession of arms & clothing of the Police

**112.**Any person, who shall knowingly retain, buy, exchange or receive from any police officer or deserter from the Service or who shall solicit or entice, or be employed by, any such police officer or deserter knowing him to be such, to sell, put away, or dispose of, any arms, clothing or equipment, and shall not give a satisfactory account of how he came by the same, commits an offence, and on summary conviction, is liable to a fine not exceeding ten thousand leones or to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.

Wearing of uniforms, etc. of Police officers by non-officers

**113.**A person not being a police officer who:

- (a) puts on or assumes either in whole or in part, the apparel, name, designation, or description of any Police officer or resembling and intended to resemble the apparel, name or designation of any Police officer; or
- (b) in any way pretends to be a Police officer for the purpose of obtaining admission into any house or other place, or of doing any act which such person would not by law be entitled to do of his own authority,

commits an offence and is liable on conviction to a fine not exceeding ten thousand leones or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

Passing off as a Police Officer

**114.**Any person who wears any uniforms or distinctive badge or button of the Police Service or anything which might reasonably be mistaken for any such uniform, badge or button as to be likely to deceive, shall, unless

- (a) he is a member of the Police Service entitled by reason of his appointment, rank or designation to wear such uniform, badge or button; or
- (b) he has been granted permission by the Inspector-General to wear such uniform, badge or button;

commits an offence and shall on conviction thereof, is liable to imprisonment for a period of six

months or to a fine of five thousand Leones or to both such fine and imprisonment.

Illegal possession  
of articles belonging  
to the Police

**115.** Any person, not being a Police officer who–

- (a) is found in possession of any article whatsoever which has been supplied to a Police officer for use in the execution of his duty; or
- (b) is found in possession of any medal or decoration granted to any police officer for gallantry, service or good conduct,

and fails to account satisfactorily for his possession thereof commits an offence and on conviction thereof, is liable to imprisonment for a period of six months or to a fine of five thousand Leones or to both such fine and imprisonment.

Illegally selling or  
purchasing of  
Police property

**116.** Any person who, without lawful authority–

- (a) purchases or receives any article whatsoever which has been supplied to a Police officer for use in the execution of his duty or any medal or decoration granted to any Police officer for gallantry, service or good conduct; or
- (b) aids or abets any Police officer in selling or disposing of any such article, medal or decoration,

commits an offence and on conviction thereof, is liable to imprisonment for a period of six months or to a fine of five thousand Leones or to both such fine and imprisonment.

Inducing  
police officers to  
breach discipline

**117.** Any person who–

- (a) causes or attempts to cause or does any act calculated to cause disaffection amongst police officers;
- (b) induces, or attempts to induce, or does any act calculated to induce any police officer to commit any breach of discipline;

commits an offence and on conviction thereof, is liable to imprisonment for a period of six months or to a fine of five thousand Leones or to both such fine and imprisonment.

Assaulting  
a police  
officer in  
the  
execution of  
duty

**118.** Any person who assaults, obstructs or resists any Police officer in the execution of his duty, or aids or incites any other person to assault, obstruct or resist any Police officer or any person aiding or assisting such Police officer in the execution of his duty, commits an offence and is liable on conviction to a fine not exceeding ten thousand leones or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

Disorderly  
conduct  
in a police  
station or  
lock-up

**119.** (1) Any person who, in any police station or police post, police office or in any lock-up, behaves in a riotous, indecent, disorderly or insulting manner commits an offence and on conviction thereof, is liable to imprisonment for a term not exceeding one year or to a fine not exceeding five thousand Leones or to both such fine and imprisonment.

(2) Any police officer may arrest without warrant any person who, in his view, commits any offence under the provisions of subsection (1) of this section.

Refusing to  
assist a  
police officer  
under  
attack

**120.** Where a person is called upon to aid and assist a Police officer who is, while in the discharge of his duty, assaulted or resisted or in danger of being assaulted or resisted, and the person refuses or neglects to aid and assist, the person commits an offence and is liable on conviction to a fine of not more than five thousand leones or to imprisonment for a term of not more than three months or to both such fine and imprisonment.

Prohibition of  
discrimination  
by the police

**121.** (1) A police officer shall not, in discharging his duties:

- (a) discriminate against any person in Sierra Leone, based on the person's:
  - (i) place of origin;
  - (ii) sex;
  - (iii) socio-economic status;
  - (iv) ethnic, political or religious affiliation; or
  - (v) any form of disability; or
- (b) use a language or act in such a way that suggests a bias towards a particular group.

- (2) Any breach of the provisions of subsection (1) shall be regarded as gross misconduct and shall warrant disciplinary proceedings.

Causing  
obstruction  
or  
annoyance  
in a public

**122.** (1). Any person conducting himself in such manner in any public place, street, or highway, as to cause an obstruction or annoyance to the public, may be moved on by any police officer.

- (2) Any person who contravenes or disobeys any order or direction given pursuant to subsection 1 commits an offence and is liable on conviction to imprisonment for a period not exceeding one month or a fine not exceeding five thousand Leone or to both such fine and imprisonment.

Control  
of noise  
in public  
places

**123.** (1) A superintendent or any Police officer in charge of a police station or post may, in such manner as he may deem fit, issue orders for the purposes of—

- (a) regulating the extent to which music may be played, or to which music or human speech, or any other sound may be amplified, broadcast, relayed or otherwise reproduced by artificial means in public places;
- (b) directing the conduct of all assemblies and processions in public places, and specifying the route by which, and the time at which any such procession may pass,

and may, for any of the purposes aforesaid, give or issue such orders as he may consider necessary or expedient.

- (2) Any person who neglects or refuses to obey any order given or issued under the provisions of subsection (1) commits an offence and may be arrested without a warrant and is liable on conviction to a fine not exceeding five thousand Leones or a term of imprisonment not exceeding one month or to both such fine imprisonment.

Restriction  
of vehicular  
movement  
during  
public  
elections

**124.** (1) The Inspector General of Police acting in consultation with the Chairman of the Electoral Commission and registered political parties contesting an election may by order restrict or prohibit the movement of vehicles in the whole or

any part of the country on any day designated for elections:

Provided that no such order shall be made applicable to persons or vehicles working for or owned by the emergency services.

(2) The decision and extent of the restriction or prohibition mentioned in subsection (1) shall be published in the Gazette at least seven days before the affected elections.

(3) Anybody who violates the order referred to in subsection 1 is liable on conviction to imprisonment for a period not exceeding one month or a fine not exceeding five thousand Leone or to both such fine and imprisonment.

Penalty for offences not specifically provided

**125.** Any person who commits an offence under any of the provisions of this Act for which no other penalty is expressly provided, is liable on conviction thereof, to imprisonment for a period of six months or to a fine not exceeding five thousand Leones or to both such fine and imprisonment.

### **PART XIII - COMMUNITY POLICING**

Establishment of Local Police Partnership Boards

**126.** (1) For the effective and efficient policing of communities in a divisional headquarter or locality, the Inspector-General may establish Local Policing Partnership Boards that shall subject to section 3 consist of:

- a. three representatives of the Police Service as the Local Unit Commander may determine;
- b. seven representatives of the various Community groups in the division or locality nominated by them and appointed by the Local Unit Commander.

Duties of the Local Policing Partnership Board

**127.** (1) The duties of the Local Policing Partnership Board shall include assisting the Police in:

- (a) crime detection and prevention;
- (b) conflict resolution;
- (c) criminal intelligence gathering and dissemination to the Local Unit Commanders;
- (d) maintenance of law and order;
- (e) deployment to complement the Police in the patrol of the public space within their local communities;

- (f) reassuring and advising citizens on public safety, crime prevention and security tips;
- (g) assisting and dealing with minor offences and social vices;
- (h) working with the community, schools, young people, business communities, religious bodies, cultural groups, community-based associations, recreational centres and hospitality businesses toward crime control;
- (i) traffic management and school safety duties.

(2) The Inspector-General may from time to time assign any task or function to the Local Policing Partnership Board.

Objectives  
of the  
Board

**128.** (1) The Local Policing Partnership Board shall in each division be established with a view to:

- (a) maintaining a partnership between the community and the Police;
- (b) promoting co-operation between the Police and the community in fulfilling the needs of the community regarding policing;
- (c) improving the services rendered by the Police to the community;
- (d) improving transparency in the Police and accountability of Police services to the community.

(2) Subsection (1) does not in any way preclude police liaison with the community by means other than the Local Policing Partnership Board.

Composition  
of the Board

**129.** (1) A Local Policing Partnership Board shall:

- (a) elect from amongst their members a Chairman, Vice- Chairman, Secretary and such other executive members as they may desire who shall not be police officers;
- (b) determine its own procedure and cause minutes to be kept of its proceedings; and
- (c) whenever it considers it necessary, co-opt other members, experts or community leaders to the Committee in an advisory capacity.

(2) The members of a Local Policing Partnership Board shall render their services on a voluntary basis and shall have no claims to any remuneration for services rendered.



## **PART XIV - CONSTABLES TO RETURN ARMS AND AMMUNITION**

Return of  
property  
upon  
leaving the  
Service

**130.** (1) Subject to any rules made under this Act, whenever a junior Police officer or a constable ceases to belong to the Service, he shall deliver up his arms, uniform and other equipment to such person as the Inspector-General shall direct.

(2) If the officer or constable referred to in subsection (1) fails to produce, or to account satisfactorily for the absence of, any such arms, uniform or equipment, he shall be liable to pay the value of such arms, uniform or equipment as a civil debt and in any action for the recovery of any such sum a statement signed by a Superior Police Officer that such officer or constable has failed to produce or to account satisfactorily for the absence of any arms, uniform or equipment and stating the value of any such arms, uniform or equipment shall be sufficient evidence of the facts therein stated.

(3) If such failure to produce or to account satisfactorily for the absence of any such arms, uniform or equipment is, in the opinion of the magistrate, wilful, the defaulter is guilty of any offence under this subsection and, in addition to being liable for payment, of any sum of money for the value of such arms, uniform or equipment, shall be liable on summary conviction to imprisonment for a period not exceeding twelve months.

Power of  
summoning  
witnesses

**131.** Every Superior Police Officer empowered to enquire into offences by Police officers, created by rules made under this Act, and any member of a tribunal appointed thereunder to enquire into any matter affecting the order and discipline of the Service shall, in any matter touching such enquires, be vested with all the powers of a judge of summoning and enforcing the attendance and examination of witnesses and calling for documents in any matter before him. In every such enquiry where witnesses are examined on oath or affirmation, the proceedings and evidence shall be recorded in writing.

Pay not to  
accrue during  
absence without  
leave or  
imprisonment

**132.** (1) No pay shall accrue to a Police officer in respect of any day during which he is absent on desertion or without leave or undergoing any sentence of imprisonment.

(2) A police officer, when under suspension pending the hearing of a charge against him, shall not be entitled to more than half-pay. If the hearing of the charge results in an acquittal, the officer shall be entitled to receive full pay in respect of the period of suspension.

(3) No period of such absence, imprisonment or suspension shall be reckoned as one day for the purposes of this Act or any rules made thereunder, unless the absence, imprisonment or suspension has lasted for six consecutive hours or upwards, whether wholly in day, or partly in one day partly in another.

(4) When any period of such absence, imprisonment suspension exceeds six consecutive hours as aforesaid, but does not exceed twenty-four hours it shall not reckon as more than one day but if such period exceeds twenty-four hours every period of twenty-four hours, or part thereof, after the first period of twenty-four hours, shall be reckoned as one day.

(5) A police officer below the rank of Assistant Superintendent who has been dismissed from the Service shall not be entitled to any pay for the period between the date of such recommendation by a tribunal and the date on which the officer is dismissed by the Inspector-General acting upon such recommendation.

Fines or  
stoppages and  
purchases in  
canteen

**133.** All fines, stoppages for the loss of clothing or equipment or pay which has been forfeited may be deducted from the pay of any police officer who has incurred the liability. All such fines shall be paid into the Consolidated Revenue Fund.

Obedience to  
lawful commands

**134.** All police officers shall carry out the lawful commands of their superior officers.

## **PART XV - DISPOSAL OF UNCLAIMED PROPERTY**

Control of  
Police Officer  
over unclaimed  
movable  
property

- 135.** (1) Every police officer shall take charge of all unclaimed movable property and shall furnish an inventory or description of it to a judge.
- (2) If any property to which subsection (1) applies is neither money nor property subject to speedy and natural decay nor property the immediate sale of which would, in the opinion of the Judge, be for the benefit of the owner, the Judge shall detain or give orders for the detention of the property and shall cause a notice to be posted in a conspicuous place at his court and at the police stations within his jurisdiction specifying the property and calling upon any person who may have any claim to it to appear and establish his claim within six months from the date of the notice.
- (3) If within six months from the date of the notice no person establishes his claim to the property, the property may be sold, disposed of or destroyed by order of the Judge.
- (4) If the property is a firearm or ammunition, a judge may instead of ordering the sale or destruction of it order it to be disposed of in such manner as the Inspector-General may direct; and the right to take legal proceedings for the recovery of the property or the proceeds of the sale or destruction of it, if sold or destroyed, shall cease upon the order being made.
- (5) If the Judge is of the opinion that the property is subject to speedy or natural decay or that its immediate sale would be for the benefit of the owner, the Judge shall retain the property or give orders for its detention, and may at any time direct it to be sold without having caused the notice prescribed in subsection (2) to be given prior to the sale.
- (6) The proceeds of any sale under subsection (5) shall remain in such custody as the Judge shall direct, and the Judge shall immediately after the sale cause a notice of the sale to be posted in the manner prescribed in subsection (2).

(7) A notice under subsection (6) shall specify the property sold and call upon any person who may have any claim to the proceeds of the sale to appear and establish his claim within six months from the date of the notice.

(8) Where the unclaimed movable property consists of money, it shall be dealt with in all respects as if it were the proceeds of a sale ordered under subsection (5).

Perishable  
articles

**136.** Where the property is a perishable article or its custody involves unreasonable expenses or inconvenience, it may be sold at any time, but the proceeds of sale shall not be disposed of until they have remained in the possession of the Police for six months. In any other case, the property shall not be sold until it has remained in the possession of the Police for three months.

## **PART XVI – MISCELLANEOUS PROVISIONS**

Detention  
facility at  
Police  
stations

**137.** (1). Every police station shall be deemed to be a lock-up in which a person suspected of having committed an offence may be temporarily detained.

(2) In every police station there shall be provided a secure place for detention.

(3) All detentions shall be carried out in accordance with this Act, any other law and requirements as set out in regulations made pursuant to this Act.

Rewards  
and  
gratuities

**138.** (1) It shall be lawful for the Inspector-General, either on his own initiative, or on the recommendation of a judge or of a magistrate, to grant monetary rewards and gratuities to police officers (including special constables) for or in respect of:

- (a) wounds or injuries received on service or otherwise in the course of duty;
- (b) special acts of bravery, such as-
  - (i) saving or attempting to save life;
  - (ii) saving or attempting to save property from loss by fire, theft, shipwreck or in other circumstances attended by danger;

- (c) valuable intelligence acquired by personal risk, hardship, or unusual skill;
- (d) Any other special or meritorious service:

Provided that any monetary reward or gratuity exceeding fifty thousand leones shall require the approval of the Police Council.

- (2) All sums of money as may from time to time be granted under subsection (1) shall be paid out of the Consolidated Revenue Fund.

Attachment  
of pay, etc  
for debt

- 139.** The pay, allowances or gratuities of any police officer, shall not be liable to be attached, sequestered or levied upon for or in respect of any debt or claim whatsoever, except a debt due to the Government.

Police  
Stations and  
Departments

- 140.** There shall be established police stations, departments, units and other divisions within the Police Service as the Inspector-General after consultation with the Police Council may deem necessary taking into consideration the demography, crime situation and other important circumstances.

## **PART XVII – RULES & STANDING ORDERS**

Regulations

- 141.** The Police Council may, with the prior approval of the President, make regulations under the Constitution, this Act or any other law for the effective and efficient administration of the Police Service.

Rules

- 142.** The Police Council may, without derogation from section 141, make rules relating to all or any or the following purposes—
  - (i) providing for the registration and photographing of criminals and persons prosecuted and charged before any court with an offence which amounts to felony or involves fraud or dishonesty;
  - (ii) describing the duties of police officers in connection with such registration and photographing;
  - (iii) prescribing that the duties of police officers in connection with the registration and photographing of criminals and persons

prosecuted and charged before a court with an offence which amounts to felony or involves fraud or dishonesty may in places where there are no police officers be carried out by prison/**correctional** officers;

- (iv) prescribing the manner and form of registration of criminals and the places in which registers shall be kept;
- (v) providing for the taking of fingerprints of criminals and any persons prosecuted and charged before any court with an offence which amounts to felony or involves fraud or dishonesty;
- (vi) prescribing the persons who may be authorized to take fingerprints;
- (vii) prescribing how property which has come into the possession of the Police or which has been forfeited to the State shall be disposed of;
- (viii) providing for the discipline of the Service and offences against discipline of the Service and regulating their procedure;
- (ix) providing for appointment of tribunals to enquire into any matters affecting the good order and discipline of the Service, and regulating their procedure;
- (x) providing for the establishment and management of canteens and recreation rooms for the benefits of the Service;
- (xi) prescribing the dress, clothing and equipment to be issued to the Service;
- (xii) prescribing the pay and allowances of police officers and making provision for the withholdings, suspending, deferring or stopping of increments of pay;
- (xiii) prescribing the leave to be enjoyed by police officers;
- (xiv) generally, for the purpose of giving effect to this Act;

- (xv) providing for the application of any of the provisions of the Pensions Act and rules made thereunder relating to the grants of gratuities and pensions to the dependents of special constables killed in the actual discharge of their duties as police officers, notwithstanding that such special constables as the case may be do not hold any pensionable office within the meaning of the said Act.

Standing  
orders

**143.** (1) The Inspector-General may make such **Standing Orders** as he may think fit and proper for the good order, discipline and welfare of the Service and such orders shall be binding upon all police officers.

- (2) Without prejudice to the generality of subsection 1, such orders may provide for the following matters-
  - (a) the duties to be performed by police officers and for their guidance in the discharge of such duties;
  - (b) the training and discipline of the Service;
  - (c) the issue of arms, ammunition, accoutrements, uniforms and other necessities to be supplied to the Service;
  - (d) the qualification of persons seeking enlistment in the Service, the form and method of their appointment, their general administration with respect to their classification and rank, the service required of them and their conduct in performance thereof;
  - (e) organization, administration and training of the Service;
  - (f) general police duties;
  - (g) the administration and management of police officers training schools, barracks, stations, and rifle ranges;
  - (h) the administration and management of cells and lock-up rooms and of persons confined therein;
  - (i) the distribution, posting and removal of police officers from station to station and the place or places in which they shall reside;
  - (j) the duties of police in connection with civil disturbance; and.
  - (k) the duties of the police Band.

## PART XVIII – SAVINGS AND REPEAL

Repeal of Act  
No. 7 of 1964,  
and saving of  
rules and  
regulations, etc.

**144.** The Police Act No. 7 of 1964 is hereby repealed:

Provided that-

- (a) all Rules, Regulation and Standing Orders made under the provisions of the Police Act No. 7 of 1964 shall be deemed to have been made under the provisions of this Act, and shall continue in Service except in so far as they shall from time to time be amended, revoked or replaced by Rules, Regulations and standing orders made under the provision of this Act;
- (b) persons who were police officers immediately before such repeal took effect shall be police officers under this Act and their status, seniority, rights, duties and functions shall not be affected by the provisions of this Act or any Rules, Regulations or Standing Orders made hereunder.

## SCHEDULES

### FIRST SCHEDULE (**section 12**)

OATH TO BE TAKEN BY \*THE INSPECTOR  
GENERAL OF POLICE/DEPUTY INSPECTOR  
GENERAL OF POLICE

I, ....., do hereby (in the name of God swear) \*(solemnly affirm) that I will bear true faith and allegiance to the Republic of Sierra Leone, in the office of the Inspector General of Police/Deputy Inspector General of Police without favor or affection, malice or ill-will, and I will support and uphold the Constitution of Sierra Leone, maintain public peace and security; and that while I continue to hold the said office, I will to the best of my skill and knowledge, discharge all the duties thereof faithfully and professionally according to law – so help me God.

Signed .....

SWORN before me this      day of

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His Excellency the President.

SECOND SCHEDULE (**section 15(2)**)  
OATH OF MEMBER OF POLICE COUNCIL

I, ..... do hereby (in the name of God swear) (solemnly affirm) that I will faithfully and truly discharge the duties as a member of the Police Council; and that I will support and uphold the Constitution of Sierra Leone as by law established, and that I will do right to all manner of people after the laws and usages of Sierra Leone without fear or favour, affection or ill-will - so help me God.

THIRD SCHEDULE (**section 19(1)**)  
OATH OF SENIOR POLICE OFFICER

I, ....., do hereby (in the name of God swear) (solemnly affirm) that I will bear true faith and allegiance to the Republic of Sierra Leone, in the office of ..... and that I will do right to all manner of people after the laws and usages of Sierra Leone without favor or affection, malice or ill-will; and that while I continue to hold the said office, or some other office in the Sierra Leone Police Service I will to the best of my skill and knowledge, discharge all the duties thereof faithfully and professionally according to law – so help me God.

FOURTH SCHEDULE (**section 24**)  
SIERRA LEONE POLICE SERVICE  
ATTESTATION PAPER

I, ....., an applicant seeking enlistment in the Sierra Leone Police Service give my answers to the following questions

1. What is your full name?
2. What is your present age?  
Give date of birth if known.  
(Birth certificate to be produced if available).
3. Where were you born?
4. What is your nationality?
5. Who is your next of kin?
6. Where were you educated?
7. What standard of education have you attained?

8. What is your present occupation?
9. Have you ever been employed in Government service or in the military forces?  
If so, give particulars and reasons for leaving such services.
10. Have you ever been imprisoned? If so why?
11. Have you ever been convicted of any criminal offence?  
If so, give particulars.
12. Have you ever suffered from any serious illness?  
If so, give particulars.
13. Are you engaged in or connected with any commercial undertaking what so ever?  
14. Are you in debt to anyone?
15. Are you a judgment debtor or are there any writs for debts outstanding against you?
16. Are you married?
17. Have you any children?
18. Are you a member or have you any connection what so ever with any political society, organization or movement or any trade union or any union (civil service or otherwise) either within or without Sierra Leone?

I, ....., hereby declare that the replies given by me to the above questions and recorded hereon are true. I understand that if any of my replies to these questions are subsequently proved to be false I am liable to imprisonment for a period of six months.

Signature \_\_\_\_\_ of--  
 Signature of--  
 Witness.....  
 Recruit.....  
 Date.....

Place .....  
*(If the recruit is unable to write, rolled impressions of his two thumb prints should be made hereon).*

Left  
 Right

I certify that the above declarations have been made before me and signed (or marked) in my presence that recruit ..... (Name) understands the nature of the questions asked

and that his replies have been correctly recorded hereon.

Date .....

Place .....

.....  
Superior Police Officer.

#### FIFTH SCHEDULE (**SECTION 25**)

##### DECLARATION TO BE MADE BY A CONSTABLE ON BEING ENLISTED

I, ....., do hereby (swear to Almighty God) (solemnly and sincerely affirm) that I will be faithful and bear true allegiance to the Republic of sierra Leone, in the office of constable; that I will obey all lawful orders of the officers placed above me, and subject myself to all acts and rules relating to the police now in force or which may from time to time be in force.

Signed.....

#### SIXTH SCHEDULE (**SECTION 26(1)**)

##### DECLARATION TO BE MADE BY A CONSTABLE RE-ENGAGING

I, NO ..... Rank .....  
Name ..... at present serving in the Sierra Leone Police Service, desiring to re-engage for further service in such Police Service, do hereby solemnly declare that I will serve the Republic of Sierra Leone upon the conditions contained in the **Police Act 2025** and all Acts amending or substituted therefor and all rules now or which may hereafter be in force thereunder, for a further term of ..... years.

Signature

.....

Declared before me this       day of       , 20XX

.....  
Superior Police Officer.

Re-engagement approved by me.

..... 20 .....

.....  
Inspector-General of Police.

**SEVENTH SCHEDULE (Sections 28(3))**  
**APPOINTMENT OF SPECIAL CONSTABLE**

To.....of.....I,  
the undersigned Inspector-General /Deputy-  
Inspector-General do, under the powers conferred  
upon me by **section 28 of the Police Act, 2025**  
hereby appoint you to be a Special Constable for  
the ..... District, for the period  
of ..... from the date hereof or  
until further notice.

Dated this            day of            , 20XX

(Signed)

.....  
Inspector-General of Police.

**NOTICE TO TERMINATE APPOINTMENT**  
**OF SPECIAL CONSTABLE (Section 32(1))**

To ..... of  
..... I,  
the undersigned Inspector-General / superior  
police officer do in exercise of the powers conferred  
on me by **section 32 of the Police Act 2025**,  
hereby give you notice that your appointment as a  
constable, made on the ..... day of ....., 20  
....., is terminated with effect from the date  
hereof. Your form of appointment, clothing and  
equipment must be delivered to the officer in  
charge of the nearest police station within 7 days  
of the date of service of this notice.

Dated this            , day of            , 20XX

(Signed) .....

Inspector-General of Police  
Superior Police Officer.

Passed in Parliament this day of    in the year of  
our Lord Two Thousand and Twenty-Five.

Clerk of Parliament.

This printed impression has been carefully  
compared by me with the bill which has passed the  
House of Representatives and found by me to be a  
true and correctly printed copy of said bill.

Clerk of Parliament.