

Jamaica Constabulary

2011



Book of Rules

For the Guidance and General Direction
of the
Jamaica Constabulary

"Tackling the Real Priorities with a Professional Workforce"

**BOOK OF RULES FOR THE
GUIDANCE AND GENERAL DIRECTION
OF THE
JAMAICA CONSTABULARY FORCE**

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Revised Book of Rules 2011

This revised volume of the 2011 Book of Rules contains the following addition and amendments.

- Cover Design & Page Layout
- Preface -
- Table of Content
- Introduction & Acknowledgement
- Interpretation

No.	Subjects for Revision	Content Numbering	Revision/ New
1.	Acceptance of Gifts	3.17	Revised
2.	Child Care & Protection	8.20	New
3.	Compliments	2.20	Revised
4.	Constabulary welfare fund	8.11	New
5.	Disciplinary Process	8.21	New
6.	Enlistment	1.3	Revised
7.	Firearms certification booklet	8.22.1	New
8.	Housing Allowance/Rental	5.2	Revised
9.	Human Rights & Police Use of Force & Firearm	2,16	New
10.	Identification Booklet	2.24	Revised
11.	Identification Parades	7.12	New/ Revised
12.	Inspection	8.1	New/ Revised
13.	Issue of Firearms	8.22	Revised
14.	Mentally Disordered Persons	8.23	New
15.	Police Federation Fund	8.12	New
16.	Police Public Interaction Policy	8.24	New
17.	Politics & Public Policy	3.2	New
18.	Post Mortem & Disposal of (un-identified) dead bodies	8.25	New
19.	Retirement/Early Retirement	1.13	Revised
20.	Transfer	1.6	Revised
21.	Uniform	P 84-107	New/Revised

PREFACE

SENATOR THE HONORABLE DWIGHT NELSON, C.D., JP
MINISTER OF NATIONAL SECURITY

Our Vision

The vision of the Jamaica Constabulary is to become a high quality, professional and service oriented organization that is valued and trusted by all the citizens of Jamaica.

Mission Statement

The Mission of the Jamaica Constabulary and its Auxiliaries is to serve, protect and reassure the people of Jamaica through the delivery of impartial and professional services aimed at:-

- ➡ Maintenance of Law and Order
- ➡ Protection of Life and Property
- ➡ Prevention and Detection of Crime
- ➡ Preservation of the Peace.

We serve, we protect and reassure with courtesy, integrity and proper respect for the rights of all.

Value Statement

The Jamaica Constabulary Force is committed to the quality of its service delivery and the satisfaction of its internal and external customers.

We value:-

- Our members as our most important resource;
- Open and positive communication that encourages teamwork;
- Respect and equitable treatment of all individuals;
- Provision of Quality Service to all communities;
- The needs of the country in all aspects of social and economic development
- The input of all citizens in the development and training of our members;
- The needs of victims of crimes; and
- The example we set for the citizens of this country in the upholding of Law and Order.

Statement of Ethics

- As a member of the Jamaica Constabulary I will:
- Uphold the values and principles of my Oath, and act with fairness, impartiality and integrity;
- Be exemplary in obeying the laws of Jamaica and the regulations of the JCF knowing I have no authority to do otherwise and that no one may place on me a requirement to act outside the law;
- Enforce the law while upholding fundamental human rights;
- Use force only when justified and in accordance with the JCF Human Rights and Use of Force and Firearm Policy;
- Perform my duties with due diligence to the best of my skills and knowledge to provide community safety;
- Be honest in my dealings with all persons and avoid acts that will tarnish the good name of the JCF;
- Not abuse the powers of my office but will be responsible in exercising them in a manner that will uphold the good name of the JCF;
- Be accountable for my acts of commission and omission,
- Recognize that confidential matters communicated to me should not be repeated except when my duty requires me to do so and,
- Use the resources entrusted to me in an effective manner for the benefit of the public.

"Committed to: Duty, Responsibility, Accountability, Integrity and Respect"

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INTRODUCTION

ACKNOWLEDGEMENT

INTERPRETATION

In these rules, unless the text otherwise requires:-

Appropriate Authority-	means the police service commission
Child	within the meaning of the Child Care and Protection Act means: a person under the age of (18) eighteen years
Child	for the purposes of the Code of Practice for the Identification of Persons by the Jamaica Constabulary Force means: any person who is , or appears to be, under the age of (18) eighteen (he/she shall be treated as a child for the purposes of this Code in the absence of clear evidence that he/she is older).
Commanding Officer	in relation to any member below the rank of Inspector, means the Officer in Charge of the Division or other command to which the member for the time being is attached, or, in the absence or inability to act of that Officer, the Officer in Charge of the Branch or Area to which that Division or command belongs, or an Officer deputed by him.
Commissioner	means the Commissioner of Police
Competent Authority	means any three members of the Police Service Commission, the Commissioner of Police, or his nominee, and two members of the Police Federation Central Committee.
Force	means the Jamaica Constabulary Force
Member	means all members of the Force from the rank of Police Constable to Commissioner of Police
Mental disorder	is defined in the Mental Health Act, as: (a) a substantial disorder of thoughts, perception, orientation or memory which grossly impaired a person's behaviour, judgment, capacity to recognized reality or ability to meet the demands of life which renders a person to be of unsound mind (b) Mental retardation when such a condition is associated with abnormally aggressive or seriously irresponsible behaviour and "Mentally Disorder" shall be constructed accordingly.
Service	means duty due in relation to the Force
Officer	Any member holding any rank above that of Inspector

Sub-Officer	means any member above the rank of Police Constable and below the rank of Assistant Superintendent.
Supervisor	means the senior member of the Force immediately responsible for co-ordinating and controlling the activities of the junior members.
Technical Duties	means such duties as fingerprint identification, motor mechanic, handwriting, identification, technical research report writing, forensic, bandsman, ballistics and such other duties as may be determined by the Minister.

CHAPTER 1

APPOINTMENTS

1.1 PROCEDURE FOR APPOINTMENTS

Appointments to the Force shall be consistent with the procedure as set out in Regulation 18 and 19 of the Police Service Regulations (1961).

1.2 NATIONALITY

As a matter of Policy only persons of Jamaican Nationality will be enlisted in the Force. Persons of foreign nationality may, however, in special circumstances be enlisted, but shall only be so enlisted where there is no available suitably qualified Jamaican National.

1.3 ENLISTMENT

Section 1.3 of the Police Services Regulations, 1961 makes provision for entry requirements to the Jamaica Constabulary Force. As a matter of policy, only the best quality persons are allowed to enter the Force.

Set out below are the entry requirements for guidance and general direction:

- a. Every person joining the Force shall be between the ages of eighteen (18) and forty (40) years.
- b. If a male person, he must not be less than five feet eight inches in height, and if a female, not less than five feet five inches, in height.
- c. In the case of applicants with scarce skills and qualifications the commissioner is authorized to decide whether or not to waive one or more of the requirements in respect of persons who do not meet the height and the weight qualification.
- d. Notwithstanding the academic certification he or she may produce, such person must be able to meet the under mentioned requirements:-
 - (i) pass the written examination set by the Force
 - (ii) pass a prescribed medical examination performed by a Government Medical Doctor
 - (iii) satisfy an interviewing panel
 - (iv) provide certificates of character from a Magistrate, Clergyman or other adjudged respectable person; and
 - (v) produce recommendation, from his past or present employer, if any.

- e. Have at least four subjects including English Language, Mathematics (or the equivalent) at Grades A, B or C or CXC subjects with Grades 1, 2, 3 (Grade 3 accepted after 1998, or other equivalent qualifications). SSC's range 4 or 5 is accepted.
- f. Weight

Male:	135lbs. minimum
Female:	125lbs. minimum

No person shall be enlisted until it has been verified that he or she has no criminal record.

NB. Under no circumstances, should any person be accepted into the organization if the set criteria are not met. In exceptional circumstances, however, the Commissioner of Police is the only person who may waive these requirements.

Force Order No. 3326 dated March 03. 2011

1.4 **SPECIAL CONSIDERATION**

A female shall not be treated with any special consideration. She shall not be exempted, by reason of her marital status or sex, from any of the normal requirements and conditions of service including working overtime, or the liability to transfer, when so required.

1.5 **RECORD OF SERVICE SHEET**

- (a) The personal particulars, merits and offences of every member must be correctly entered on his (Central and Divisional) Record of Service Sheets. The Divisional Record of Service Sheet will be kept at Headquarters of the Branch, Division or Section to which the member is attached. On the reverse of each sheet the commendations and rewards are to be entered in black ink. All entries made on the reverse of the Divisional Record of Service Sheet of a member must be initialled by the Commanding Officer of the Branch, Division, or Section concerned.
- (b) A member shall be allowed to examine his Record of Service at any time during his service.
- (c) The Commanding Officer of a Branch, Division, or Section is authorized to make recommendations (through the Officer in charge of Areas in the case of Divisions) during January of each year, in favour of a member whose service in his opinion, prior to the year in which the application is being made has been meritorious and whose Divisional Record Sheet, for a period of seven (7) years, contains no record of any defaults, with a view of expunging previous defaults of the seven year period.

1.6 **TRANSFERS**

The Policy on transfers of Police Personnel within the Force is done on the following grounds:-

- (1) In the National Interest
- (2) On Promotion
- (3) On Request of the Individual
- (4) Emergency (temporary) Transfers to Facilitate Sensitive Investigation

In the event the member is sick/on vacation leave/or on short leave and is unable to report on the effective date, it is the responsibility of the Divisional Officer from whom the member is transferred to communicate this information to the Divisional Officer to whom the member is transferred.

Where members who do not fall in the category above fail to take up their transfers, reports are to be submitted by both Divisional Officers concerned, to Assistant Commissioner of Police Administration, for disciplinary action to be taken.

All personal records and Transfers Return Forms are to be forwarded to the respective Divisions immediately after publication in Force Orders. These instructions are to be adhered to, as Commanding Officers will be held strictly responsible for failure to comply.

F.O 2539 FEBRUARY 1, 1996

1.7 TRANSFER PROCEDURE

Each member shall, on transfer, make out in duplicate, returns showing Government Properties in his possession. These returns must be checked in the Division which he is leaving and again in the Division to which he is transferred.

- 1.8 When any member is transferred from one Division to another, save in the case of emergency, or otherwise as the Commissioner may direct, such member must be informed of the proposed transfer at least two weeks prior to such transfer being effected.

1.9 CESSATION OF DUTIES

No one can perform the duties of a Constable after the expiration of a term of enlistment until he has again been sworn in, which shall be done the day before his term expires, but if that day is a Sunday or a Public Holiday, he shall be sworn in the day preceding.

1.10 RE-ENLISTMENT

- (a) Sub-Officers and Constables may be enlisted for a term of five (5) years and no Sub-Officer or Constable so enlisted shall be at liberty to withdraw himself from the Force until the expiration of that term, and no Sub-Officer or Constable who has not been enlisted for a term shall be at liberty to withdraw himself from the Force until the expiration of six (6) months from the time he shall have given notice in writing of his intention so to do to the Commanding Officer.
- (b) Sub-Officers and Constables desiring to be re-enlisted for a further term of five (5) years must make an application at least fourteen (14) weeks before the expiration of the current term and must be medically examined at least twelve (12) weeks before the current term expires.

1.11 RE-ADMISSION

No member who has been dismissed from the Force will be readmitted into the establishment; except on the review and recommendation of the Competent Authority.

1.12 DISMISSAL

When a member is leaving the Force through dismissal or otherwise, the Commanding Officer shall inform the Commissioner whether such member owes for any clothing or other public debt. If no debt is owing this fact should be stated.

1.13 RETIREMENT & EARLY RETIREMENT

- (i) Members will be required to retire on attaining the Age of fifty (50) fifty-five (55) or sixty (60) or;
- After 30 Years service
 - In the Public Interest
 - As a result of ill Health
- (b) Notwithstanding (i) above, a member may be called upon to retire at any time in the public interest, in circumstances of grave unprofessional behaviour.
- (c) Cabinet has approved the offering of an incentive payment of up to two (2) year's salary, over and above normal separation entitlements, to selected members of the Jamaica Constabulary Force (JCF), to encourage early retirement in the national interest. Following are some guidelines governing the implementation of this policy.

1.14 CERTIFICATE OF DISCHARGE

On the discharge, dismissal or retirement from the Force of any member, the Commissioner will issue a certificate of service duly signed by him or any person so deputed on his behalf.

Every such certificate shall state:

- (a) Rank at the time of dismissal, discharge, resignation or retirement;
- (b) Total service;
- (c) Assessment of conduct whilst serving;
- (d) Reason or cause for discontinuation of service;
- (e) Police courses attended;
- (f) Additional courses and qualification;
- (g) Special areas served during tenure.

CHAPTER 2

CONDITIONS OF SERVICE

2.1 COMMAND OF POLICE STATION

Every station shall be commanded by an Officer or Sub-Officer who shall be responsible for the performance, discipline and welfare of all personnel under his command.

2.2 ABSENCE FROM COMMAND

Members holding command should not absent themselves from their Headquarters or homes without their whereabouts being made known. Absence from command must be approved by a Senior Officer.

2.3 TRAINING

The approval of Training Programmes and the Administration of Local Training Schemes for members is the responsibility of the Commissioner.

2.4 SCHOLARSHIP

Scholarships and Overseas Training Courses shall be provided for members on the same basis and under the same conditions as are applicable to other members of the Public Service.

2.5 BOOKS

The Commissioner may prescribe the books to be used at Police Establishments for preventing neglect or abuse and to render the Force efficient in the discharge of its duties.

2.6 No official book or document shall be taken out of the Police Establishment without permission, save where an order of the Court requires its production.

2.7 DAMAGE TO GOVERNMENT PROPERTY

- (a) Where after due enquiry it is ascertained that an article of Government Property has been lost or damaged through the neglect or default of any member, the Commissioner may order that the individual through whose fault or neglect, the loss or damage occurred shall pay the whole or part of the value of the article or cost of repair.
- (b) Similarly if by default or neglect of any member any damage or loss shall be done to the property of another whether such person be a member of the Public or of the Force, the Commissioner shall exercise similar powers.

2.8 MENTAL ILLNESS

A member who has been afflicted with mental illness whether he has been admitted to a mental institution or not shall not be further employed before he has been subjected to a Medical or Psychiatric Board which shall determine his fitness for further service, and where such advice is in the affirmative, recommend to the Commissioner duties on which he may be employed.

2.9 LIGHT DUTY

When a member is recommended for light duty by a Medical Officer, he shall be considered as performing duty and therefore entitled to full pay and allowances. Any member when so recommended shall not be required to perform rigorous physical duties. He shall, however, be detailed for duty in the station including Station Guard duty and or any other duty of a light nature.

2.10 DISABILITY CLAIM

When a members sustains any injury or contracts an illness or disease whilst on duty this fact must be reported in writing to his Supervisor as soon as practicable, whether or not he intends to claim disability as a consequence. The Supervisor shall forward such report to the Commanding Officer together with a Medical Certificate and his own report. These must be forwarded to the Commissioner for his decision as to whether such illness or disease occurred whilst the member was on duty.

The decision of the Commissioner together with copies of the relevant documents shall form a permanent part of the member's Medical Records.

2.11 PHYSICALLY UNFIT

A member who is discharged as being physically unfit shall not be eligible for further re-enlistment unless he was discharged as a result of having been incapacitated or injured:

- (a) As the actual result of or in the discharge of his duty and without his own default, or
- (b) On account of some injury or disease specifically attributable to the nature of his duty, provided that his physical fitness for re-enlistment is certified by a properly constituted Medical Board.

2.12 FREE PASSAGE

Gazetted Officers may become eligible for free passage under the terms and conditions prescribed for public servants from time to time by the Minister responsible for the Public Service.

2.13 DIVINE WORSHIP

Frequently, emergencies arise to exact the prompt exertion of the Force. On their day of worship it is desirable that the deployment of members be minimised to enable them to attend Divine Service at their respective places of worship, as the circumstances in the force will permit.

2.14 BEING DRUNK WHEN REQUIRED FOR DUTY

A member shall not be reported on a charge of "being drunk when required for duty" unless it can be shown that he had been warned for duty or had had sufficient reason to know that he would be so required for duty.

2.15 INFLUENCE OF LIQUOR

No member who appears to be under the influence of liquor or drugs shall be put on any duty; nor shall any member while in that state be unnecessarily interfered with by a senior in rank. A member in such a condition should be left altogether to the proper care of another until he has recovered, when the proper steps can be taken.

2.16 FIREARMS

Human Rights and Police Use of Force and Firearms Policy

This document represents the Commissioner's policy in respect of the use of force by members of the Jamaica Constabulary Force (JCF). These instructions replace all previous instructions on the Use of Force and Firearms.

The instructions contained in this document incorporate the fundamental rights and obligations enshrined in the Jamaican Constitution and international human rights instruments. In particular it reflects the principles set out in:

The JCF will continually monitor international developments in respect of 'less lethal options' and, wherever possible, ensure that appropriate technologies are issued to officers trained in their use.

- Any use of firearms must be in accordance with force instructions and training. Only in the most extreme circumstances, where life is endangered or there is a risk of serious injury, may the use of lethal force be justifiable.
- The circumstances in which lethal force can be used within the terms of Jamaican law are limited, being restricted to situations involving self-defence or defence of others and then only where strictly necessary.
- The purpose of these instructions are:
 - To highlight the principles and provisions of the Jamaican Constitution.
 - To promote an understanding and to provide practical guidance concerning the legal implications surrounding the use of firearms.
 - To set out Force Policy concerning the issue, deployment and training of members of the JCF issued with firearms.
- Provide for a system of reporting whenever JCF members use firearms.
- The 'right to life' as set out in Chapter 3, Section 14 of the Jamaican Constitution may be violated if a person dies as a result of the force used against them. Section 14 states:
- No person shall intentionally be deprived of his protection to life save in execution of the sentence of a court in respect of a criminal offence of which he has been convicted.
- Without prejudice to any liability for a contravention of any other law with respect to the use of force in such cases as are hereinafter mentioned, a person shall not be regarded as having been deprived of his life in contravention of this section if he dies as the result of the use of force to such extent as is reasonably justifiable in the circumstances of the case-
 - for the defence of any person from violence or the defence of property; in order to effect a lawful arrest or to prevent escape of a person lawfully detained;
 - for the purpose of suppressing a riot, insurrection or mutiny; or
 - In order to lawfully prevent the commission by that person of a criminal offence, or if he dies as the result of a lawful act of war.
- JCF members carrying out their duty, shall, as far as possible, apply non-violent means before resorting to the use of force or firearms.
- Whenever the lawful use of force and firearms is unavoidable. JCF members will:

- Exercise restraint in such use and act in proportion to the seriousness of the offence and the legitimate objective to be achieved;
- Minimize damage and injury, and respect and preserve human life;
- Ensure that assistance and medical aid are rendered to any injured or affected persons at the earliest possible moment;
- Ensure that relatives or closed friends of the injured or affected persons are notified at the earliest possible moment.
- Where injury or death is caused by the use of force and firearms by any member of the JCF, they shall report the incident promptly to their superiors,
- In determining whether the use of firearms is strictly necessary the following questions should be asked:
 - Is the use of firearms proportionate, in the given circumstances, bearing in mind the dangers to the lives of all persons involved?
 - Is the degree of force used strictly necessary in order to achieve a lawful objective?
 - Have other options been considered before resorting to the use of a firearm?
 - Why were these options discounted?
- Firearms are only to be fired by members of the JCF when their use is strictly necessary, after conventional methods have been tried and failed, or must from the nature of the circumstances be unlikely to succeed if tried.
- Public confidence in the police is of the utmost importance. It is essential that in their approach and conduct members of the JCF are seen to be well-trained and disciplined in handling firearms.

Training and Qualification in Firearms

Firearms' training is obligatory for all members of the JCF who are to be issued with or carry firearms operationally as part of their duties.

A system has been established to ensure that all members are allocated annual firearms training and they will be informed of their allotted refresher training dates. A database of attendance and qualification scores will be maintained centrally, providing a record of all firearms training provided. This will provide a reference point in any post-shooting investigation, providing evidence of the members competence and qualification to carry a specific firearm.

A record will also be maintained in the Division to which the member is assigned, showing details of which weapons the member is authorized to carry and of required re-qualification dates.

All members of the JCF are reminded of their personal responsibility to identify their training needs and to bring these to the attention of their immediate supervisor. Members of the JCF are also required to maintain a high level of competence in the use of weapons and knowledge in relation to Force Policy and current legislation in respect of firearms.

Firearms may only be issued to and carried for operational duties by members of the JCF who have successfully completed an initial firearms training course in the particular weapon and who have successfully re-qualified in its use during the last 12 months.

Divisional Commanders/Heads of Department will ensure that all officers, for whom they have responsibility, attend firearms re qualification training at least once per year, in respect of all weapons that they are to carry.

Where a member fails to re-qualify in a particular weapon, the Senior Firearms Instructor on duty will inform that member's Divisional Commander. The Divisional Commander will then make an assessment as to the duties that officer will be required to perform pending further training.

Where a member does not successfully complete refresher training, he/she will attend a remedial training course as devised by the Firearms Training Unit, in order to achieve the required standard. Where necessary, a member will be provided with 'one-to-one' tuition at the earliest possible opportunity. If a member continues to be unstable to achieve the required standard

Supervisory officers will, in accordance with Force and Divisional Policy, decide which firearms members will carry on duty, ensuring that appropriate training has been afforded and qualification attained.

Firearms carried on duty must always be loaded with live rounds in accordance with Force Instructions.

Firearms and ancillary equipment

- The Commissioner has approved a range of weapons, munition and associated equipment for issue to JCF members.
- The weapon types approved for issue are as follows:
- Revolvers: capable of firing .38 Special+P ammunition or 357. magnum. Trigger pressures(measured by the suspended weight method) should be as follows: -Single Action between 1.5kg (3lb 6oz) and 2.2kg (4lb 15oz) Double Action between 4.1 kg (9lb 0oz) and 5.9kg (13lb 6oz)
- Self-Loading Pistols: capable of firing 9mm caliber ammunition. Trigger pressures recommended are as follows: Single action between 1.3kg (3lb) and 3.7kg (8lb) Double action should not exceed 8.15kg (18lb)
- Shotgun: 12 gauge shotguns (pump action or self-loading) with appropriate sighting system and bored true cylinder to enable specialist munitions to be used (e.g. Bean bags, CS & breaching rounds)
- Submachine guns: capable of firing up to 9mm calibre ammunition.
- Rifles/Carbines: capable of firing 5.56 calibre ammunition.
- Specialist sniper rifles up to 7.62/.308 ammunition
- Baton Guns: Baton Round Launchers as approved for use by the JCF, which may be considered for use as a less lethal option.
- Grenade Launcher: for CS/CN munitions.
- Smooth bore signal pistol: for CS/CN munitions.
- Members will ensure that firearms carried by them are clean and functioning properly.

Privately Owned Firearms

These instructions, including the re-qualification criteria, will also apply to any member of the JCF, who

has been authorized in writing to purchase a personally owned firearm.

- Members authorized to carry privately owned firearms will comply with these instructions both on and off duty. They will, prior to carrying the weapon on duty, complete a JCF firearms course where they will demonstrate awareness of the characteristics of the weapon, safe and proper handling techniques, and competency in the firing of the weapon to the standard required of officers equipped with operational weapons.
- The individual officer will be responsible to ensure that the weapon is properly maintained, submitted for inspection to a competent JCF armourer and will use the weapon when completing range qualification courses.
- Members who carry privately owned firearms on duty must be authorized by the Divisional Commander in writing. The authorization must be carried on his person until the end of the assigned duty.

Holster and accoutrements

- Approved holsters and ancillary equipment, including ammunition, magazines, holsters and pouches, are issued to the Force for both overt and covert carriage of handguns. This equipment is provided on the basis of detailed and agreed specification standards. Only holster designed for the model of weapon carried should be used. For safety reasons holsters should cover the trigger guard.
- These detailed specifications include issues of suitability of purpose, security of the weapon/ammunition, and the ability to draw and replace the weapon, magazine or ammunition with safety and in accordance with training instructions.
- Members are reminded that use of 'unofficial' holsters and equipment could leave them personally liable in the event of loss or damage to weapons.

Ammunition

- The use of 'hollow point' or ammunition designed to expand on impact so as to cause greater wound capacity are specifically prohibited.
- Only ammunition subject to strict factory quality control should be issued for operational purposes.
- The type of ammunition issued must be appropriate for the particular weapon type.
- A proof house pressure certificate, giving details of the 'mean service pressure' of each ammunition batch, should accompany all ammunition purchased.
- 83. Suitable provision should be made to facilitate the safe carriage of personal issue ammunition. This includes the use of magazines, magazine pouches and similar devices for other ammunition types.

Weapons Maintenance

An effective maintenance programme has been established to ensure that weapons and ammunition used by JCF officers are in a serviceable condition.

The primary responsibility for inspection servicing and repair regime of firearms lies with the Chief Armourer of the JCF.

A nominated officer within each division/station/department will be responsible for checking firearms and ammunition held and ensuring routine cleaning and inspection of firearms.

Issues and carriage of Firearms

- Members of the JCF will only be issued with and carry weapons for which they are currently qualified, and in accordance with force policy.
- The regulation, control, storage and procedures for issuing of firearms, ammunition and specialist munitions is paramount in ensuring that officers are accountable for the firearms and ammunition issued.
- All weapons and ammunition will be issued and returned against signature. The procedures to be followed in relation to all issues and return of weapons and ammunition are set out at (annex A) of this policy.

Policy/Management Issue

Divisional Commanders will ensure that an appropriate number of officers are trained in order to meet locally identified needs, based upon an evaluation of the prevailing security and risk assessment. Commanders will be required to maintain a minimum level of XXX percent of all uniform, beat and patrol personnel trained in M16 rifles, carbines and shotguns appropriate to the local and Force needs.

Firearms and Specialist Munitions

The selection of weapons to be used is a tactical decision which is made taking various factors into consideration. These factors are listed below:

- The level of force required to meet the threat
- The type of situation to be dealt with
- The likely distance between the armed members of the JCF and the threat
- Information received as to the weapon(s) used by the subject
- The operational environment, including the range and penetration capabilities of the weapon/ammunition
- The training and experience of the officers involved.

Specialists units have also a range of ammunitions, which can be used when carrying out specific tasks. It is important to realize that Specialist Munitions have the potential to cause injury even when used correctly. In some cases the danger is minimal but in others the injury could prove fatal. Members handling or using these devices must therefore be trained in their characteristics and proper use. In particular, they should be aware of the danger from secondary fragments that may be potentially injurious.

Temporary Unfitness to carry Firearms

The consumption of alcohol or the use of drugs in medical treatment or otherwise may reduce the alertness and performance of a member. Members of the JCF carrying firearms should not consume or be under the influence of alcohol. Any member who is receiving a course of drug treatment should seek the advice of their doctor concerning the possible side effects. Any concerns, or medical advice

given to a member should be brought to the attention of his/her immediate supervisor, who should take appropriate action.

The Use of Firearms

- When it is considered absolutely necessary to open fire on a subject, members of the JCF will only 'shoot to stop' and thereby neutralize the immediate effect.
- Research has indicated that only shots hitting the central nervous system (which is largely located in the central body mass) are likely to be effective in achieving rapid incapacitation. Shots which strike other parts of the body, cannot be depended upon to achieve this.
- The accuracy of shots fired under training conditions is generally greater than in operational circumstances. Members of the JCF are therefore normally trained to fire at the largest part of the target they can see which in most cases will be the central body mass.
- Members should constantly reassess the need for any further action, using no more force than is absolutely necessary and relative to the threat posed.
- The ultimate responsibility for firing a weapon rests with the individual member, who is answerable ultimately to the law in the courts. Individual members are accountable and responsible for all rounds they fire and must be in a position to justify them in the light of their legal responsibilities and powers.
- Any discharge of a firearm, other than in training, whether intentional or otherwise, must be reported by the member concerned.

Definition of 'Use'

The issuing of a firearm to a police officer does not, of itself, constitute a use of force. A police officer is deemed to have used a firearm when the weapon is: Pointed at another person, or Fired at another person in self-defence or in defence of another, whether or not injury or death results. Discharged in any other operational circumstances, including unintentional discharge.

Oral Warning

Members of the JCF shall identify themselves as such and give a clear warning of their intent to use firearms, with sufficient time for the warning to be observed, unless to do so would unduly place the member at risk or would create a risk of death or serious harm to other persons, or would be clearly inappropriate or pointless in the circumstances of the incident.

Firing at or From Moving Vehicles

Members of the JCF will not, in normal circumstances, fire at or from moving vehicle. However, there may be circumstances where the life of an officer or member of the public is at risk and the only course of action available is to engage a subject in, or from, a moving vehicle. If such a course of action is deemed absolutely necessary, the following matters must be borne in mind and officers must be aware of the potential consequences and their responsibilities to protect the right to life of innocent bystanders:

- Due to the construction of modern vehicles, shots are likely to be ineffective in immobilizing the vehicle and cause a very real danger of ricochet. Rounds may also over-penetrate the vehicle to

the danger of innocent persons.

- If the driver is killed or injured, there is a high risk of the vehicle going out of control.
- Shots fired from a moving vehicle are unlikely to be accurate because of the movement of the shooter or subject.
- Research has established that when bullets, especially those from high velocity weapons, strike the windows or bodywork of a motor vehicle, a flash is produced which may resemble the muzzle flash of some weapons. The same effect could be produced when a high velocity bullet strikes the windowpane of a building. These findings are of real significance and must be borne in mind by officers engaged in operational firearms duties.
- Firearms will NOT be discharged at a vehicle: simply because it has failed to stop for a signal at a road check, or to immobilize the vehicle.

Warning Shots

- Police should not fire warning shots. There are serious risks associated with the firing of such shots, which have the potential to cause unintentional death or injury. They may also lead a subject or other officer to believe that they are under fire.
- An officer will only be justified in resorting to the discharge of a warning shot(s) in the most serious and exceptional of circumstances, where failure to do so would result in the loss of life or serious injury. Members of the JCF who discharge a firearm under any circumstances must give full consideration to public safety.

2.17 If for any reason any member has to resort to the use of firearm in apprehending a criminal, or suspect, this should be done only in self-defence.

2.18 In loading and unloading firearms every care must be taken to ensure that the lives of persons around are not endangered.

2.19 When in a Party, the commanding officer must act with tact, must be firm and precise in his words of command.

2.20 COMPLIMENTS

(a) Members of the Jamaica Constabulary will salute,

1. The Queen (Her Majesty Queen Elizabeth II)
2. Governor General
3. Prime Minister
4. Deputy Prime Minister

(b) Members of the Cabinet

(c) Ministers of State

5. Leader of the Opposition
6. President of the Senate
7. Speaker of the House of Representatives

8. (A) Chief Justice
(b) President of the Court of Appeal
9. President of the Jamaica Council of Churches
10. Attorney General
11. (a) Head of Civil Service, Head of Foreign Service, Ambassadors, High Commissioners,
(b) Head of the delegation of the Commission of the European Union
12. Parliamentary Secretaries
13. Members of the Privy Council
14. (a) Judges of the Court of Appeal
(b) Judges of the High Court
15. Deputy President of the Senate
16. Deputy Speaker of the House of Representatives
17. Members of the Senate
18. Members of the House of Representatives
19. Mayors and Chairman of Parish Councils, except on municipal occasions, when they take precedence immediately after the Prime Minister
20. Chief of Staff of the Jamaica Defence Force
21. Commissioner of Police
22. Custodians of Parishes, except on formal occasions (other than "municipal" occasions) in their own parishes when they take precedence as Representatives of the Governor General.
23. Gazetted Officers of the Jamaica Constabulary Force (JCF), Island Special Constabulary Force (ISCF) and Chaplains
24. Jamaica Defence Force Commissioned Officers
25. Foreign Police Commissioners and Foreign Gazetted Police Officers
26. Foreign Military Officers (Army and Navy Air Force)
27. Resident Magistrates and Justices of the Peace (when on the Bench)
28. Overseas Gazetted Officers on course whilst wearing uniform
29. (a) Governor of the Bank of Jamaica
(b) Financial Secretary
(c) Auditor General
(d) Permanent Secretaries
(e) Director of Public Prosecution
(f) Solicitor General
(g) Chairman of the Police Service Commission

30. Heads of International Organizations
31. (a) Charges d' Affairs
 - (b) Acting High Commissioners
 - (c) Consul-Generals
 - (d) Chefs de Poste
32. Vice Chancellor of the University of the West Indies (UWI)
33. Chairman and Secretaries of the political parties having representation in Parliament

Notations and Clarifications

- Where two officers are shown at the same level, the precedence is the same but if both officer-holders are present, the one who is listed first should be mentioned first or, in the case of seating, takes the nearer of the two relevant seats to that of the presiding personage. Examples are the Chief Justice and the President of the Court of Appellate (level 8) or the Chief of Staff, JDF and the Commissioner of Police (level 20-21).
- Explanation as to the identities of the Head of Civil Service and the Head of the Foreign Service (level 11), the former is the Cabinet Secretary and the latter is the Permanent Secretary, Ministry of Foreign Affairs. For obvious diplomatic-service reasons the Head of Foreign Service, is accorded precedence above other Permanent Secretaries (level 29d)
- Mayors and Parish Council Chairmen (level 19) take precedence over Custodes, except as indicated in the remarks at (level 22). In this regard the phrase 'formal occasion' should be clearly noted; a 'formal' occasion is one which is official, as opposed to a non-governmental event.
- On occasion, a person may hold two or more appointments or offices shown in the table. In such a case, the post highest precedence always dictates the placing, e.g. if the Minister of Justice is invited to a function in his capacity as Attorney General, he should be accorded precedence as Minister.
- The table provides clear guidelines for all official occasions but there are many situations where it needed not be regarded as absolute. For example, a guest of honour may be accorded special precedence which he/she would not warrant under other circumstances. Consideration should also be shown to nationality, prominent representatives of the clergy and the professional, commercial and cultural sectors who might otherwise not receive adequate recognition.
- Spouses are accorded similar precedence to their consorts and where a spouse attends a function in the absence of the partner, consideration should be given to according similar precedence.

Government of Jamaica, approved Table Precedence 2006

- (b) Head-dress will not be removed by any member when saluting in uniform. This order extends to any mark of respect which a member may desire to pay to his friend or a passing funeral.
- (c) Officers will always salute their senior on parade or duty when reporting themselves, or making a report to them. Officers shall always return the salute of their juniors, except when their swords are drawn. A salute made to two or more officers shall be returned by the senior.

2.21 Members employed in plain clothes or detectives on special duty shall not pay any compliments in public when on such duty.

2.22 UNIFORM

Members shall wear such uniform, arms, accoutrements and other necessities furnished to them, or which they themselves may have to provide, as prescribed by the Minister and set out in the Appendix to these Rules.

2.23 DRESSES

Members will wear the following dress on the occasions mentioned;

1. WORKING DRESS

Working Dress will be worn during the day for:

- (a) Patrol Duty
- (b) Court Duty
- (c) Ordinary Inspection Duty
- (d) Travelling
- (e) General Duties
- (f) As may be ordered

2. DRESS UNIFORM

Undress will be worn for:

- (a) Any of the above duties carried out at night
- (b) Attendance after the opening day of Circuit Courts, or
- (c) As may be ordered.

Officers so desiring may wear Undress on any of the occasions that working dress is permitted.

3. CEREMONIAL FULL DRESS

Full Dress will be worn for:

- (a) Reviews
- (b) Guards of Honour
- (c) Church Parades
- (d) Opening day of Circuit Courts
- (e) Visits of His Excellency, the Governor General to Divisional Headquarters, or
- (f) As may be ordered.

2.24 IDENTIFICATION BOOKLET

Members of the Force whether in plain clothes or in uniform, on or off duty, must have their Force Identification Cards to identify themselves, and are obliged to produce same on request and when accosting members of the public.

Force Orders No. 3068 March 23,2006

2.25 MEDICAL ATTENTION

All members of the Force are allowed attendance and Medicine free of charge from the Government Medical Officers of their respective Divisions; but this concession does not extend to their wives and families. Medical attendance includes operating and room charges, all necessary surgical treatment, laboratory and X-Ray examinations.

CHAPTER 3

CONDUCT OF MEMBERS

- 3.1 Members shall display sobriety, discipline, integrity and conformity with Force policies in the execution of their duties and their conduct shall be subject to the Rules and Regulations thereof.

3.2 POLITICS AND PUBLIC POLICY

Members of the Jamaica Constabulary should note that the following conduct will be regarded as unprofessional and will be severely dealt with. Suspension and interdiction will not be ruled out where the situation warrants it:-

Being engaged in political activities publicly, whether on duty or otherwise, having reported sick and being excused from office and duty

(i) Being dressed in party colours in a manner reasonably interpreted to impute political affiliation and improper conduct;

(ii) Being in the company of civilians who are engaged in behaviour designed to intimidate;

(iii) Failing to take lawful police action when appropriately called upon

Force Order No.2860

3.3 PARTIALITY

Members will not display any form of partiality or discrimination in the discharge of their duties.

3.4 LAWFUL COMMANDS

Every member shall receive the lawful commands of his Senior with deference and respect; and execute them with alacrity and every senior in his turn shall give orders in temperate language, showing due regard for the feelings of those under his command.

3.5 PERSISTENT OFFENDERS

Members guilty of repeated irregularities, though of a minor character, should not continue to be dealt with summarily, but must be reported to the Commissioner.

3.6 PRIVATE INVESTMENT

A member shall be required to disclose for the information of the Police Service Commission particulars of any investment on share-holding which he may possess in any company, occupation or under-taking, or any other direct or indirect interest in such organization. If the member's private office is brought into conflict with his duties or in any way influences him in the discharge of his duties, he shall to such extent as may be directed, divest himself of such investment or interest or arrange to have the investment placed in trust.

3.7 COMPLAINTS

When a member of the public makes a complaint at a Station against any member of the Force or reports any matter, such member receiving the complaint shall forthwith collect or cause to be collected a written statement from the complainant. On no account must the person making the complaint be redirected to another Police Office.

3.8 Any member who has a just cause for complaint shall make a written statement thereof and send it through his Sub-Officer to his Commanding Officer, who will transmit the complaint (if it is beyond his power to deal with it) to the Commissioner, adding any observations or explanations which he himself may have made thereon.

3.9 OFFICIAL COMMUNICATION - PRESS RELEASES

A member shall not without the consent of the Commissioner, publish or communicate to the press or any unauthorized individual any matter pertaining to the Force or any other matter in which such member is involved.

3.10 All official communication, whether from a private person or not, shall be regarded as strictly confidential. Neither the contents of the communication nor the name of the person conveying any information shall be disclosed without authority.

3.11 Members shall not address or cause to be addressed to the Government, or the Commissioner any anonymous communication.

3.12 Except for the Force Newspapers, members are forbidden to take part directly or indirectly in the management of newspapers. They may (with the consent of the Commissioner) contribute articles upon subjects of general interest to any newspaper on questions which cannot be properly called political or administrative.

3.13 Members, whether on duty or on leave of absence, shall not allow themselves to be interviewed or questioned on public policy or matters affecting the security, defence or military resources of Jamaica, without the consent of the Minister.

3.14 Statements or releases to the press involving Force policy shall not be made by members without the authority of the Commissioner or the Minister.

3.15 No Member may, without the consent of the Commissioner, publish or communicate to the press or unauthorised individuals any document, paper or information which may come into his possession in his official capacity.

3.16 MONEY

All monies paid over to any member on behalf of Government, must be acknowledged by an official receipt and same lodged or paid over to the respective account or person without any undue delay.

3.17 ACCEPTANCE OF GIFTS

The Corruption Prevention Act of 2001, section **14(1)** states. A public servant commits an act of corruption if he-

- (a) corruptly solicits or accepts, whether directly or indirectly, any article or money or other benefit, being a gift, favour, promise or advantage for himself or another person for doing any act or omitting to do any act in the performance of his public functions;
- (b) in the performance of his public functions does any act or omits to do any act for the purpose of obtaining any illicit benefit for himself or any other person;
- (c) fraudulently uses or conceals any property derived **from** any such act or omission to act.

- (2) A person commits an act of corruption if he offers or grants, directly or indirectly, to a public servant any article, money or other benefit, being a gift, favour, promise or advantage to the public servant or another person, for doing any act or omitting to do any act in the performance of the public servant's public **function**.
- (3) A person commits **an** act of corruption if he instigates, aids, abets or is an accessory after the fact or participates in whatsoever manner in the commission or attempted commission of or conspires to commit any act of corruption referred to in subsection **(1)** or (2).

CHAPTER 4

LEAVE

4.1 LEAVE: A RIGHT

All members are entitled to leave as a right; however, the grant of leave shall be subject to the exigencies of the service and the Rules of the Force governing leave of absence.

4.2 AUTHORITY FOR THE GRANT OF LEAVE

Authority for the grant of leave to members is vested in the Commissioner who, subject to any Rules contained herein, is authorised to delegate to officers in charge of Police Establishments, general or specific authority to grant leave.

4.3 The Commissioner may direct any member to proceed on vacation leave at any time.

4.4 SUBJECT TO REGULATIONS WHILE ON LEAVE

All members on leave of absence shall be subject to the regulations prohibiting misconduct and are liable to the consequences of any breaches of discipline.

4.5 OFFICIAL DOCUMENTS

Except in the most urgent circumstances, members will not be allowed leave of absence if they have official correspondence, monthly accounts or returns which have been unduly delayed.

4.6 ELIGIBILITY FOR VACATION LEAVE

Subject to the exigencies of the service, members are entitled to the grant of vacation leave in accordance with the following schedule:

SCHEDULE

CATEGORIES	LEAVE ENTITLEMENT
(A) Members with over three years service	35 days p.a. accumulative to 105 days.
(b) Members with under three years service	28 days p.a. accumulative years service. to 84 days.

Good Friday, Christmas Day, a Public General Holiday, Saturdays and Sundays shall not be reckoned in the grant of Vacation Leave.

4.7 APPLICATION FOR LEAVE

Application for leave by members should be submitted in writing and with sufficient time to allow for a reply. Applications must not be transmitted by telegraph, telephone or radio, except in case of emergency.

4.8 MEMBERS MAY BE RECALLED OFF LEAVE

Members who are granted vacation leave may be recalled for duty by the Commissioner. A member so recalled shall be reimbursed for any reasonable out-of-pocket expense including actual financial loss sustained as a consequence of the decision to recall him.

4.9 LEAVE AND COURT

No member, except in case of illness, may apply for leave, or for an extension of leave which will prevent his attendance at Court if required as a witness.

4.10 NON-PERFORMANCE OF DUTY

When members are unable for any reason to perform their duties, they shall urgently inform those to whom they are immediately responsible. A claim of illness as the reason for non-performance of duty will not be entertained unless promptly reported and subsequently supported by a Medical Certificate submitted within 48 hours. In any event no member shall proceed on any form of leave of absence before advising his supervisor of the address where he may be found.

4.11 LEAVE OUTSIDE JAMAICA

The Commissioner may grant permission for leave, as entitled by Rules, to be spent abroad on full pay to any member with over two years service. Application for such leave must be typewritten and submitted in triplicate at least two (2) months prior to the proposed date of commencement, except in very special circumstances. Such application shall state the period and purpose for which the leave is required, name and address of overseas references, proposed dates of leaving and return.

4.12 ACCUMULATION OF LEAVE

If a member who has accumulated the maximum leave in respect of his grade without having been granted such leave should apply in writing for the vacation leave to which he is entitled, or some portion thereof, but is not granted such leave owing to the exigencies of the service, such member shall be entitled to additional full pay vacation leave beyond the maximum accumable for his grade. In such cases, however, the amount of additional leave which may be so accumulated shall be limited to leave in respect of service for a further period of two (2) years subject to the approval of the Permanent Secretary in the Ministry responsible for the Police.

4.13 Members who accumulate leave should clearly understand that there can be no guarantee that when the maximum leave is accumulated such leave will be granted. Accumulation beyond the maximum will only be allowed in the circumstances described at Rule 4.12.

4.14 Members will not be allowed to earn vacation leave during periods of sick and vacation leave exceeding fourteen (14) days respectively.

4.15 DEPARTMENTAL LEAVE

The Commissioner may grant any member a total of fourteen (14) days departmental leave in any calendar year. Where any Saturday, Sunday or Public Holiday falls within any period of departmental leave such day shall not be regarded as a day of leave.

4.16 Departmental leave may not be granted to any member between the 20th of December and the 6th day of January, except in exceptional circumstances.

4.17 STUDY LEAVE

- (a) Where a member with the approval of the Governor General, acting on the advice of the Police Service Commission, undertakes any course of study in the interest of the Public Service, he will be required to utilise for this purpose all vacation leave, accumulated vacation leave and recalled leave to which he is entitled and he may be granted by the Commissioner of Police such additional full pay study leave up to a maximum of six (6) months to enable him to complete the course. Should the combined period of vacation, accumulated vacation, recalled and full pay study leave prove insufficient to enable the member to complete the course of study, he or she may be granted a further period of half pay study leave not exceeding a maximum of twenty four (24) months. Any further leave required would be without pay. A member granted half pay leave under this Rule will not be entitled, in addition, to any half pay leave.
- (b) Members selected for training at Government expense may be required to enter into an agreement undertaking to resume, or take up employment in the Public Service on the completion of their studies for a period of up to five (5) years at the discretion of the Permanent Secretary of the Ministry responsible for the Public Service. Such an agreement may require the member selected to pay to the Government on default such sum as may be prescribed therein or such lesser amount as may be determined by the Permanent Secretary of the Ministry responsible for the Public Service provided that there shall be a sliding scale on which such sum is repayable with credits awarded for periods of service given.
- (c) In exceptional circumstances, a member who fails to obtain study leave under Section (a) of this Rule may be granted by the Permanent Secretary of the Ministry responsible for the Public Service, leave of absence without salary, in addition to the vacation leave, accumulated vacation leave and recalled leave to which he is entitled for the purpose of undertaking a course of study, although his particular course of study may not be immediately in the public interest.

4.18 RECREATIONAL LEAVE

On completion of the course a member may be granted a period of full pay leave to be utilised for the purposes of recreation not exceeding half the period of vacation leave which he devoted to the period of the course, subject to the conditions that such leave is utilised not later than the first occasion on which the member is granted vacation leave, following his course of study.

4.19 MATERNITY LEAVE

- (a) A member who requires leave for maternity purposes may be granted leave as under, provided that she has completed twelve (12) months service at the date of application:
 - (i) Special maternity leave on full salary for a period not exceeding fifty-six (56) days, on the presentation of an appropriate medical certificate;
 - (ii) All the vacation leave to which she may be entitled;
 - (iii) Leave without pay for an additional period not exceeding ninety (90) days.
- (b) Notwithstanding the provisions of paragraph (a) the Commissioner of Police or the Permanent Secretary may in any particular case authorise the grant of leave without pay for maternity purposes in excess of ninety (90) days.
- (c) Sick leave may be granted to run consecutively with leave granted for maternity

purposes in accordance with (a) of this Rule on the production of satisfactory medical evidence that the illness does not result directly or indirectly or specifically from pregnancy.

4.20 SICK LEAVE

- (a) Full pay sick leave not exceeding twenty-eight (28) days in any calendar year may be granted to a member on production of a Medical Certificate.
- (b) On the expiration of leave at (a), a member may utilise his unused departmental leave and not more than one half of his unused vacation leave from the commencement of such sick leave on full pay.
- (c) Should the member's illness necessitate his continuous absence beyond the provisions at (b) because such illness entails major surgery or prolonged treatment the Permanent Secretary responsible for the Police may grant further special sick leave on full pay subject to 4.22.(a).

4.21 LEAVE IN RESPECT OF INJURY IN THE DISCHARGING OF DUTY

Members who sustain any injury or contract a disease as a result of, or in the discharge of their duties and without their own fault, may be granted leave of absence on full pay by the Commissioner without affecting their normal leave entitlement.

4.22 MEDICAL BOARD

- (a) At the expiration of ninety (90) days continuous leave of absence granted under Rule 4.20 such member shall be put before a Medical Board which may consider the grant of further sick leave or the member's fitness for further service.
- (b) In respect of leave of absence granted to a member under Rule 4.21, the Commissioner of Police may require such member to be put before a Medical Board at the expiration of one hundred and eighty (180) days continuous sick leave. The Board may consider the grant of further sick leave or the member's fitness for further service.

4.23 HALF PAY LEAVE

Leave of absence on half pay may be granted to a member by the Permanent Secretary of the Ministry responsible for the Public Service after six (6) years service from first appointment, provided that such leave together with any full pay vacation leave granted shall not, except as provided in Rule 4.17 or on the grounds of urgent private affairs, exceed one hundred and five (105) days at any one time.

Half pay leave may be granted after a less duration of service than six (6) years in cases of urgent private affairs. In no case, however, shall half pay leave exceed by more than one hundred and five (105), one-sixth of the members service and no member shall be allowed to receive half pay continuously for more than twelve (12) months. Any further leave granted will be without pay.

4.24 SPECIAL LEAVE

The Commissioner may grant special leave to members for the purpose of participating in Departmental, National and International sports or games and such grants of special short leave

shall not be set against normal entitlement of the member.

4.25 UNABLE TO RETURN OFF LEAVE

In the event of any member being unable to resume duty at the expiration of his leave owing to special circumstances, the Officer in whose Division such member resides may, after due enquiry, grant an extension of six (6) days and shall immediately notify the Officer in Charge of the Division to which the member belongs and shall also report to the Commissioner without whose authority no further extension of leave can be granted. In the report the Officer must certify that the leave applied for was necessary.

4.26 EXTENSION OF LEAVE

Leave of absence granted to a member will not be extended except in a case of necessity which must be clearly shown by the member and in the event of sickness being the plea, a Medical Certificate must accompany the application.

4.27 A member who resigns voluntarily (in circumstances other than retirement on pension) shall be paid a sum equivalent to the remuneration he would have received had he been granted all the vacation leave to which he is entitled.

4.28 A member who is being dismissed shall be paid a sum equal to the remuneration he would have received had he been granted all the vacation leave to which he was entitled immediately prior to his dismissal.

4.29 In the event of death of a member a sum equivalent to the emolument he would have received for the number of days vacation leave to his credit shall be paid to his legal personal representative.

4.30 CHANGE OF RESIDENCE

In the event of any change of residence during leave of absence, Officers will inform the Commissioner while other members will inform their Commanding Officers of such changes and their new addresses.

CHAPTER 5

ALLOWANCES

- 5.1 Allowances, as determined from time to time, shall be paid to members at the approved rates. Technical allowances may be paid only to members of those sections involved in performing technical duties as determined by the Minister.

5.2 HOUSE ALLOWANCES/RENTAL:
SUB-OFFICERS & CONSTABLES

- (a) Housing Allowance shall be payable:
 - (i) to a member upon graduation from the Police Academy.
- (b) Housing Allowance should continue to be paid to all members in receipt of these allowances during periods of sick, departmental, vacation, pre-retirement or maternity leave.

Force Order No. 2896

- 5.3 In the event of separation, divorce, or death of spouse of members in receipt of House Allowance, this Allowance shall continue to be paid if the member has children under the age of nineteen (19) years whom he is required to support, or over nineteen (19) years and attending a recognised institution of learning, or are mentally or physically retarded.

- 5.4 (a) Members in receipt of detective, driving, washing, uniform and plain clothes allowances shall continue to draw such allowance or allowances while on vacation, sick, or departmental leave, not exceeding one (1) month.
- (b) Where a member becomes ill because of the nature of his duties, or is injured on duty, he should receive full salary as well as house, marriage, detective and uniform allowance during the period of illness. This period of absence due to illness will have to be certified by the appropriate medical authority.

5.5 ALLOWANCES: TRANSPORT

Members in receipt of allowance for the upkeep of a motor car, motor cycle or bicycle shall continue to draw such allowance during all periods of sick, departmental, vacation, pre-retirement and maternity leave.

The provisions of this Rule shall not apply in cases where a member is granted leave prior to resignation or separation from the Service in any circumstance.

The Allowance will also not be payable during the period of pre-retirement leave where the Officer has been employed during such leave by a Statutory Body financed from Public Funds on terms which provide for the payment of a travelling allowance.

5.6 OFFICER'S RESIDENCE

- (a) An Officer may either be provided with quarters on such terms as may be specified or in lieu thereof be paid a house or rental allowance at such rate as the Minister responsible for the Public Service may from time to time approve.

- (b) House or Rent Allowance should continue to be paid to all members in receipt of those allowances during the periods of sick, departmental, vacation, pre-retirement or maternity leave.
- 5.7 Members in receipt of Entertainment and Utility Allowances shall continue to be paid these allowances during the periods of sick, departmental, vacation, pre-retirement or maternity leave.
- 5.8 Members in receipt of special non-pensionable allowance shall continue to be paid this allowance during periods of vacation leave.

CHAPTER 6

LEGAL PROCEEDINGS

6.1 ACTION AGAINST MEMBERS:

- (a) When civil proceedings are brought against a member for acts done in the discharge of his duties, he shall not employ legal assistance at public expense without previously obtaining the permission of the Attorney General;
- (b) In criminal cases the Government will not prosecute and at the same time defend acts done by members in the discharge of duties. However, if there is an acquittal, the full cost of defense shall be refunded, subject to the recommendations of the Attorney General.

6.2 LEGAL PROCEEDINGS:

If a member shall have cause for complaint either upon private or public grounds against any official person in any other Department, such complaint shall be made in writing and submitted to the Commissioner who will transmit the matter to the Department concerned.

- 6.3 No steps may be taken by members to institute civil proceedings in any Court in connection with any matter arising out of discharge of his public duties or against a Minister or Head of any Department (Government) or other public officers for anything done in the performance of duty, unless and until the sanction of the Police Service Commission is obtained.

- 6.4 Where proceedings are threatened or brought against members for acts done in the discharge of their duties the facts thereof shall forthwith be reported to the Commissioner and no public expenses, legal or otherwise shall be incurred by the member against whom proceedings have been threatened or brought or other steps taken in connection with any proceedings until directions of the Commissioner have been received by the member.

- 6.5 Subject to the provisions of these rules, Government will, unless otherwise advised by the Attorney General in any particular case, accept responsibility for the defense of members against whom civil proceedings are threatened or brought in respect of acts done or liabilities incurred in the execution of his duty.

- 6.6 (i) Where any such proceedings are threatened or brought against the member whose acts are subject of the proceedings, such proceedings shall not be defended by Government unless the member makes a written request through the Commissioner to the Attorney General for legal assistance.

- 6.6 (ii) Where legal assistance is afforded in these circumstances to such member and the Attorney General considers that it would be advisable to settle such proceedings, or the Court makes an award for damages the Attorney General shall recommend to the Financial Secretary, the amount which he considers that the member contribute to the settlement or award, if any.

In all civil cases the Attorney General either agrees with the plaintiff's attorneys as to the terms of settlement or the matter goes to Court where the Judge makes the award.

- 6.7 When actions are brought against members and are dismissed, cost shall be applied for, and if awarded, efforts shall be made to have them recovered.

6.8 When an action in any civil or other Court is brought against a member in a matter arising out of the discharge of his duty or which would affect his position in the Force, the Commanding Officer shall be present and report if any circumstances transpire which ought to be known to the Commissioner.

6.9 **CIVIL CASES:**

Whenever any member is subpoenaed as a witness in a civil proceeding between members of the Public, his reasonable expenses in going to, staying at, and returning from Court shall be tendered to him by the party by whom his evidence is required at the time of the service of the subpoena at a reasonable time before the date on which he is required to appear to give evidence.

6.10 **SUPPLYING STATEMENTS:**

- (1) No member of the public shall be supplied with or given access to the original or any copy of-
 - (a) any report or statement made by any member in the course of his duty; or
 - (b) any statement given to the police by any member of the public.
- (2) Notwithstanding the provisions of paragraph (1) of this Rule, in the case of any road accident a Divisional Officer in his discretion may-
 - (a) upon the application of any person interested in civil proceedings arising out of any such accident, furnish an abstract, giving-
 - (i) the names, addresses of the drivers of the vehicles and the identification marks of such vehicles;
 - (ii) the salient facts of the occurrence as ascertained by the police from own observation;
 - (iii) names and addresses of persons who witnessed the occurrence;
 - (b) upon the application of a party to any civil proceedings arising out of any such accident or his legal representative, furnish a copy of any statement given by such party to the police;
 - (c) upon the application of a witness in any civil proceedings arising out of any such accident, furnish to such a witness a copy of any statement given by such witness to the police.

Provided that where criminal proceedings are pending or contemplated or where an inquest is likely to be held, no abstract shall be furnished until such proceedings or inquest have been conducted or abandoned.

6.11 **STATEMENTS**

Every original signed statement taken by the police must be available in Court and should be tendered to the Crown Prosecutor before the Court sits; and it is also a requirement of the Divisional Officer to bring to the notice of the Crown Prosecutor any information which, though inadmissible as evidence, may be of use.

6.12 **EXPENSE OF WITNESS:**

Expense of a witness who is not of the Constabulary coming from a distance to give evidence before a Departmental Enquiry may be paid in accordance with the scale laid down in the Crown Witness Expense Act. The amount must be certified by the President of the Court and the application must be forwarded in duplicate to the Commissioner.

CHAPTER 7

PRISONERS

7.1 PRISONERS - TREATMENT

Prisoners shall be treated with every consideration and while no harshness or unnecessary restraint shall be used towards them, every precaution must be taken as regards their safe custody. They shall not be placed in the dock with handcuffs unless by order of the Court.

7.2 ATTORNEYS - CONSULAR OFFICERS

Every person at any stage of an investigation should be able to communicate and to consult privately with an Attorney or, if a foreigner, with his Consular Officer. This is so even if he is in custody, provided that in such a case no unreasonable delay or hinderance is caused to the process of investigation or the administration of justice.

7.3 Attorneys and or Consular Officers shall be allowed to communicate with a prisoner in custody. Arrangements shall be made as far as practicable, that the communication may not be heard by anyone, but care shall be taken that the prisoner shall not escape, and if necessary, for the purpose a member shall keep the prisoner in sight during communication.

7.4 DIETS - FOR PRISONERS UNDER ESCORT

Whenever a prisoner is being escorted by a member over any long period of time or distance every effort must be taken to have such prisoner supplied with his regular diets as though he was confined to an institution.

7.5 SEARCHING OF PRISONERS

Every prisoner received into custody must be searched before being placed in a lock-up. Female prisoners are only to be searched by another female.

When prisoners are searched, every article taken from them shall be distinctly called out by the member searching, and the particulars shall be entered in the relevant Register.

The Sub-Officer in charge of the Station at the time shall be present if possible and will be held responsible for any loss which may occur through neglect or irregularities. If a prisoner is searched before arriving at the Station, particulars of every article taken from him shall immediately be given to the Station Guard who shall enter them in the relevant Register. Notes shall be made of what is taken from each pocket or other place during search. All notations made in the relevant Registry should be signed by the prisoner and witnesses.

- (a) Members must ensure the safe custody of all items of exhibit which come into their custody or possession and a clear and careful record must be kept and maintained of all exhibits. A valuation of the items will be made by the owner, if available.
- (b) All exhibits are to be labelled correctly, giving the date and place of finding, by whom found and in what circumstance.
- (c) Exhibits are to be carefully handled and destruction, contamination or damage must be prevented as far as possible.

HANDLING OF PROPERTY DURING SEARCH

Where a search of any premises, place, vehicle or thing is being undertaken it shall be the duty of the member in charge of such search to take such steps as are reasonably practicable in the circumstances to ensure that:

- (i) owner or occupier of the premises or place, or the owner or person in possession of the vehicle or thing is present at all stages of the search;
- (ii) there is no destruction or wilful damage of property;
- (iii) where any damage occurs, unavoidably, during a search a comprehensive report shall be submitted forthwith.

7.7 PREPARING CHARGES FOR ARRESTED PERSONS

Whenever persons are arrested they should be charged without any delay and thereafter bailed or placed before the Court as soon as possible.

7.8 PRISONERS IN CUSTODY

Convicted and unconvicted prisoners should not be placed together in the same cell. If, for any reason, this has to be done an entry must be made in the appropriate record, and they should be placed in uneven numbers.

- 7.9 Where any prisoner is serving sentence in lieu of payment of fines and costs awarded by a Court, such prisoners shall not be released except such fines and costs are paid in full irrespective of the amount of sentence already served. Communication by Telegram, Telephone Calls, Radio Messages or otherwise stating that the money has been paid elsewhere must not be accepted as authority to release.

7.10 MALE AND FEMALE PRISONERS - SEPARATION

Male and female prisoners shall not be confined in the same cell.

7.11 PRISONERS' MEALS

Meals shall be supplied to prisoners in custody at the rates and in accordance with the Regulations issued from time to time on the subject and must not be supplied by any member.

7.12 IDENTIFICATION PARADES **IDENTIFICATION REGULATIONS 'CODE D'**

Force Order No. 3225

The Visual Identification Unit (V.I.U) was launched on 26th January 2009 at the Kingston Central Police Station and has its Head Quarters currently located at 1st Floor, NCB South Towers, Oxford Road, Kingston 5. The main functions of this unit are;

- Identification parades to include video (conventional and confrontational)
- Electronic facial Imaging Techniques (E.F.I.T)

The **Code of Practice for the Identification of Persons by the Jamaica Constabulary Force** is issued as an amendment to the book of rules (7/9/1988) for the guidance and general direction of the

force.

The provisions of this Code are designed to make sure fingerprints and photographs are taken, used and retained, and identification procedures carried out, only when justified and necessary for preventing, detecting or investigating crime.

This Code sets out how the powers and obligations of police officers in relation to certain procedures for the identification of persons are to be exercised and procedures implemented, and in relation to the keeping of accurate and reliable records.

A police officer who is a witness for the purposes of this Code (Identification by Witnesses) is subject to the same principles and procedures as a civilian witness.

Any procedure under this Code which involves the participation of a suspect who is mentally disordered or a child must take place in the presence of the appropriate adult.

Procedures involving the Code of Practice for the Identification of Persons are provided for in Appendices "A" TO "E" of the Regulation. The areas of focus in each Appendix which are to be strictly adhered to are outlined below:-

"Appendix A"

➤ VIDEO IDENTIFICATION

- *General*
- *Conducting the video identification*
- *Image security*
- *Documentation*

Appendix B"

➤ IDENTIFICATION PARADES

- *General*
- *Identification parades involving prison inmates*
- *Conduct of the identification parade*
- *Documentation*

"Appendix C"

➤ GROUP IDENTIFICATION

- *General*
- *Identification with the consent of the suspect*
- *Identification without the suspect's consent*
- *Identifications in police stations*
- *Identifications involving prison inmates*
- *Documentation*

"Appendix D"

➤ CONFRONTATION BY A WITNESS

"Appendix E"

➤ SHOWING PHOTOGRAPHS

- *General*
- *Action*
- *Documentation*

IDENTIFICATION PARADES

(c) Conduct of the identification parade

- 6 Immediately before the identification parade, the suspect must be reminded of the procedures governing its conduct, and cautioned in the following terms: *"You are not obliged to say anything unless you wish to do so, but anything you do say may be taken down in writing and given in evidence."*
- 7 Once the identification parade has been formed, everything afterwards, in respect of it, shall take place in the presence and hearing of the suspect and any interpreter, Attorney, appropriate adult or a Justice of the Peace who is present (unless the identification parade involves a screen, in which case everything said to, or by, any witness at the place where the identification parade is held, must be said in the hearing and presence of the suspect's Attorney or Justice of the Peace).
- 8 The identification parade shall consist of at least eight people (in addition to the suspect) who, so far as possible, resemble the suspect in age, height, general appearance and position in life. Only one suspect shall be included in an identification parade unless there are two suspects of roughly similar appearance, in which case they may be paraded together with at least twelve other people. In no circumstances shall more than two suspects be included in one identification parade and where there are separate identification parades, they shall be made up of different people.
- 9 If the suspect has an unusual physical feature, e.g., a facial scar, tattoo or distinctive hairstyle or hair colour which cannot be replicated on other members of the identification parade, steps may be taken to conceal the location of that feature on the suspect and the other members of the identification parade if the suspect and his Attorney or JP agree, for example, by use of an adhesive plaster or a hat, so that all members of the identification parade resemble each other in general appearance.
- 10 When all members of a similar group are possible suspects, separate identification parades shall be held for each unless there are two suspects of similar appearance when they may appear on the same identification parade with at least twelve other members of the group who are not suspects. When police officers in uniform form an identification parade any numerals or other identifying badges shall be concealed.
- 11 When the suspect is brought to the place where the identification parade is to be held, he shall be asked if he has any objection to the arrangements for the identification parade or to any of the other participants in it and to state the reasons for the objection. The suspect may obtain advice from his Attorney or Justice of the Peace, if present, before the identification parade proceeds. If the suspect has a reasonable objection to the arrangements or any of the participants, steps shall, if practicable, be taken to remove the grounds for objection. When it is not practicable to do so, the suspect shall be told why his objections cannot be met and the objection, the reason given for it and why it cannot be met, shall be recorded on forms provided for the purpose.
- 12 The suspect may select his own position in the line, but may not otherwise interfere with the order of the people forming the line. When there is more than one witness, the suspect must be told, after each witness has left the room, that he can, if they wish, change position in the line. Each position in the line must be clearly numbered, whether by means of a number laid on the floor in front of each identification parade member or by other means.
- 13 Appropriate arrangements must be made to make sure, before witnesses attend the identification parade, they are not able to:

- (i) communicate with each other about the case or overhear a witness who has already seen the identification parade;
 - (ii) see any member of the identification parade;
 - (iii) see, or be reminded of, any photograph or description of the suspect or be given any other indication as to the suspect's identity; or
 - (iv) see the suspect before or after the identification parade.
- 14 The person conducting a witness to an identification parade must not discuss with him the composition of the identification parade and, in particular, must not disclose whether a previous witness has made any identification.
- 15 Witnesses shall be brought in one at a time. Immediately before the witness inspects the identification parade, he shall be told that the person they saw on a specified earlier occasion may, or may not, be present and if he cannot make a positive identification, he should say so. The witness must also be told he should not make any decision about whether the person he saw is on the identification parade until he has looked at each member at least twice.
- 16. When the officer conducting the identification procedure is satisfied the witness has properly looked at each member of the identification parade, he shall ask the witness whether the person the witness saw on a specified earlier occasion is on the identification parade and, if so, to indicate the number of the person concerned.
- 17. If the witness wishes to hear any identification parade member speak, adopt any specified posture or move, the witness shall first be asked whether he can identify any person(s) on the identification parade on the basis of appearance only. When the request is to hear members of the identification parade speak, the witness shall be reminded that the participants in the identification parade have been chosen on the basis of physical appearance only. Members of the identification parade may then be asked to comply with the witness' request to hear them speak, see them move or adopt any specified posture.
- 18 If the witness requests that the person he has indicated remove anything used, for the purposes referred to in paragraph 10, to conceal the location of an unusual physical feature, that person may be asked to remove it.
- 19 If the witness makes identification after the identification parade has ended, the suspect and, if present, his Attorney, interpreter or Justice of the Peace shall be informed. When this occurs, consideration should be given to allowing the witness a second opportunity to identify the suspect.
- 20 After the procedure, each witness shall be asked whether he has seen any broadcast or published films or photographs or any descriptions of suspects relating to the offence and his reply shall be recorded.
- 21 When the last witness has left, the suspect shall be asked whether he wishes to make any comments on the conduct of the identification parade.

(d) Documentation

- 23 If any person is asked to leave an identification parade because he is interfering with its conduct, the circumstances shall be recorded.
- 24 A record must be made of all those present at an identification parade whose names are known to the police.

- 25 If prison inmates make up an identification parade, the circumstances must be recorded.
- 26 A record of the conduct of any identification parade must be made on forms provided for the purpose. This shall include anything said by the witness or the suspect about any identifications or the conduct of the procedure, and any reasons it was not practicable to comply with any of this Code's provisions.

In arranging for personal identification, every precaution shall be taken:

- (a) to exclude any suspicion of unfairness or risk of erroneous identification through the witnesses' attention being directed to the suspected person in particular instead of indifferently to all the persons paraded;
 - (b) to make sure that the witnesses' ability to recognise the accused has been fairly and adequately tested.
1. It is desirable therefore that:
- (i) arrangements for an "Identification Parade" shall not be made by the member in charge of the case against the prisoner;
 - (ii) the witness shall be prevented from seeing the prisoner before he is paraded with other persons and shall have no assistance from photographs or descriptions;
 - (iii) the accused shall be placed among not less than eight persons who are as far as possible of the same age, height, general appearance and position in life;
 - (iv) the accused shall be allowed to select his own position in the line, and shall be expressly asked if he has any objection to the persons present with him or the arrangement made. If he desires to have his Attorney-at-Law or a friend present at the identification this shall be allowed and he shall be informed of this privilege;
 - (v) the witnesses shall be introduced one by one and on leaving shall not be allowed to communicate with those witnesses still waiting to see the persons paraded, and the accused shall be allowed, if he desires, on being informed of his right, to change his position after each witness has left. A witness shall be required to touch any person whom he purports to identify;
 - (vi) All unauthorised persons shall be strictly excluded from the place where the Identification Parade is held.
 - (vii) whenever possible, an Officer or Sub-Officer not below the rank of Sergeant shall conduct the Identification Parade, and a Justice of the Peace shall be present if possible;
 - (viii) every circumstance connected with the Identification shall be carefully recorded by the Officer conducting it, whether the accused or any other person is identified or not.
2. It may sometimes happen that a witness desires to see the suspect with his hat on or off, and there is no objection to all the persons paraded being thereupon asked to wear or remove their hats. Where there may be something peculiar in the suspect's walk or speech, there is no objection to the persons paraded being asked to walk individually, or to speak. When any such request is made by a witness, the incident shall be recorded.

3. One-Way Mirrors may be used for the purpose of identification parades and on such use, a witness shall not be required to touch any person whom he purports to identify. Without prejudice to the generality of the foregoing, the following provisions shall be applied wherever a one-way mirror is used for the purpose of an identification Parade.
4.
 - (i) an Attorney-at-Law subject to sub-paragraph (iii) hereof, and a Justice of the Peace shall be present and both shall be placed in a position to be decided by the Officer conducting the parade;
 - (ii) the Attorney-at-Law shall be one chosen by the prisoner. However, if the prisoner chooses no particular Attorney-at-Law or if the Attorney-at-Law of the prisoner's choice is not available for the parade, the Attorney-at-Law shall be either drawn from a Legal Aid Clinic or selected by the Officer conducting the parade from among Attorneys-at-Law willing to undertake the assignment;
 - (iii) when an Attorney-at-Law fails, or is unable to attend for an identification parade or where no Attorney-at-Law can be found to represent the suspect, the identification may be postponed once and if on the date set for the postponed parade an Attorney-at-Law does not attend and a Justice of the Peace is present the identification parade may be held in the absence of the Attorney-at-Law;
 - (iv) neither an Attorney-at-Law nor the Justice of the Peace when present at the parade shall speak to any witness or any person other than the accused being paraded and the Officer or Sub-Officer in charge of the parade.
 - (v) In this rule "One-Way Mirror" means a pane of glass or other similar material so treated that when viewed from one side (hereinafter referred to as the obverse side) it presents a reflection of the viewer but does not permit the viewer to see through it, person or objects which may be on the "obverse side."
5.
 - (1) The member conducting the parade is to be briefed beforehand by the investigator in time to allow him to:
 - (a) warn suspects and select persons for the parade;
 - (b) if the prisoner has no Attorney-at-Law apply to Legal Aid Clinic for one (written application copy in case file).
 - (2) The Attorney-at-Law and the Justice of the Peace are to be placed on the witness side of the One-Way Mirror.
 - (3) No one other than the member conducting the parade, witnesses, the Attorney and the Justice of the Peace are to be on the witness side of the mirror.
 - (4) Suspect, persons forming the parade and officer or sub-officer assisting to be on the obverse side (with number).
 - (5) The member conducting the parade should not instruct the witness whom to identify but should offer what assistance possible as to the procedure of the parade so that the persons on the prisoner's side can hear. Any statement made by or to the witness should be heard by the persons on the prisoner's side.
 - (6) All the lights on the obverse side to be on.
 - (7) All lights to be off on reverse side.
 - (8) There shall be provision for the witness to inform the suspect of the fact that he has

been identified.

6. SAFE KEEPING OF EXHIBITS

7.13 It is desirable therefore that:

- (i) arrangements for an "Identification Parade" shall not be made by the member in charge of the case against the prisoner;
- (ii) the witness shall be prevented from seeing the prisoner before he is paraded with other persons and shall have no assistance from photographs or descriptions;
- (iii) the accused shall be placed among not less than eight persons who are as far as possible of the same age, height, general appearance and position in life;
- (iv) the accused shall be allowed to select his own position in the line, and shall be expressly asked if he has any objection to the persons present with him or the arrangement made. If he desires to have his Attorney-at-Law or a friend present at the identification this shall be allowed and he shall be informed of this privilege;
- (v) the witnesses shall be introduced one by one and on leaving shall not be allowed to communicate with those witnesses still waiting to see the persons paraded, and the accused shall be allowed, if he desires, on being informed of his right, to change his position after each witness has left. A witness shall be required to touch any person whom he purports to identify;
- (vi) All unauthorised persons shall be strictly excluded from the place where the Identification Parade is held.
- (vii) whenever possible, an Officer or Sub-Officer not below the rank of Sergeant shall conduct the Identification Parade, and a Justice of the Peace shall be present if possible;
- (viii) every circumstance connected with the Identification shall be carefully recorded by the Officer conducting it, whether the accused or any other person is identified or not.

7.14 It may sometimes happen that a witness desires to see the suspect with his hat on or off, and there is no objection to all the persons paraded being thereupon asked to wear or remove their hats. Where there may be something peculiar in the suspect's walk or speech, there is no objection to the persons paraded being asked to walk individually, or to speak. When any such request is made by a witness, the incident shall be recorded.

7.15 One-Way Mirrors may be used for the purpose of identification parades and on such use, a witness shall not be required to touch any person whom he purports to identify. Without prejudice to the generality of the foregoing, the following provisions shall be applied wherever a one-way mirror is used for the purpose of an identification Parade.

- 7.15 (i) an Attorney-at-Law subject to sub-paragraph (iii) hereof, and a Justice of the Peace shall be present and both shall be placed in a position to be decided by the Officer conducting the parade;
- (ii) the Attorney-at-Law shall be one chosen by the prisoner. However, if the prisoner chooses no particular Attorney-at-Law or if the Attorney-at-Law of the prisoner's choice is not available for the parade, the Attorney-at-Law shall be either drawn from a Legal Aid Clinic or selected by the Officer conducting the parade from among Attorneys-at-Law willing to undertake the assignment;
- (iii) when an Attorney-at-Law fails, or is unable to attend for an identification parade or where no Attorney-at-Law can be found to represent the suspect, the identification may be postponed once and if on the date set for the postponed parade an Attorney-at-Law does not attend and a Justice of the Peace is present the identification parade may be held in the absence of the Attorney-at-Law;
- (iv) neither an Attorney-at-Law nor the Justice of the Peace when present at the parade shall speak to any witness or any person other than the accused being paraded and the Officer or Sub-Officer in charge of the parade.
- (v) In this rule "One-Way Mirror" means a pane of glass or other similar material so treated that when viewed from one side (hereinafter referred to as the obverse side) it presents a reflection of the viewer but does not permit the viewer to see through it, person or objects which may be on the "obverse side."
- 7.16 (1) The member conducting the parade is to be briefed beforehand by the investigator in time to allow him to:
- (a) warn suspects and select persons for the parade;
- (b) if the prisoner has no Attorney-at-Law apply to Legal Aid Clinic for one (written application copy in case file).
- (2) The Attorney-at-Law and the Justice of the Peace are to be placed on the witness side of the One-Way Mirror.
- (3) No one other than the member conducting the parade, witnesses, the Attorney and the Justice of the Peace are to be on the witness side of the mirror.
- (4) Suspect, persons forming the parade and officer or sub-officer assisting to be on the obverse side (with number).
- (5) The member conducting the parade should not instruct the witness whom to identify but should offer what assistance possible as to the procedure of the parade so that the persons on the prisoner's side can hear. Any statement made by or to the witness should be heard by the persons on the prisoner's side.
- (6) All the lights on the obverse side to be on.
- (7) All lights to be off on reverse side.
- (8) There shall be provision for the witness to inform the suspect of the fact that he has been identified.

CHAPTER 8

GENERAL

8.1 INSPECTION

The auditing and monitoring of all Formations of the Jamaica Constabulary Force and its Auxiliaries is carried out by the Inspectorate of Constabulary which was established in June 2008. This is in keeping with the Force's Strategic direction of accountability, professionalism, transparency and replication of "Best Practices."

Each police establishment will be inspected at least once every six months by Divisional Command.

Area/Branch command must inspect each division/formation under his/her command at least once per year.

The Inspectorate of Constabulary will conduct routine and thematic inspection at all police formation as directed by the Commissioner of Police.

Inspections may be announced or unannounced.

During inspection those best practices observed or grave irregularities or circumstances worthy of notice discovered by an Officer, he shall not only satisfy himself by commenting on it in his inspection report, but shall make urgent report of the discovery through the appropriate channel to the Commissioner.

Any Officer/Inspector may visit a Police Station.

AREAS AUDITED BY INSPECTORATE OF CONSTABULARY

- PERSONNEL ADMINISTRATION
 - Staff Performance
 - Discipline and Deportment
- ADMINISTRATIVE MANAGEMENT
 - Station Records
 - Detention and Court
- OPERATIONAL MANAGEMENT
 - Traffic
 - Criminal Investigation
 - Community Relations
 - Patrol Log/Chart
 - Roadblock Book
 - Stolen Motor Vehicle Chart
- ASSET MANAGEMENT
 - Financial Accounting
 - Government Assets
 - Condition and Security of Buildings and Grounds
 - Welfare of Staff

- Recreation and Dining Facilities
- Bathrooms and Sanitary Convenience for Police Personnel
- Civilian Assets

8.2 During inspection if any grave irregularities or circumstances worthy of notice are discovered by an Officer, he shall not only satisfy himself by commenting on it in his inspection report, but shall make an urgent report of the discovery to the Commissioner.

8.20 **CHILD CARE AND PROTECTION ACT?** Introduction and Background

The landmark Child Care and Protection Act (CCPA) received final approval by Jamaica's Parliament on March 11, 2004 and was signed into law by the Governor General on March 25, 2004.

The enactment of the CCPA was a definitive move to strengthen the legislative framework for the care and protection of the country's children in keeping with the nation's commitment under the International Convention on the Rights of the Child.

This new law makes rules about the care and protection of every Jamaican child. It applies to parents, teachers, day-care centre workers, doctors, nurses, guidance counselors and other persons who work with children. In fact, EVERY ADULT HAS A RESPONSIBILITY under this new law.

The Police

The police play a key role as it related to both Children in Need of Care and Protection and Children in Conflict with the law. It is the duty of the Police to:

- Receive complaints.
- Investigate allegations of abuse against children.
- Make arrests if necessary.
- Make referrals to support services.
- Ensure that a child is brought before the Court within 48 hours of being taken to a place of safety.
- Participate in Court cases.

8.21 **DISCIPLINARY PROCESS (JCF)**

In law enforcement organizations, ensuring the performance of assigned task is essential to its effectiveness and success. For this reason, measures aimed at promoting discipline, order and reliability among members have always been a part of the Jamaica Constabulary Force's (JCF) governing regulations. Breaches of these regulations may result in disciplinary procedure as provided for under the current regulations.

The Disciplinary code for the JCF is provided for in the following:

1. The rules for the Jamaica Constabulary Force 1939 (1988 & 2011 Revised Book of Rules);
2. The Police Service Regulations 1961;
3. The Jamaica Constabulary Force Orders;
4. General and periodic instructions issued by the Commissioner of Police; and
5. The Constables Act (ISCF) 1990.

DISCIPLINARY TRIBUNALS

The tribunals that hear matters relating to disciplinary breaches committed by members of the JCF and its Auxiliary bodies (Island Constabulary Force –ISCF and District Constables) comprise:

- Orderly Room;
- Court of Enquiry;
- ISCF Board of Enquiry and
- The Police Service Commission.

It is the nature **and level** at which a breach is committed that determines which of the above mentioned entity hears the matter.

JCF'S DISCIPLINARY PROCESS INTERNAL & EXTERNAL

The JCF members as well as those of its auxiliary bodies are subject to the laws of the land. Their infringements of laws and or governing regulations are dealt with internally, through the organizations' tribunal bodies and externally, through the Courts of Jamaica. Pertinent cases under investigation are referred to the Director of Public Prosecution for a ruling. In some instances case files will return under an advice for internal discipline. Other cases are prosecuted by the DPP.

It is important to note that regulation 34 of the Police Service Regulation¹⁹⁶¹ prevents any internal disciplinary action while the related matter is before any criminal court.

It is critical that members of the Jamaica Constabulary Force can be relied on to operate according to the prescribed standards of the Organization. Achieving this desired standard, require measures that encourage voluntary adherence as well as a provision for coercive alternatives.

INTERNAL DISCIPLINE

Tribunal bodies for the Organization such as: Orderly Room; Court of Enquiry; ISCF Board of Enquiry; Police Services Commission; Resident Magistrates' and the various other courts of Jamaica, operate as a progression of control mechanisms used to narrow the service delivery gaps detected by the organization. Each of these is part of a clear swift and equitable interdependent system aimed at ensuring that discipline in the force is at the desired level. Each component has to perform at its optimum.

Informal survey indicates that, a large percentage of members feel that the lack of focus on the JCF's internal disciplinary machinery, is to a large extent responsible for increases in misconduct and some corrupt practices among members. Research shows that in some areas where orderly room hearings are not frequently held (e.g. corporate area), there is a higher number of cases before the court of enquiry. This may directly account for the correspondingly, high rates of customer dis-satisfaction reported from the corporate area, as evidence at the PSB complaints division.

More focus needs to be given to orderly room and court of enquiry to raise and sustain the standards of discipline displayed by members of the Jamaica Constabulary Force. Orderly room processes and procedures were organized to quickly identify and correct minor deviations from the standards required of members. For some reason these are not being followed. The failure to use the orderly room process to deal with minor offences paves the way for more serious breaches that eventually burden the process.

PRIMARY GOALS

The primary goals of the JCF's disciplinary system are to:

- Establish clear guidelines within which members are expected to operate.
- Provide deterrent, corrective and remedial action for members who commit breaches of discipline.

- Ensure a swift¹ hearing and fairness to members who are subject to disciplinary proceedings as well as victims of members conduct.
- See to the rehabilitation of members.
- Maintain orderly conduct of members of the organization and instill respect for constituted authority within the Force.
- To instill public confidence in members of the JCF and its disciplinary process.
- Reduce incidents of disciplinary breaches among members.

Orderly room

PURPOSE

The purpose of Orderly Room is to deal with breaches of discipline which are referred to as minor offences committed by members below the rank of inspector. These are Offences defined in the second schedule to the 1961 regulations are referred to as minor offences and are Orderly Room matters.

AUTHORITY & SCOPE

Section 46(2) of the Police Service Regulation (1939) is the authority for assembling and conducting Orderly Room or Summary Trials for members below the rank of inspector.

PROCEDURES

Orderly Rooms are conducted by the member's Commanding officer i.e. Superintendents up, who for the purpose, is the appropriate authority.

- 1) The charge is laid in writing by the supervisor who is taking action, and a copy of the charge is served on the erring member including the scheduled date for a hearing.
- 2) The court is assembled at the scheduled date and location, the member appears before the Commanding Officer, the charge is read to him /her and a plea taken.
- 3) If the charge is admitted, the presiding officer then decides on the disciplinary measure as provided for within the schedule. A course of action follows, which must conform to the limits of Part II of the second schedule of the Police Service Regulation.
- 4) If the charge is denied the Officer proceeds to hear the evidence on oath. The officer must record and preserve evidence against the possibility of an appeal. The member is allowed all the rights of giving evidence on his own behalf and may cross-examine witnesses called by the prosecution. They may also call witnesses in his/her own defense.

At the end of the hearing the Officer makes his decision and imposes penalty. This action must be relayed to the Commissioner of Police on a '**Defaulter's form**' for confirmation of the decision taken.

PENALTY AND PUNISHMENT

The limitations of Penalties that can be passed for orderly room charges are:

- (1) A fine, not exceeding two days pay by Commanding Officer. If by The commissioner, a fine of four days pay.

- (2) Confinement to barracks, for period not exceeding three days;
- (3) Severe reprimanded;

SUMMARY

Orderly rooms provide an avenue to 'nip indiscipline in the bud'. It provides for the hearing of an allegation against an accused member and gives the member an opportunity to exonerate or absolve him or herself.

Orderly rooms are most effective for controlling internal discipline and performance standards within the organization. It saves the member and the force in general, external embarrassment and frustration. A member who is disciplined at orderly room is less- likely to commit breaches at the court of enquiry level. It follows therefore that court of enquiry files/reports would see a reduction. Orderly room conduct can serve to stabilize public trust and confidence within the force.

Commanding Officers should encourage or use moral suasion to get sub officers in charge stations and sections to use orderly rooms to correct indiscipline where and when necessary.

COURTS

The second level of the JCF's Disciplinary Tribunal is the Court of Enquiry for JCF and Board of Enquiry for ISCF members.

PURPOSE

The court of enquiry serves as a disciplinary tool that enables control of service quality; and helps to reduce social and economic cost attributed to punitive damages resulting from police excess. It was established to enquire into serious breaches of discipline committed by rank and file members of the Jamaica Constabulary Force and its Auxiliaries. The tribunal hears matters brought before it and decide on a fitting resolution.

As a management tool, the court of enquiry seeks to assure prescribed minimum standards of service. The punishments provided in this tribunal make it possible for a member to be reduced in rank or dismissed from the Force, for contravening JCF policies and procedures. In dealing behavioural problems the court should act as a deterrent to potential defaulters.

The court has a mandate to identify and address non-criminal misconduct and is at liberty to Levy fines on violators. An efficiently operated and adequately resourced court of enquiry should reduce unprofessional conduct among members.

RULES GOVERNING THE PRACTICE AND PROCEDURES OF DISCIPLINARY TRIBUNALS

(COURT OF ENQUIRY)

The Police Service Regulation of 1961 and the Jamaica Police Manual, Appendix I (Rule 315) list the breaches that should be heard at Courts of Enquiry.

SCOPE AND AUTHORITY FOR COURT OF ENQUIRY

The scope and authority for this body is clearly set out in the following:

- The Police Service Regulations 1961;
- The Rules For The Jamaica Constabulary Force 1939 (The Book of Rules);
- The Constable Act 1950;
- The Jamaica Constabulary Force Orders; &
- General and periodic Instructions Issued by the Commissioner of police.
-

The Police Service regulations June 1, 1961 was commissioned by the Governor; and is based on the authority of section 130 of the Jamaica (constitution) Order in Council 1959. Part v of these regulations is entirely devoted to discipline and disciplinary procedures within the Jamaica Constabulary Force. Regulation 47 is the authority for court of enquiry and sets out the procedure for the holding of an enquiry.

PROCEDURE

There are two main investigative arms set up to investigate complaints against members of the force; The Inspectorate of Constabulary; Complaints Division (internally) and (externally) the Police Public Complaints Authority (PPCA). The public may also lodge complains against the police at any police station. Additionally, members of the JCF and its auxiliary, report breaches of discipline against other members.

Where the ruling recommends internal discipline, a court of enquiry will be convened to hear that matter.

PROCEDURES OBSERVED

The following is a chronological outline of the procedures in the holding of an enquiry:

- i) Allegations to be investigated are brought to the attention of the member who is invited to give a statement in the matter. Investigations are made into alleged misconduct; if it is determined that the breach of discipline is one referred to in rule 315, appropriate draft charge or charges are formulated and laid in writing
- ii) The accused member is advised in writing of the impending inquiry. He/She is invited to state in writing his account or defense for his/her action.
- iii) Appropriate charge(s) is served on the member along with copies of all relevant statements and other relevant documents that the prosecution will use in the enquiry.
- iv) The member is advised of his rights to have legal representative and to state the ground on which he/she wish to exculpate him or her self.
- v) A convening order stating the charge(s) and memorandum are signed by the commissioner of police naming the President, member(s) and prosecutor who will form the panel to convene an enquiry into the allegation against the member.
- vi) The file with all relevant statements and documents is sent to the prosecutor.
- vii) The convening order with memorandum is sent to the president copied to each member giving mandate to convene enquiry.
- viii) The Prosecutor and President will agree on a date for hearing after which the Prosecutor will serve or caused to be served summons on all witness including the accused

member for attendance. (Recommend time frame for this) this discretion to set date is a problem and is a barrier to attaining the goals.

MEMORANDUM AND CONVENING ORDER

The full charge/s is clearly and accurately written in this convening order. A copy is served on the member along with a summons directing him/her to attend an enquiry on a date, time and place as decided by the president.

SUMMONING OF WITNESSES

It is the duty of the president to ensure that defense and prosecution witnesses are summoned. Their attendance can be enforced under the provisions of the Commission of Enquiries Act.

Before the trial, prosecution witnesses are summoned. As with the regular court, defense witnesses in some case are usually identified after the court is convened, and therefore that is when they are summoned. It is the duty of prosecutors to ensure that summons are sent to the Commander of the Division in which the witnesses as named in the file lives or works; this is done on "prescribed forms". *Returns of service must be sent to the prosecutor.*

(Returns to be made to the sender- procedure regarding movement of these summons and all documents need to be clearly outlined).

COURT HEARINGS

After the court is assembled, the charge(s) is recorded on the "Proceedings Form" and is read to the accused member. He/she is required to plead and then to sign to his plea in the appropriate place.

The evidence is taken on oath or confirmation. All relevant and admissible evidences are recorded by a recorder. At the conclusion of the prosecution's case the defendant is read his rights as laid down in regulation (52) (1).

CONCLUSION OF ENQUIRY

At the conclusion of the hearing, the panel retires, reviews the evidence and decides whether or not the charge has been proven, and then makes a recommendation to the Commissioner of Police. Since decisions need not be unanimous, the president's decision is recorded on the proceedings form, signed and dated. The president of the court then prepares his or her report and forwards it to the Commissioner of Police, under confidential cover, for the Commissioners' decision. Members of the panel and the accused member (s) are later informed in writing of this decision.

The member has the right to appeal the commissioner's decision but must do so within fourteen days after the receipt of the judgment.

PENALTIES

Listed below, are the penalties which may be imposed by the commissioner of police on members above constable and below the rank of inspector: (as under the Second Schedule of Regulations, 1961)

- a) dismissal;
- b) reduction in rank;
- c) confine to barracks for period not exceeding seven days, either with or without deprivation of pay;

- d) a fine not exceeding one-fourth of the sum payable by salary in respect of a period not exceeding six months;
- e) forfeiture of good conduct badges;
- f) severe reprimand;
- g) Reprimand.

Constables

- a) dismissal;
- b) confine to barracks for period not exceeding seven days, either with or without deprivation of pay;
- c) deprivation of pay for a period not exceeding ten days;
- d) forfeiture of good conduct badges;
- e) severe reprimand;
- f) Reprimand.

AUXILIARY BODIES:

Members of the Island Special Constabulary Force (ISCF) do not fall within the ambits of the Court of Enquiry .Statutory provisions for disciplinary proceedings against ISCF members are set out in the Island Special Constabulary Force (General) Regulations 1950. These regulations provide for the constitution of Boards of Enquiry to be appointed by the Commissioner of Police. The procedures are almost identical to the JCF's. However, there are no provision for their trial at Orderly Room .

Source: Jamaica Police Manual p14

COURT OF ENQUIRY PANEL

By way of a convening order the commissioner appoints a panel to enquiry into the alleged misconduct or breach of discipline at a court of enquiry. The panel normally consists of a president and one or two members who are all gazette officers. This panel to hear the matter and a prosecutor, who is usually an inspector of police, performs staff duties.

Notwithstanding the above, there is no law or rule that mandates this; and precedents exist where civilians have presided in Court of Enquiry matters.

SELECTION OF PANEL

Presidents and prosecutors are randomly selected from a pool of gazette officers and inspectors respectively, who have received some formal training in the conduct and proceeding of court of enquiry.

CASE FILE AND AUTHORITY

The case file containing all relevant statements, the charge sheet, copies of the convening order and memorandum to proceed is dispatched to the prosecutor. The convening order and memorandum are then sent separately to the president giving him/her authority to proceed with the hearing.

SUMMONS

This document commands the attendance of witnesses at a tribunal. The prosecutor will arrange with the president for a trial date to commence the hearing after both have agreed on a date to commence. The prosecutor will prepare and cause summons to be served on witnesses to attend court. Summons should

be sent to the division where the witnesses work or reside.

TIME-LINE

The panel is given 28 working days after receipt of the file by the prosecutor and the convening order by the president in which to complete the court of enquiry. If for any reason this cannot be done a comprehensive report with the reasons must be submitted by the President to the Assistant commissioner of police in charge Administration; at the end of the twenty-eight days and there-after a progress report every 14 days until the enquiry is completed.

EX PARTE TRIALS

An *ex parte* decision is one decided by a judge without requiring all of the parties to the controversy to be present. If after three attempts the court or board fails to either be convened or reconvened the proceeding can be administered *ex parte*.

STAFF'S TERMS OF REFERENCE

PANELIST

Panelist in the context of JCF Court of Enquiry refers to: The President; and member. It is recommended that retired police officers not below the rank of deputy superintendents (short term); and Retired superintendents and Retired Resident Magistrates are contracted to perform the functions of Panelist. Their Term of Reference includes:

1. Performing the functions of presidents / members, as set out in Police Service Regulation 1961.
2. Enquiring into reports of breach of discipline (not of criminal nature but falls with the ambit of regulation 47 of the police Regulations of 1939) against members of the police force below the ranks of Inspector.
3. Identifying and taking steps to correct deficiencies of the process.
4. Provide interim quarterly written situational reports to the Commissioner; including plans, operational activities, challenges etc.

CRITERIA

- Must be of sound integrity.
- Must have formal training and or have previous knowledge of the conduct and procedures of court of enquiry.
- Should possess the requisite knowledge in, and have competence in the interpretation of JCF's Policies and Regulations.
- Must have good analytical and reasoning skill.
- Possess good communication and interpersonal skills.
- Be In good health and of sound body and mind, satisfying any stipulated medical requirements.

PRESIDENTS

To enquire into reports of breach of discipline, (not of a criminal nature but falls within the ambit of section 46 -7 of the police Service Regulations of 1939).

(b) To report to the commissioner of police in writing whether or not the case has been proven.

(c) To make recommendations to the commissioner of police

He/She will report promptly to the commissioner of police via the assistant commissioner in-charge Administration his findings on the conclusion of each case. He/She will send progress report on any delay due to none attendance of accused (as is set out in force orders 2614 sub no3) if after (2) two attempts the court fails to convene

At the end of the enquiry he will not state his findings but will convey in writing to the commissioner whether or not the case has been proven.

General Approach

The President is expected to carry out his/her task with rigorous thoroughness and fairness , adopting flexibility ,even handedness and open procedures which will enable it to expeditiously establish facts. The enquiry should be an inquisitorial not an adversarial process. Its aim is to elicit credible evidence on which to arrive at a resolution.

PROSECUTOR

The responsibilities of the Prosecutor include the following:

- I. The prosecutor; be a serving member or retired police officer of and above rank of Inspector;
- II. Responsible to the President for scheduling dates for the hearing of the enquiry;
- III. Undertake preparation and dispatch of summons to the accused member, witness and complainant;
- IV. Responsible for reporting to the President on the service of process;
- V. Will marshal the prosecution's cases before the tribunal (i.e.) examine and cross-examined witnesses;
- VI. Will be responsible for the preservation of the case file from the date of receipt to the conclusion of the hearing when he/she will hand over same to the President.

TERMS OF REFERENCE

COURT RECORDER

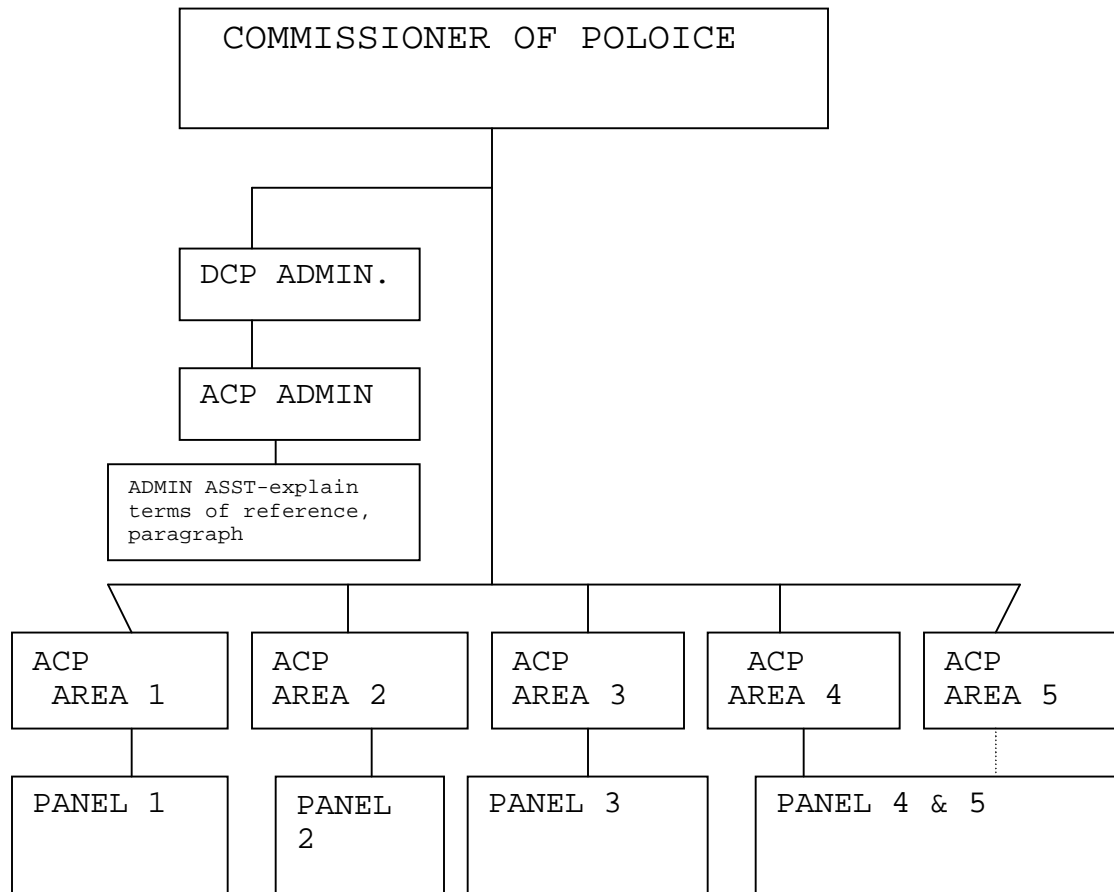
A certified stenographer with competence in the recording of notes

Be computer literate

To record accurately the proceedings and evidences presented at a court of enquiry.

Presidents/Prosecutors, Secretariat.

COURT OF ENQUIRY ORGANIZATIONAL CHART



COURT OF ENQUIRY CASES

RULE 315 - The following offences must not be dealt with by an Officer, but all such cases shall be reported to the Commissioner of Police for his directions:-

1. Disobedience of the Lawful Command of a Superior.
2. Striking a Superior.
3. Mutinous or insubordinate conduct or making use of mutinous words, or refusing to perform duty.
4. Intoxication (however slight), drinking or soliciting intoxicating liquor when on duty.
5. Knowing making any false return or statement or signing any false certificate or being privy thereto.
6. Refusing, neglecting or omitting to make a true and faithful return of all fines, or other moneys received by him in the course of his Official duties, or over holding any public money.
7. Divulging any matter or thing, which it may be his duty to keep secret
8. Knowing where any Offender shall be residing or concealed, and failing to inform a Superior immediately of the same.
9. Wilfully or through negligence allowing any prisoner to escape.
10. Making any anonymous complaint to the Government or to the Commissioner of Police.
11. Communicating, without the authority of the Commissioner of Police either directly, to the Public Press any matter or thing touching the force.
12. Without proper authority disclosing to any person outside the Force the contents of any book or written or printed document, the property of the Jamaica Constabulary.
13. Signing or circulating any Petition or statement with regard to any matter concerning the force except through the proper channel.
14. Failing to report anything which he knows concerning a criminal charge or failing to disclose any evidence which he, or any person within his knowledge, can give for or against any prisoner or defendant to a criminal charge.
15. Being convicted of any offence by a Court of Justice.
16. Malingering, namely feigning or exaggerating any sickness or injury with a view to evading duty.
17. Wilfully or by carelessness causing any waste, loss or damage to any article of clothing, accoutrement, or to any book, document or any Government property, whatsoever, or failing to report any loss or damage as above, however caused.
18. Habitual inattention or neglect or apathy in the discharge of duty.

19. Absence without Leave for over 48 hours.
20. Any act, conduct or neglect which in the discretion of the Commissioner of Police, is contrary to the Discipline, Good Order and guidance of the Force whether or not such act, conduct or neglect shall have been in the execution of duty.

PART I - MINOR OFFENCES WHICH MAY BE DEALT WITH SUMMARILY

1. Absence from parade.
2. Leaving guards, patrols, boats or posts.
3. Irregular conduct when on duty or parade.
4. Being dirty or untidy in his person.
5. Being deficient of clothing or equipment.
6. Fighting or creating a disturbance.
7. Absence from barracks without leave.
8. Disrespect to seniors in rank.
9. Preferring frivolous complaints or charges.
10. Permitting females, not having lawful causes, to enter a Station.
11. Failing to comply immediately with an order.
12. Soliciting or receiving a gratuity.
13. Failing to take prompt measures for the arrest of an offender, or to make immediate investigation when called on.
14. Treating any prisoner or other person cruelly, harshly or with unnecessary violence, or without good and sufficient cause making any unlawful or unnecessary arrest.
15. Incivility to any member of the public.
16. Refusing or neglecting to pay any lawful debt.
17. Over-holding any complaint or charge.
18. Oppressive or tyrannical conduct towards an inferior.
19. Drawing a revolver or bayonet for use without authority, except in self-defence.
20. Making any alternation or erasure in any public document, or in any official book or record for the purpose of fraud or deceit.
21. Making any false entry in any official book.

22. Omitting to make an entry in any official book as to the performance of any duty, matter or thing, which ought to be entered.
23. Borrowing money directly or indirectly from or through any other member of the Force of inferior rank.
24. Gambling.
25. Prevarication before any Court of Enquiry.
26. Entering spirit licensed premises while on duty, not being required there by any duty.
27. Idling or gossiping on duty.
28. Failing to report any matter, which it is his duty to report.
29. Any act, conduct or neglect to the prejudice of good order and discipline, other than those which are required to be reported to the Commissioner of Police, whether or not such act, conduct or neglect has been in the execution of duty.

SOURCE: Police Manual Volume 1, Pages 78-81

8.22 **ISSUE OF FIREARMS**

- a. No member of the Force, while on duty, shall carry any weapon other than one that has been issued and/or authorized by the Force.
- b. No member of the Force or its Auxiliaries when not in uniform shall be issued with or shall carry on duty any firearm other than a revolver or a pistol unless authorized by the Commissioner of Police.
- c. Firearms and ammunition are kept at all divisional headquarters and stations for issue in cases of necessity. Those will only be issued to members of the Force who have been properly instructed in their use and can give a satisfactory reason for issue.
- d. An officer of the JCF may be issued with a revolver or pistol which he/she may retain in his/her care and custody while off duty.
- e. Any Portfolio, Branch or Area Officer may approve the request of a member under his command to keep a revolver or pistol from the stock of the firearms under that officer's command while not actually engaged on duty provided he is satisfied that:-
 - a) there is a real threat against the life of the member, or his immediate family;
 - b) the threat may be alleviated by the member being armed;
 - c) the member is well disciplined, of sober habits and temperament; and
 - d) adequate provision is made by the member for the security of the firearm.

Any such authorization **must** be reported to the Commissioner of Police for his information and for the record, and **must** be reviewed not less frequently than once per quarter to ensure that all conditions are current.

- The station officer and the sub-officer incharge of each station, is responsible under the directions of the divisional officer, for the safe custody and issue, when necessary, of firearms and ammunition to members proceeding on duty.

- When a firearm is issued to a member it shall be loaded by him and in the case of a revolver or pistol, placed in the holster in the presence of the station officer or sub-officer incharge of the station. An entry will be made in the station diary noting to whom it is issued and the firearm register signed by the recipient. In the case of an automatic pistol, the magazine will be fully charged but no ammunition is to be in the breach until required for use.
- On completion of the duty, the member will return the firearm to the station officer or sub-officer incharge of the station, after extracting the ammunition in his presence. The latter will carefully examine both the weapon and ammunition and make an entry in the station diary of the condition in which they are delivered to him. The relevant entry in the firearm register must be completed.
- A member returning a firearm must report every instance which he has had occasion to remove it from the holster during his tour of duty and whether it has been used or not. Such reports will be dealt with as 'Urgent', and submitted to the divisional officer.
- When a firearm has been discharged by the police, other than on occasion of authorized practice, a report of the circumstances will be submitted by the officer, sub-officer or constable concerned, to the officer incharge of the division (through the officer incharge of the area) to the Commissioner. Such reports are 'Urgent' at all stages.
- A firearm may be issued to a member of the CIB or uniformed police employed on plain clothes duty. In the case of a revolver or pistol, the arm will be carried in a holster on a belt worn under the jacket if such a garment is worn. In all other respects, the instructions as to the issue of firearms will be complied with by CIB personnel or other police employed on duty in plain clothes.

8.22.1 FIREARMS CERTIFICATION BOOKLET

- Only member including gazetted officers that have been certified/recertified will be authorized by the Commissioner of Police to carry force weapons as of January 1, 2010.
- All members that have been issued with keep and care weapon must also have been certified/recertified
- Firearms authorization booklet must be carried by all police personnel whilst on duty.
- In the case where a member is involved in a shooting, the authorization booklet must be presented for inspection by personnel from the Bureau of Special Investigations (BSI).
- The BSI will make checks with the Firearms and Tactical Training Unit to ascertain the authenticity of particulars contained in the booklet.
- Before a firearm is issued to a member, the issuing officer must inspect the booklet, to ensure that a member is not issued with a firearm, with which he has not been certified/recertified.
- The certification/recertification runs for a year, for example, if a member was trained 2009-02-16, the certification/recertification will expire on 2010-02-15.
- There will be a grace period of one month, after the expiration date. During this grace period, a member who has not been recertified must make application through the Divisional/Branch/Unit Commander to the Superintendent of the Firearms and Tactical Training Unit to be recertified during this grace period.

8.23 ATTITUDE OF THE POLICE TOWARDS MENTALLY DISORDERED PERSON

Section 15 (1) of Mental Health Act, 1997 provides that:-

Where a constable finds any person in a public place or wandering at large, in such a manner or under such circumstances as to indicate that he is mentally disordered, the constable may, without a warrant, take such person in charge and forthwith accompany him to a psychiatric facility for treatment or despatch to that facility; and the constable shall, within thirty days of accompanying such person to the psychiatric facility or arranging for him to be conveyed to such facility, make a report in writing therefore

To the Mental Health review Board

With regards to a mentally disordered person who commits an offence, Section 15(2) of the Mental Health Act provides that where an offence is committed by a person who appears to a constable, on reasonable grounds, to be mentally disordered, the constable:-

- (a) May, charge that person for the offence and bring him before Resident Magistrate at the earliest opportunity, being not more than a period of five days after the date on which the offence is committed: and
- (b) May, where it is necessary to detain the person until he is brought before the Resident Magistrate, detain him in a lock-up remand persons; and
- (c) Shall, where the person is charged under paragraph (a) or Detained under paragraph (b), make a report in writing to a prescribed person within twenty four hours of such charge or detention.

N.B. Prescribed person within the Mental Health Act means mental health officer, public health nurse or approved social worker.

Force Order No. 2787 dated 19.04.2010

8.24 POLICE PUBLIC INTERACTION POLICY AND STANDARD OPERATING PROCEDURE

It is the policy of the Jamaica Constabulary Force that all interactions between its members and the public, must be done in a manner which reflects respect for citizens rights and dignity; portrays a professional image of the police and enhances positive relationship between the community and the police service.

The Standard Operation Procedures for Police Citizens Interaction are adopted as a set of practical guide to minimum standards to be adhered to by all members of the JCF and its auxiliaries and will come into effect as of the date of publication in Police Force Orders.

Any departure from these procedures will be viewed as breach of Force Orders and will attract disciplinary action.

1 PURPOSE

The purpose of this policy is to standardize the manner in which police personnel carry out their duties on a daily basis. It demands that members of the JCF, the ISCF and the Rural Police consistently demonstrate high standards of professionalism during the execution of their duties, especially when they

interact with the public. This policy is aimed at transforming the negative aspects of Force culture manifested in disrespect, abuse of power, incivility and disregard for the rights of the citizens we are sworn to serve and protect. Conversely, it will support discipline, respect for all, professionalism, compliance with the rule of law and accountability for all our actions. These procedures support our effort at transforming the organization into a caring, service oriented, highly professional and respected entity, fulfilling its mission as prescribed by law and in keeping with the *Charter of Rights* for the people of Jamaica.

INTRODUCTION

The JCF, ISCF and the Rural Police are all governed by rules, laws, policies and regulations consistent with the provisions of the Jamaican constitution. Members are expected to comply with all policies and regulations governing the organization in order to ensure that the rights and liberty of all persons they interact with during the lawful execution of their duties are upheld.

Serving and past members of the JCF have reported traumatic experiences on occasions when they come in contact with their colleagues especially while commuting in the public. Many reports feature unprofessional conduct in the manner in which citizens were spoken to and the threatening use of weapons. On the other hand, there are recorded cases of death, serious injuries and assaults to members of the public resulting from such actions. These clear breaches and inconsistency in behaviour have often times led to:

- 1) Members of the Force and the public being exposed to risks of serious injuries or death;
- 2) The abuse of citizens' rights;
- 3) Confrontations and tension
- 4) Lack of confidence and trust in the police
- 3) Serious damage to the image and reputation of the JCF; and
- 4) Compromise of the integrity of court cases arising from such interactions.

In an effort to address these problems, this policy outlines Standard Operating Procedures that members are mandated to adhere to in their interaction with members of the public. It covers legal grounds for police initiated contacts, as well as guiding procedures for **contacts** such as:

a) stop and search, **b)** stop and account **c)** in rendering assistance/advice, **d)** routine patrols; and **public initiated contacts** such as: **a)** station visits, **b)** telephone contact , **c)** approaches made in public spaces; and **d)** vicariously through police control.

The policy outlines the sources of police authorities on occasions where contacts are made on the streets, in police establishments whether by use of the telephone or personal contact when citizens visit police stations. Standardized scripts are inserted in this document which should be used by members of the JCF, ISCF and Rural Police as far as is practicable when communicating with members of the public during the lawful execution of their duty.

1.1 POLICE POWERS AND LEGISLATIVE AUTHORITIES TO STOP & SEARCH

The police power to stop and search is grounded in the Jamaican Constitution and several legislations, the scope of which encompasses: the Constabulary Force Act., Dangerous Drugs Act, Road Traffic Act, and Firearms Act. Members of the JCF and its auxiliaries **must** be conversant with the constitutional provisions and these legislations when conducting a stop and search operation. Supervisors **must** ensure that the contents of these Acts form part of their briefing to members prior to being dispatched on such operations.

1.2 Constitutional Provisions

Enshrined in the Constitution of Jamaica is the protection of certain fundamental rights of the citizens to include but not limited to the right to freedom of movement and freedom from arbitrary search. Section **16(1)** of the Constitution states that:

“No person shall be deprived of his freedom of movement and for the purposes of this section, freedom means, the right to move throughout Jamaica....”

Albeit this right to freedom of movement is a constitutional right to which all Jamaicans are entitled, it must be noted that this right is not an absolute right and may be rescinded in certain circumstances. Section **16(3)** therefore states that:

“Nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of this section to the extent that the law in question makes provision: (a) which is reasonably required in the interest of defense, public safety, public order, public morality or public health.

As it relates to **arbitrary searches**, section **19(1)** of the Constitution states that:

“Except with his own consent, no person shall be subject to the search of his person or his property....”

Again this right is not an absolute right and section **19(2)** of the Constitution provides that:

“Nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of this section to the extent that the law in question makes provision which is reasonably required..”

Section 19(2) goes on further to state, inter alia, that a person’s right to freedom from arbitrary search can be abridged in the interest of defense, public safety, and public order and for the purposes of preventing or detecting crime.

Once a member of the JCF is conducting a stop and search, the person who is subjected to this activity **must** be made aware of the authority under which he or she is being stopped, searched and or to make an account of himself/herself.

1.3 LEGISLATIVE AUTHORITY

The Constabulary Force Act

Under this legislation provisions are made for any constable to stop and search motor vehicles. Section 19 of the Act empowers a constable, without a warrant, to lawfully stop any vehicle which **he suspects** to be conveying stolen goods or any dangerous or prohibited drugs and to search such vehicle, the driver and any persons conveyed therein. Implied here, is a condition that there must be some grounds for suspicion that the police are obliged to make known, if requested so to do.

The Firearms Act

Section 42(1) of the Firearms Act provides that:

“Any constable may without a warrant stop any vehicle in which he suspects any firearm or ammunition is being conveyed, and may search such vehicle and the driver thereof and any person conveyed therein,”

The Dangerous Drugs Act

Section 24(1) of this Act states that:

"If any constable has reasonable cause to suspect that any conveyance is being used or has been used for the commission of any offence against this Act, he may without a warrant search and if such search reveals evidence that the conveyance is being used or has been used for the commission of any offence as aforesaid, seize and detain such conveyance"

The Road Traffic Act

A number of provisions are made under this Act which empower the police to stop motor vehicles in the lawful execution of their duty.

Section 34(3) provides that:

Any person driving a motor vehicle on a road shall stop the vehicle on being so requested by a constable in uniform and if he fails so to do shall be guilty of an offence.

Section 56(1) states that:

On request of any constable or if such constable shall raise his hand executing the number one signal to stop, the motorist shall immediately comply and the motor vehicle kept stationary as long as may be reasonably necessary

Section 58 of the Act states that:

The driver of a motor vehicle shall obey all directions whether verbal or by signal given by a constable in the execution of his duty to stop the vehicle

Section 22 of the Act provides:

"Any person driving a motor vehicle on any roadway shall, on request of a constable, produce his driver's license for examination so as to enable the constable to verify the name and address of the driver, and to determine the validity of the license. A valid driver's license would bear the name of the holder, his/her address, date of issue, the class of the license and the Issuing Authority

1.4 Policy Interpretation of Constitutional Provisions and Legislations

The Jamaican citizens have a right to the freedom of movement and protection from arbitrary searches. However, these rights are not absolute and there will be no infringement of the constitution if they are suspended pursuant to sections 16(3) and 19(2) of the Constitution.

The Firearms Act, The Constabulary Force Act, and the Dangerous Drugs Act all empower the police to stop and search motor vehicles and the occupants. However, **there must be reasonable grounds** upon which the policeman believes that there has been some infraction of any of the aforesaid legislations. Thus, a constable cannot lawfully stop and search a motor vehicle/motorist under the Firearms Act unless he has reasonable grounds to suspect that the vehicle is being used to convey any illegal firearm or ammunition.

Similarly, a policeman's authority to stop and search a motor vehicle under the Constabulary Force Act is predicated upon there being **reasonable grounds** to suspect that the vehicle is conveying stolen goods or prohibited drugs. Consequently if a policeman, acting under any of these Acts, stops and searches a motor vehicle/motorist without having reasonable grounds to suspect that there has been some infraction, this would be a violation of the motorist's constitutional rights to freedom of movement and protection from arbitrary search.

The pertinent Act however is the **Road Traffic Act**, which, unlike the other mentioned Acts **does not** require a constable to suspect that there has been some breach of the law in order to stop a motorist. Thus there would be **no violation** of a citizen's constitutional right if he/she is stopped by a policeman

operating under the Road Traffic Act as this power would be exercised in the interest of the public order and public safety as provided for by our Constitution.

If in pursuant to **section 22** of the Road Traffic Act, a constable has reasonable grounds to suspect that there has been some contravention of the Dangerous Drugs Act, the Constabulary Force Act or the

Firearms Act then the constable, acting under the relevant legislation, can proceed to search the vehicle and its occupants in respect to the provisions of the respective Act.

Consequently all members of the JCF and its auxiliaries are well within their rights to stop motorist in the execution of their duties pursuant to the provisions of the Road Traffic Act.

Administrative Guidance: Conduct and Decorum

It is the policy of the Jamaica Constabulary Force and its auxiliaries that all members conduct their duties and responsibilities with integrity and transparency consistent with ethical standards of the Force. Actions of members of the JCF and its auxiliaries that are unethical or in conflict with the established Code of Ethics of the JCF will affect the reputation of the organization and detract from efficient service delivery. It is therefore important that in pursuit of a professional service based organization, only ethical practices in gathering evidence will be appreciated and considered in the investigative process and only professional conduct of members will be accepted.

The JCF is committed to the prevention of unprofessional and unethical conduct of its members. As such the image of the organization and its reputation will be preserved through professional service delivery at every point of contact with citizens.

1.6 Contact initiated by the Police

The JCF expects the highest standards of ethical and professional behavior from its members. On any given occasion the police will come in contact with citizens from all walks of life. It is the sworn duty of every member of the JCF to treat all persons with "proper respect for the rights of all". In that regard considerations should be given to the treatment meted out to offending citizens as no offence was committed against the individual police man or woman but against the state. Where an offence is committed against a member of the JCF then same should be investigated and the perpetrator(s) brought to justice.

Addressing Citizens

When members of the public come in contact with the police, the police are expected to conduct themselves with decorum. Be polite in all areas of your contact with members of the public, do not use words such as *"aunt, uncle, big man or boy"* to address persons that you interact with, it's uncivil, disrespectful and unprofessional and must cease forthwith. Members must be respectful to all persons they come in contact with irrespective of age, class, status. It is the policy of the JCF that adult males be addressed as **Sir**, young males as **young man**, adult females be addressed as Miss or their respective title if known. **Prisoners in custody** should be addressed by their names and persons attending court should be called with **Mr., Mrs. or Miss** before their names.

In approaching any member of the public courtesy should be extended. It is important to remember that the treatment delivered oftentimes determine the reaction received, your approach in most cases determine the reaction of the person you accost in the public thoroughfare.

2 DEFINITIONS

Search: A police operational activity involving the systematic examination by law enforcement officers of persons, properties or places

2.1 Stop & Account: when a member of the Jamaica Constabulary Force stops a member of the public under any reasonable or legislative authority without searching them and requires such person to give an account of himself as to his or her actions, behavior or mere presence at a location. This encounter shall be termed a '**stop and account**' and does not require the police officer to issue a receipt to the suspect. The policeman/woman is however obligated, upon request of the citizen to explain the reason(s) for his/her action.

The **purpose** of a 'stop and account' is to enable the observing officer to satisfy his curiosity in respect to the person's legitimacy for being present in a particular area as also the person's actions or modus operandi. It should not be used as a grounds to search such person, however, the information unfolded by

the citizen during the account might give the officer reasonable cause to believe that he/she is concealing something illegal on his/her person and as such a search might be conducted and recorded.

2.2 PROCEDURAL GUIDELINES

The following are the procedural guidelines of the Jamaica Constabulary Force that members must adhere to in any police public contact as outlined:

2.3 Stop & Account

Vehicular stop and search are often routine operations usually conducted by Traffic and other personnel seeking to ensure compliance with the Road Traffic Act. The number one signal to stop should be used for planned operations; and all such stops must be carried out with courtesy, consideration and respect. This type of operation should follow:

Persons must be greeted politely eg. ***"Good morning, good day or good night Sir or Miss, I am Carol Jones Corporal of police along with a team from the Allman Town Police Station. We are conducting spot – check operations under the Road Traffic Act and would like to examine your motor vehicle documents."***

The police should then instruct driver to turn off engine; e.g. ***"Please switch off your engine and step from your vehicle with the documents for the vehicle as also your driver's licence."***

While it is a requirement to instruct motorists to switch off the engine, requesting that they exit the vehicle is situational, e.g. if you suspect that the occupants are armed, if you need to see all occupants of the vehicle or if you intend to carry out a vehicle search. Instructions must be clear and concise not ambiguous and condescending.

Where suspicion is heightened the instruction to the motorist should be in this format, ***"Please switch off the engine of your motor vehicle. Keep your left hand on the steering wheel and use your right hand to open the driver's door. Please step from the motor vehicle. You will be required to produce your driver's licence."***

If any violation is detected the police should proceed based on his/her legitimate authority; example; ***"Your licence disc has expired and you will be issued with a ticket." Or "The registration plate numbers on your vehicle are obscured and as such your vehicle will be seized."***

If no violation is detected the police should thank the motorist and occupants for their cooperation, apologize for the inconvenience and bid driver/occupants a good day.

No one should be kept for more than five minutes except in furtherance of an issue that arise ; Queries and concerns of motorists MUST AT ALL TIMES be politely entertained and addressed;

At no time should any member use any abusive, threatening or indecent language to any member of the public, no matter how provoked; or should any member of the public be unlawfully assaulted
The police should not demand the keys to the vehicle unless it is with the intention of seizure for a specific traffic violation

The police should not order any person out of the vehicle unless they have reasonable cause to search or arrest such person; Should it become necessary to seize vehicle, the owner/ driver should be made to sign as to the state/condition of the vehicle. This receipt should also be signed by the officer and kept for future reference to include when vehicle is being handed over

When seizure becomes necessary the public should be given an opportunity to remove their belongings from the vehicle and be informed where their vehicle will be taken/kept. The police have a responsibility to ensure the safety of the occupants by offering or assisting with transportation, telephone calls, etc. (especially where children and/or the elderly are involved).

Under no circumstance should the police drive or offer to drive the vehicle but should instead act as escort where possible; The police should not seize driver's license other than for a person whose license has been revoked;

The police should not open or volunteer to open the door of a motorist vehicle unless upon request;

Under no circumstance should the police remove any item other than an exhibit from the seized vehicle without the consent of the owner/driver;

As far as possible stops and searches of vehicles and occupants should be conducted in well lit areas.

2.4 Approaching vehicles Stopped

At no time should the police point weapons directly at individuals unless they are under threat and or intend to shoot; Weapons kept at the ready should be lowered as soon as any threat is defused;

Vehicular stop and search carried out by members travelling in service vehicles should follow:

- Not less than two police personnel should be in service vehicle;
- There should be no civilians in the service vehicle;
- The driver of targeted vehicle should be signaled to stop (via flashing lights, siren, loud hailer horn etc);
- Service vehicle should stop behind targeted vehicle;

Blocking of the public thoroughfare should not be done unless it's a tactic that supports the operation; Instructions should be given to the driver to turn the engine off and for driver/passengers to place hands where the police can see them;

- One member should give instructions to the driver /passengers (preferably the observer);
- The observer/observers should then cautiously approach the vehicle stopped, ensuring their safety;

The above instructions captured under Stop & Search would then be followed; Occupants of vehicles should be told that all instructions are to be obeyed for their safety and that of the officers eg. '***For your safety and mine, please switch off the car engine.***'

2.5 Stops & Search

All stops and searches must be carried out with courtesy, consideration and respect.

Persons must be greeted good morning, good day or good night Sir or Madam (**same text as above**);

The police, who stops to search, must provide the individual with information including:

- Their name ,rank and the station where they work ;

- The law under which persons have been stopped;
- Explanation of why they are being stopped and searched;
- Motorist will be requested to exit vehicle as scripted above and where the trunk of vehicle will be searched occupants of vehicle should be requested to accompany police personnel;

The process should be handled quickly (to be quantified) and professionally. The police officer will ask as few questions as necessary and proceed to search based on some suspicion or information. If a violation is detected the police should proceed based on the legislative provisions of his/her authority. If there are no detected violations the police should apologize for any inconvenience caused and wish individuals a good day.

Under no circumstances should a member solicit personal information from a citizen in order to start a relationship. No sexist, racial or offensive remarks should be made to any citizen and no favours solicited.

2.6 When a motorist fails to stop

In instances where a motorist fails to stop after been so signaled by the police, the following is to be adhered to:

- The police should seek to ascertain identification features of the vehicle (Registration number, make, model, color etc.);
- Note time and place of incident;
- Communicate the information via radio to police control;
- Proceed with investigation and summon the owner/driver to court;

The police should refrain from engaging in high-speed chase of motorists who refuse to obey them, Trailing at safe distance and communicating with back-up resources is a safe and effective tactic.

2.7 Accountability

In instances of stop and search operations, members have a responsibility to document their action as per the daily deployment form attached. This should be submitted to the Operations Office at their respective formations and shall contain the following information:

- Date and time of the stop and search,
- Location of the stop and search,
- The grounds for the stop and search,
- Number of arrests, cautions; warnings and seizures
- The result of the stop and search,
- Names, address of persons stopped and searched,
- Names, rank, regulation numbers and stations of the officers conducting the operation.
- Any observations; difficulties, suggestions/recommendations

3 CONTACTS INITIATED BY THE PUBLIC

This section contains guidelines for police actions in relation to contacts initiated by members of the public in the following circumstances:

3.0 Station Visit

When members of the public attend the station/police formation requesting police service, the police must:

- Acknowledge the individual within two minutes;
- Greet the individual formally and politely, in this manner, ***"Good day or Good night sir/ madam/ miss/ I am Constable John Black. How may I help you?"***

Station officers and station guards must listen attentively to customers' complaints and only ask pertinent questions.

Where the customer asks questions of the police, it is important that accurate responses are provided. If the member is unsure of the information indicate that to the citizen and seek guidance as early as possible, for example, ***"I am unsure just now but I will try and get the information for you if you will wait." OR "I am uncertain just now but if you were to leave a name and number I will pass on the information/ correct procedure to you."***

Where such assurance is given, the police should follow through within twenty-four (24) hours. Such actions help with confidence building.

Respond promptly to the citizen's need by ascertaining the nature of service required and providing it or arranging for it to be provided.

NEVER tell customers that no vehicle is available or vehicle is at the garage, instead seek assistance from adjoining stations or via Police Control while reassuring your customer. Show appreciation /sensitivity to customer's concern (do not trivialize reports...). Document citizens' particulars and reports and issue receipt.

In cases where the report necessitates the police visiting a locus, the supervisor on duty must be informed and assume responsibility for deploying police resources within reasonable time. Matters emanating from offences against the person (e.g. Threat, assaults, wounding) are considered emergency and must be attended to immediately.

Matters not considered emergency must be attended to within an hour, failing this a report must be filed by the supervisor on duty at the time, as to the factors leading to such failure. The police must ensure that the rights of suspects are not violated when, actions are taken against persons who may be the subject of a report to the police.

Suspects should be allowed to secure (or make arrangements to secure) their property, properly attire themselves, inform family members or neighbours where they will be, before taking them to the station; Where customers attend with issues that are civil such as land and rent, your response should be.

"Madam/ Sir/ Miss please contact a lawyer who will be better able to address this matter."

DO NOT RECOMMEND ANY ATTORNEY to citizens. That choice is theirs. In the event of dissatisfaction, let it not be said that it was based on the recommendation of the police.

NEVER turn away a citizen who is inappropriately attired. ALL citizens must be treated with courtesy and respect.

3.1 Follow-up

- In terminating a citizen initiated contact the police should:
- Enquire if the citizen/public is satisfied with the service;
- Inform them of the next step(s) in the process of addressing the report;
- Inform them of their responsibilities in the process;

- Thank them for their report/co-operation ;
- Follow-up with a re-assuring call within seven (7) days of the report and every fourteen (14) days until the matter is resolved. All follow-up calls or meetings should be recorded on the case file.

3.2 Telephone Contact

When the public initiate contact with the police through telephone calls for policing service; the following are the procedures to be followed.

All telephone calls are to be answered within four (4) rings using the following example; ***"May Pen Police Station, Constable Joseph White speaking, how may I help?"***

Ascertain the nature of the call and the service required;

Respond to the policing needs of the callers by :

- Advising them
- Arranging for the police to visit them;
- Requesting or arranging for them to visit the station;
- Providing the service necessary to address the needs of the caller;
- Enquire if the caller is satisfied and what else you may do for him/her;
- Thank the caller for his/her call.

3.3 Approaches in Public Spaces

This section addresses procedures to be followed when the police is approached while on duty in public spaces (e.g. on motorized or foot patrol, static postings). In these instances the police must:

- Acknowledge and appreciate public requests for service;
- Make notes of particulars of individuals and nature of request;
- Not trivialize the report/request;
- Respond by offering appropriate policing service;
- Ensure that courtesy and professionalism are maintained throughout the interaction.

4 Night Noise/Noise Nuisance

Noise nuisance is a concern for all citizens. Where the source of noise is in a dwelling the occupants should be made aware of the discomfort that has been caused to others.

"Good morning Sir/madam/Miss a call was received from citizens about the loud noise coming from your dwelling."

Inform the citizen of his/her responsibilities.

"You may play your stereo at a level that should not be audible to your neighbour failing which it then becomes a nuisance to others."

"If the noise continues from this dwelling you will be charged under the Noise Abatement Act"

'There is no need to play your music as loudly as this is causing a nuisance to the people in the community"

Do not enter the dwelling of the operator to turn off the sound.

Given a situation of Night Noise the operator should be asked certain questions.

"Good Morning Sir/ Madam/Miss, do you have a permit to host this event"

You may be required to get the name(s) of the host and operator of the sound system.

Where there is no permit to host the event the operator should be instructed to unplug the system **even if** it is within the time permitted by law. The system should be seized and the amplifier taped at the volume it was playing at the time of the seizure. **ONLY the rank of SGT** and above has the authority of seizure.

"You are to unplug the system and remove all electrical wires. You do not have a permit to host this event. Your amplifier will be seized and held at the Milk River Police Station until the day of court. "

The name of the operator and Sound System as also the name of the host should be noted. A summons should be served on the offender.

At the end of the assignment, CONTROL should be informed of the names of the host and operator as also the sound system and the action taken.

Where the sound system operator and host are operating the system outside of the prescribed time, the offender should be warned and a summons served on him/her. The Permit would have been voided once the operators are outside the prescribed time and this constitutes a breach.

"Sir/Madam although you were given a permit to host this event you are now without a permit as you are operating outside of the time stated."

'You will be issued with a summons to appear in the Porus Resident Magistrate's court"

5 Matters Directed by Police Control

When contact with the public is directed via police control, members must:

- Note time of assignment from control;
- Obtain details of assignment (names of individuals requesting police service, location, nature of request);
- Note time of response/arrival at assignment;
- Upon arrival do quick risk assessment and proceed to make contact with individual/s requesting police service;
- Greet complainants/individuals politely and ask how you may help;
- Determine whether to bring resolution at the scene or move to station;
- Render the appropriate policing service;
- Enquire if the person who requested service is satisfied ,and how else you may help;
- Report your findings and actions to police control;
- Follow-up with a telephone call or visit.

6. Search of Property and securing of exhibit

In the execution of a warrant to search a particular premise for a specific reason the owner/occupant should be shown the warrant and where possible a copy of the warrant should be given to the owner/occupant.

Where there is no warrant available at the time of the operation, permission should be sought from the owner/occupant for the team to enter the building/premises/compound.

"Good morning Sir/Miss we are from the Frankfield Police Station and we have a warrant to search your premises for stolen items believed to have been taken from Molly's Hardware on January 25, 2011. Here is a copy of the warrant.

You are required to be present with us during the search. Each item seized will be noted. You may be required to come to the station to produce your receipts and or to answer some questions".

Or

Good afternoon sir/miss we are conducting an investigation where intelligence has led us to your premises, may we be given permission to conduct a search of the building in your presence?

Where exhibits are taken from the scene of a search, then it is the responsibility of the investigating officer to note the exact location where the item was removed from and the circumstances. It is unethical for evidence to be planted at the scene of a suspected crime. The integrity of the investigations would have been compromised if the evidence obtained from the scene is tampered with. All items seized must be placed in an envelope, properly labeled and sealed in the presence of the accused.

7. Effecting an Arrest

When effecting an arrest, the offender must be told of the offence for which he/ she is being charged. The offender must then be cautioned; ***"Do you wish to say anything? You are not obliged to say anything unless you wish to do so, but whatever you say will be taken down in writing and may be given in evidence against you"***

If in public thoroughfare, offender should be frisked for weapons, drugs or any other object which could harm the officer while the offender is being escorted to the police station. At the station a more thorough search must be done before offender is placed in holding area or cell.

As far as practicable, handcuffs must be used on males and violent females but try not to embarrass persons in your custody by escorting them in awkward positions, e.g. draping the waist so that prisoner has to walk on his toes or dragging prisoner on the ground in a bid to punish him.

If a prisoner escapes while being escorted and is running away from you, **DO NOT OPEN FIRE**, he is no threat to you or your colleague. This order goes for all cases where police personnel accost members of the public who run away without being a threat to them. It is much better for a suspect to escape, than for the police to open fire resulting in the death or injury of innocent members of the public.

POLICE OFFICERS MUST ALWAYS BEAR IN MIND THAT OFFENCES ARE COMMITTED AGAINST THE STATE AND NOT AGAINST THEM AS INDIVIDUALS.

Where individuals are brought before the court or are required to attend the court, all such individuals shall be addressed by their full name and title for e.g. **"Mr. Isaiah Thomas" or "Miss Dotlyn Chambers"**.

It is unprofessional to address any citizen by their first name unless at their request.

8. Carrying of Firearm in Public Places

8.1 Uniform Personnel

All uniform personnel who are issued with a side arm for duty must immediately carry out the necessary safety checks, load and holster the weapon. **NO LIVE ROUND MUST BE CARRIED IN THE BREACH.** *The use of force and human rights policy* should serve as a guide if a member has of necessity to remove the weapon from its holster. On each occasion that the weapon is removed from the holster whether it

was fired or not a written report **MUST** be made by the person issued with the weapon and other persons on the team.

8.2 Uniform personnel issued with rifles or submachine guns must carry out the necessary safety checks and always carry weapon in a **safe position**, whether walking or travelling in motor vehicles. At no time should the weapon be pointed at persons travelling behind the police vehicle, passing to the side or just walking along the public thoroughfare.

8.3 Personnel armed with rifles or submachine guns must avoid **unnecessarily** entering places of business, government offices, schools and places of entertainment as the safety risk is higher for both police and civilians.

8.4 Detectives and other personnel from plain clothes sections, to include off duty police personnel who are permitted to keep and care firearms **MUST** ensure that their weapon is concealed in public places. Extended magazines must not be inserted in pistols while wearing plain clothes and members must take all the necessary steps to avoid unnecessarily exposing their weapons whether on or off duty.

9. MANAGEMENT ISSUES

Divisional managers and commanders of other operational formations should adopt administrative and operational strategies to enable the speedy implementation of this policy. It is the responsibility of all managers within the JCF to adequately communicate the contents of this policy to their staff. It is also envisaged that these initiatives will form part of a system of performance management that allows for: (i) rigorous analysis of the use of the JCF's authorizations for stopping and searching members of the public; (ii) analysis of the effectiveness and efficiency of these operations; and (iii) obtaining useful information for resource deployment decisions.

9.1 Supervision and Monitoring

While the daily supervision and monitoring of the implementation of this policy are the purview of divisional managers, it will be the responsibility of the Inspectorate of Constabulary to monitor and report on the force-wide implementation of this policy. At the Divisional level supervising officers, will review daily deployment forms and monitor members' use of stop and search to ensure that they have exercised their powers and authority fairly, ethically and in keeping with the provisions of this policy.

9.2 Wearing of uniform and appearance

All members of the JCF and its auxiliaries must be appropriately attired in uniform at all times whilst on duty. The uniform **MUST** be neat, clean and properly fitted. Image is everything!!! All items of accoutrements should be worn in the appropriate manner. Strict adherence to F/O # 3303 dated October 14, 2010 on Uniform Policy is encouraged.

9.2 Briefing and Tasking

The correct use of these related legislative powers is essential and officers should be adequately informed about current information and intelligence, and how these powers should be best used. They should also be reminded that their powers must be used fairly and proportionately in order to build public confidence and support.

9.3 BENEFITS OF POLICY

This policy places responsibility on the JCF to address the negative culture that has permeated the organization for years. It allows for a positive shift in perception, it serves as a means of developing meaningful and sustainable partnerships with members of the public and to satisfy the needs of the communities in a professional manner, using the various legislative powers as valuable tools in tackling

criminality and public disorder in their surroundings. In addition to increased public reassurance, increased transparency and accountability, intelligence gathered through stop and search activities can be channeled into the intelligence network via our National Intelligence Bureau and Divisional Intelligence Units for future reference as well as briefings for operations. This policy supports most areas of police public contact management, quality of service, responsiveness, safer citizenry, dialogue and cooperation; and all its contents must be adhered to; by members of the JCF, ISCF and Rural Police.

Any failure to adhere to the standards and procedures outlined herein will result in disciplinary actions being taken against those found culpable.

FORCE ORDERS 3337, 19.05. 2011

8.25 POST MORTEM AND DISPOSAL OF (Un-Identified) BODIES AT FUNERAL HOMES

When a body coming to the notice of the police is not immediately identified, it must be photographed and fingerprinted forthwith. The fingerprint and photograph will be referred to the Assistant Commissioner incharge Criminal Investigation Branch who will take steps to publish the photograph in the print media with the hope that someone will come forward and identify it.

If after thirty (30) days, the body remains unidentified, the Post Mortem **must** be done and the body buried forthwith.

In every case under police investigation, a member of the Force and in cases of murder and or fatal shooting by the police, the investigator must attend the Post Mortem examination to assist the Pathologist with a history of the incident and any special circumstances surrounding the incident. Commanding Officers are to implement a system whereby investigating officers inform them on a daily basis of the following:

- (i) Number of bodies at funeral homes
- (ii) Number of days
- (iii) Reason for post-mortem not being held

On no account must bodies be sent to individuals and institutions which are not properly licensed, registered or have the requisite storage facility to pick up and store bodies. Divisional Officers will be held accountable for any exorbitant bills incurred for storage of dead bodies without justification

24th MARCH, 2011 Force Orders No. 3329

8.3 LIVESTOCK & PERISHABLE GOODS IN POSSESSION OF THE POLICE

- (a) Where any perishable agriculture produce, livestock or fish are in custody of a member, the member shall forthwith apply to a Justice of the Peace for a written record of the perishable goods and the Justice after examining the perishable goods, shall:
 - (i) if he is able to identify the rightful owner, make an order for the return of the goods to him, or
 - (ii) if he is not able to identify the rightful owner make an order for the sale of the goods.
- (b) Upon receipt of an order for the sale of perishable goods the member shall take the perishable goods before the Officer or Sub-Officer of the most convenient police station and such Officer or Sub-Officer shall forthwith:

- (i) sell perishable goods in such manner as he thinks suitable with a view to obtaining the best price that can reasonably be obtained therefore; and
 - (ii) endorse upon the written record all relevant details with respect to the price obtained for the perishable goods specified in the order.
 - (c) The proceeds of any sale shall be placed in the custody of the Officer in charge of the parish in which the police station is situated and such Officer shall:
 - (i) where the owner of the perishable goods is ascertained within three months of the sale thereof, pay the sum to that person; or
 - (ii) where, at the expiration of a period of three months after the sale, the owner of the perishable goods as aforesaid cannot be ascertained, pay the sum to the Accountant General through the Ministry of National Security.
- 8.4 The supply of articles of any description at a cost for the Station or Lock-up or the performance of any work for the cleaning and maintenance thereof shall be done by persons other than members.
- 8.5 REVENUE OFFICERS
- Members shall assist Revenue Officers in the collection and protection of Public Funds.
- 8.6 LOST PROPERTIES
- Every article of property found by a member or handed over to him shall at once be brought to the Sub-Officer in charge. The necessary records shall be completed and enquiries made to establish ownership of the property.
- 8.7 SICK PERSONS AND DEAD BODIES
- Members shall assist in the removal of dead bodies, sick or injured persons where sickness or injury may form the subject of a criminal charge, or persons injured in accidents.
- 8.8 ORDERS FROM JUDGES
- When a member receives an order from a Judge, which such a member considers to be inconsistent with the Police Rules and Regulations he should respectfully inform such Judge accordingly. If the Judge presses the order the member should seek the guidance of his Commanding Officer.
- 8.9 STRANGERS IN STATION COMPOUND
- Other than members, no person shall be allowed to sleep in Police Establishment and no member may without authority allow the use of any establishment or part thereof for any purposes not connected with the Force.
- 8.10 CONSTABULARY REWARD FUND
- All fines and penalties imposed on members, and all penalties and proportion of penalties and damages awarded to any member on any summary conviction as the prosecutor of any information or otherwise and all seizure fees shall be paid immediately to the Accountant General to a separate account of the Constabulary Force Reward Fund to be appropriated for the

payment of such rewards or gratuitous bounties or other like purposes as the Minister may from time to time award.

8.11 THE JAMAICA CONSTABULARY WELFARE FUND

The Jamaica Constabulary Welfare Fund which was established in 1995, has throughout the years offer various welfare assistance to its members. This fund is currently available optionally to members even though there is an automatic salary deduction; however, members wishing to discontinue this contribution can do so through an application to the Ministry of National Security. Benefits are available only to contributors of this fund.

Benefits Package

- Funeral Grant
- Prescription Drugs
- Optical Assistance
- Major Medical
- Hospital Room & Board & Miscellaneous
- Physiotherapy
- Disaster Assistance
- Maternity Benefit
- OTHER FUND BENEFITS
 - i. Magnetic Resonance Imaging (MRI)
 - ii. Computerized Tomography (CT) Scans
 - iii. Ultrasound
 - iv. X-Rays
 - v. ECG
 - vi. Chemotherapy
 - vii. Echocardiograms
 - viii. Blood Tests
 - ix. Radiography

8.12 The Constabulary Force (Police Federation Fund)

In exercise of the power conferred upon the Police Federation by section 72 of the Constabulary Force Law and with the approval of the Minister, the following regulations are hereby made:-

- a. These Regulations maybe cited as the Constabulary Force (Police Federation Fund) Regulations, 1973 and shall come into operation on the 14th day of May, 1973.
- b. The Police Federation Fund (hereinafter referred to as “the fund”) and all money or other property accruing thereto shall be vested in the Central Committee of the Police Federation (hereinafter referred to as the Federation) and the Commissioner of Police.
- c. Subscriptions to the Fund (shall be compulsory) and maybe made by a member of the Police Service of such organizations as maybe approved by the minister.
 - i. Subscriptions or donations shall not be accepted from individuals outside the Police Service.

Purpose of Fund

The purpose of this Fund is to meet the cost of legal representation for the defence of a contributor charged with an offence arising in the execution of duty where this is not immediately available from the Government.

Services Offered

- Legal Advice, (a) Criminal (b) Civil
- Medical Assistance (a) Financial (b) General Support
- Bereavement Assistance (a) Financial (b) General Support
- Discipline (a) Advice, (b) representation, (c) Financial Assistance
- Advice & Interpretation of (a) Force Policies, (b) Police Regulations
- General Advice & Assistance (a) Welfare, (b) Personal Issues, (c) Education, (d) Force Development, (f) Retirement/Pension
- Negotiation at National Level (a) Salary and Fringe Benefits, (b) Working Conditions
- Negotiation at other levels.

UNIFORM

APPENDIX I

UNIFORM FOR OFFICERS

1. The following uniform will be worn by Officers:
 - (I) WORKING DRESS
 - (a) Tunic (Male & Female):

Single breasted, four button hole and eyelets, button stand cut on, openfacing with facing lined to form protector, break neck to first button in line with top pocket with no button or button holes; waist seam from nape to waist line separated from bottom half with 2 inch split in centre; two breast pockets with 1 inch pleat in the centre; two bottom pockets inserted, all pockets covered by flap, button holes and eyelet holes to match; two loops of self material, short sleeves, 2 inch cuff, permanent turn up worn above the elbow, shoulder straps to clear collar, button holes and eyelets holes protector formed by facing; eyelets for badges and press studs to flaps on top pockets.
 - (b)
 - (i) Male: Trousers, Fawn Terylene

Fly front, side pockets, 1 1/2 inch waist band all around, extension or 2 1/4 inch wide loop of self material, no turn up.
 - (ii) Female: Skirt

Fawn Terylene with two box pleats, one at each side.
 - (c) SHOES

Male: Plain black leather shoes.

Female: Black leather, laced, plain font, heels-1 1/4 inch high.
 - (d) SOCKS

Male: Black or navy blue socks.

Female: Stockings of approved shade.
 - (e) CLOTH BELT

1 7/8 inch wide belt of same material as tunic fitted with two-pronged chromium plated buckle.
 - (f) PEAKED CAP
 - (i) Male:

Universal pattern in dark blue cloth with hinged spring in front;

chin straps of black patent leather 3/8 inch wide, buttoned on to two small buttons. Band to be plain black mohair.

(ii) Female:

Navy Blue; Women Constables' pattern with small chin strap attached to cap by two small Force buttons of white metal; band to be of black mohair.

Superintendent and above will wear braid of black oak leaf instead of mohair.

(g) ACCOUTREMENTS

Garrison or Sam Browne waist belt, black leather 2 inch width to be worn instead of fawn terylene, when carrying side arms.

(h) MEDAL RIBBONS

To be 5/8 inch in depth, and to be worn on band in the same position as medals, the right edge of the first ribbon being 1 1/2 inches from the edge of the garment. When there is not sufficient room to wear the ribbons in a row, they may be worn in two or more rows, not more than 1/2 inch apart.

(i) LANYARD

To be dark blue in silk cord 36 inches, double, with Metropolitan Police pattern, whistle attached.

(j) CANE

(i) 24 inches long, including Metropolitan Police pattern, whistle fixed on top, covered with black leather, except for 6 inches in the centre for hand grip carried by all Officers.

(ii) 28 inches long with a silver ball and J.C.F. crest mounted on top; covered with black leather, silver tip, carried only by the rank of Superintendent and above.

(II) DRESS UNIFORM

(a) Tunic Fawn Terylene or Navy Blue Serge

Single breasted, four button and eyelets, button stand cut on open facing with facing lined to form protector; break neck to first button in line with top pocket with no button holes, waist seam from nape to waist line separated from bottom, half with 2 inch split in the centre; two breast pockets with 1 inch pleat in centre; two bottom pockets bellows 9 inches at the bottom 8 inches at the top; straight flap, 3 1/4 inches deep at the peak and 3 inches at the trough; button holes and eyelet holes to match; two loops of self material; long sleeves with pointed cuffs 6 inches deep at the peak and 3 1/4 inches at the seam, permanent turn down, shoulder straps to clear coslan, button holes and eyelet holes protector formed by facing; eyelets for ledges and press studs to flap of top pocket.

- (b) (i) Male - Trousers - Fawn Terylene or Navy Blue Serge.

As in the case of working dress. For Navy blue trousers 2 inch scarlet stripes braid sewn on the side seams.

- (ii) Female - Similar pattern to the male's except for collar which shall be of similar design to the tunic in "Dress Uniform."

(c) SHIRT

Plain white shirt with collar attached.

(d) TIE

Plain dark blue tie.

(e) SHOES

- (i) Male: Black - as in working dress.

- (ii) Female: Plain black court shoes, heels 2 inches high with 1 1/4 inch tips.

(f) SOCKS

- (i) Male: Black - as for working dress.

- (ii) Female: Stockings - as for working dress.

(g) COLLAR BADGES OR GORGETS

Collar Badges with Jamaica Coat of Arms to Senior Superintendent of Police. Gorgets for Assistant Commissioner of Police to Commissioner of Police.

(h) PEAKED CAP

As in the case of working dress.

(i) ACCOUTREMENTS

As in the case of working dress.

(j) WATER PROOF COAT

When worn, will be Khaki or dark blue. In the case of the Khaki it will be worn with a belt.

(k) MEDAL RIBBONS

As in the case of working dress.

(l) LANYARD

As in the case of working dress.

(m) CANE

As in the case of working dress.

(III) MESS DRESS

- (a) Mess Jacket, White Satin Drill
Shawl collar, self material shoulder straps, two eyelet holes; long sleeves, pointed cuffs 6 inches deep at peak and 3 1/4 inches at trough, slit with three made eyelet holes. Eyelets for badges.
- (b) (i) Male - Trousers - Navy blue as in dress uniform.
(ii) Female - Skirts - as in dress uniform.
- (c) CUMMERBUND (MALE ONLY)
Dark blue silk, 5 1/2 inches wide in front, fitted with black straps and buckle.
- (d) SHOES
(i) Male - as in working dress.
(ii) Female - as in dress uniform.
- (e) SHIRT
As in dress uniform.
- (f) BOW TIE
Black
- (g) COLLAR BADGES
Collar Badges with the Jamaica Coat of Arms.
- (h) MINIATURE MEDALS AND DECORATIONS
The ribbons worn with miniatures will be 5/8 inch in width; the length of the ribbon and medal from the top of the bar to the bottom edge of the medal will be 2 inches.

(IV) CEREMONIAL FULL DRESS

- (a) (i) Male: Tunic - White Drill

Polo collar, patch pockets with flaps on each side of breast with box pleats down the centre; five large buttons down the centre and one small button hole and eyelets on each pocket; long sleeves, cut plain with pointed cuffs having 3 eyelet holes. Shoulder strap of self material. The coat to have two vents of 8 inch depth; collar square in front and fastened with two hooks.
- (ii) Female: Similar pattern to the male's except for collar which shall be of similar design to the tunic in Dress Uniform.
- (iii) Female: Shirts - as in the case of Dress Uniform.

- (iv) Tie: as in the case of Dress Uniform.
- (b) (i) Male: Trousers - as in the case of Mess Dress.
- (ii) Female: Skirts - as in the case of Mess Dress.
- (c) (i) Male: Boots - Plain Black Boots.
- (ii) Female: Shoes - as in the case of Mess Dress.
- (d) PEAKED CAP
As in the case of Working Dress.
- (e) GLOVES
White string.
- (f) SASH

Waist: Royal Blue, 3 inches wide, complete with tassels, adjustable.
- (g) SWORD BELT

Dark Blue webbing, 1 3/4 inches wide with black morocco leather slings 1 inch wide with buckle and swivels chromium plated on nickel.
- (h) SWORD

Infantry regulation pattern.
- (i) MEDALS AND DECORATIONS

The ribbons worn with the medals will be 2 inches in length, unless the possession of clasps necessitates them being longer. When two or more medals are worn they will be so arranged that the lower edges are in line. The length of the ribbons will be regulated by that of the medal which, including any clasps is the longest.

(V) **BUTTONS**

All metal buttons will be of the Jamaica Constabulary Force pattern. Mess Dress buttons will be sterling silver. All other buttons will be chromium plated on nickel silver.

The following sizes will be used:

- (a) Coat button large 34 line;
- (b) Button for side and breast pocket medium 27 line;
- (c) Button for cuffs, small 20 line shoulder straps cap, and for Mess Dress.
- (d) Gorget buttons extra small 18 line.

- (VI) BADGES
- The Force will wear its own distinctive Force Badges as under:
- | | | |
|----|---|--|
| a. | On the Cap | Normal cap |
| | size collar badges (as centre of badge) chromium plated on nickel silver. | |
| b. | On the dress tunic | Normal size collar badges (as centre of cap badge) chromium plated on nickel silver. |
| c. | On Mess Dress | As for Dress Uniform |

(VII) BADGES OF RANK

The badges of rank will be of the following:

(a) WORKING DRESS - COMMISSIONER

- | | |
|-------|--|
| (i) | SHOULDER OF JACKET AND TUNIC
Sterling silver crossed tipstones, surrounded by a wreath with a crown above. |
| (ii) | TUNIC LAPELS
Gorget patches in black velvet, 1/4 inch wide and 2 1/4 inches long; pointed at the top with two silver embroidered oak leaves small silver buttons 3/16 inch from point of patch. |
| (iii) | CAP
Universal pattern in dark blue cloth with hinged spring in front; chin strap of black patent leather 3/8 inch wide, buttoned on to two small silver buttons; band to be of braid black oak leaf; two rows of silver oak leaves on peak. |

(b) DEPUTY COMMISSIONER

- | | |
|------|---|
| (i) | SHOULDER OF JACKET AND TUNIC
Sterling silver crossed tipstones surrounded by a wreath with two stars above. |
| (ii) | TUNIC LAPEL
Gorget patches in black velvet,
1 1/4 inch wide and 2 inches long; pointed at top with rows of silver braid embroidery; one small silver button 3/8 inch from point of the patch. |

- | | |
|-------|--|
| (iii) | CAP
As for Commissioner but with one row silver oak leaf. |
|-------|--|

(c) ASSISTANT COMMISSIONER

- | | |
|-----|------------------------------|
| (i) | SHOULDER OF JACKET AND TUNIC |
|-----|------------------------------|

Sterling silver crossed tipstones surrounded by a wreath.

- (ii) TUNIC LAPELS
Gorget patch in black velvet 1 1/4 inches wide and 2 inches long, pointed at top with vertical row of silver embroidered cord, one small silver button 3/4 inch from the point of the patch.
 - (iii) CAP
As for the Deputy Commissioner.
- (d) SENIOR SUPERINTENDENT
 - (i) SHOULDER OF JACKET AND TUNIC
Crown with one star above.
 - (ii) CAP
Universal pattern in dark blue cloth with hinged spring in front chin strap of black patent leather 3/8 inch wide buttoned on to two small silver buttons; band to be braid black oak leaf with 5/8 inch silver embroidered edged with silver cord on peak.
- (e) SUPERINTENDENT
 - (i) SHOULDER OF JACKET AND TUNIC
One crown.
 - (ii) CAP
As for Senior Superintendent.
- (f) DEPUTY SUPERINTENDENT
 - (i) SHOULDER OF JACKET AND TUNIC
Three stars.
 - (ii) CAP
Universal pattern in dark blue cloth with hinged spring in front; chin straps of black patent leather 3/8 inch wide, buttoned on to two small buttons. Band to be plain black mohair.
- (g) ASSISTANT SUPERINTENDENT
 - (i) SHOULDER OF JACKET AND TUNIC
Two stars.
 - (ii) CAP
Universal pattern in dark blue cloth with hinged spring in front; chin straps of black patent leather 3/8 inch wide, buttoned on to two small buttons. Band to be plain black mohair.

UNIFORMS FOR
INSPECTORS

2. The following uniforms will be worn by Inspectors -

(I) WORKING DRESS

- (a) Bush Tunic, Fawn Terylene
Of the same pattern and material as for Officers Working Dress.
- (b) (i) Male: Trousers - Fawn Terylene

Of the same pattern and material as for Officers Working Dress.

(ii) Female: Skirts

As for Female Officers.
- (c) SHOES
 - (i) Male: Plain black leather.
 - (ii) Female: As for Female Officers.
- (d) SOCKS
 - (i) Male: Black or navy blue.
 - (ii) Female: Stockings - as for Female Officers.
- (e) CLOTH BELT
Of same pattern and material as for Officers Working Dress.
- (f) PEAKED CAP
 - (i) Male - Infantry pattern of dark blue cloth with red cloth band 1 3/4 inches wide; small Force badge in white metal in front; patent bottom chin strap attached to cap by two small Force white metal buttons.
 - (ii) Female - As for Female Officers, but with red braid.
- (g) LANYARD
As for Officers.
- (h) ACCOUTREMENTS
As for Officers.
- (i) MEDAL RIBBONS
Same as for Officers Working Dress.

(II) DRESS UNIFORM

- (a) TUNIC - FAWN TERYLENE OR NAVY BLUE SERGE
Of same pattern and material as for Officers.

- (b)
 - (i) Male: Trousers - as in the case of Officers Dress Uniform.
 - (ii) Female: Skirts - as for Female Officers.
- (c) SHIRTS
White with collar attached.
- (d) TIE
As for Officers Undress.
- (e) SHOES
 - (i) Male: As for Working Dress.
 - (ii) Female: As for Officers Dress Uniform.
- (f) SOCKS
 - (i) Male: as in the case of Working Dress.
 - (ii) Female: Stockings as in the case of Officers.
- (g) CAP
As in the case of Working Dress.
- (h) ACCOUTREMENTS
As in the case of Working Dress.
- (i) WATERPROOF CLOAK
As in the case of Officers Dress Uniform.
- (j) MEDAL RIBBONS
As in the case of Working Dress.
- (k) CANE
As in the case of Working Dress

(III) CEREMONIAL FULL DRESS

- (a) TUNIC
 - (i) Male: White Satin Drill

Of the same pattern and material as for Officers full dress, except that the cuffs shall be plain without eyelet holes and there shall be no vents on the side.
 - (ii) Female: as for Female Officers.
- (b) TROUSERS
 - (i) Male: Trousers

Navy blue serge, fly front, two side pockets; no turn up with stripe down side seam 1 7/8 inches of scarlet cloth; 1 1/2 inch waist band all around with extension or loops of 2 1/4 inches of self material.

- (ii) Female: Skirts
As for Female Officers.

(c) SHOES

- (i) Male: Plain Black Boots.
- (ii) Female: Shoes - As in Dress Uniform

(d) SOCKS

- (i) Male: Socks - Black or Navy Blue.
- (ii) Female: Stockings - as for Officers.

(e) SASH

Waist, scarlet, complete with two tassels, adjustable, 3 inches wide.

(f) SWORD BELT

Of same pattern as in the case of Officers.

(g) SWORD

Infantry Regulation pattern.

(h) GLOVES

As in Officers Full Dress.

(i) BUTTONS

All metal buttons will conform with Force pattern. Sizes will be as for Officers.

(j) BADGES

As in the case of Officers.

(k) BADGES OF RANK

Two silver bars on each shoulder strap.

UNIFORM FOR 3.
SUB-OFFICERS
AND CONSTABLES

The following uniform will be worn by Sub-Officers and Constables

(I)

WORKING DRESS

(a) SHIRT

Striped blue cotton of approved pattern with collar attached, two breast pockets with pleats down the centre; two flaps with button holes, shoulder straps.

(b) BADGE (JCF)

Force Badge to be worn on each shoulder strap.

(c) NUMERALS

White chromium plated on nickel to be worn above the centre of right breast pocket fold.

(d) BUTTONS

Silver buttons of white material.

(e) TROUSERS

Navy blue serge; fly front; two side pockets; no turn up baton pocket on right side; stripe down side seam of red scarlet cloth 1 7/8 inches wide.

(f) BOOTS

To be of black leather; laced, plain front.

(g) SOCKS

Black or navy blue.

(h) CUMMERBUND

Of scarlet material of approved pattern.

(i) BELT

Black patent of approved pattern with Force buckle.

(j) MEDAL RIBBONS

To be 5/8 inch in depth and worn with bar in the same position as medals, the right edge of the first ribbon being 1 1/2 inches from the garment, when there is not sufficient room to wear the ribbons in a row, they may be worn in two or more rows, not more than 1/2 inch apart.

(k) PEAKED CAP

Infantry pattern of navy blue cloth with a red band of 1 3/4 inches wide; small Force badge of white metal in front; patent leather, chin strap, attached to cap by two small Force white metal buttons.

(II)

DRESS UNIFORM

(i) TUNIC - NAVY BLUE SERGE

Single breasted, four button holes and eyelets, button stand cut on; open facing with facing lined to form protector break neck to first button or button holes; waist seam from nape to waist line,

separated from bottom half with 2 inches pleat in the centre; two bottom pockets, bellows, 9 inches at the bottom and 8 inches at the top, straight flap 3 3/4 inches deep at the peak and 3 inches at the trough; button holes and eyelets to match; two loops of self material, long sleeves with pointed cuffs 6 inches deep at the peak and 3 1/4 inches at the seam, permanent turn down shoulder straps to clear collar, button holes and eyelet holes protector formed by facing, eyelet on right shoulder for chevron; press studs to flap of top pocket.

(ii) TROUSERS

As in the case of Working Dress.

(iii) BOOTS

As in the case of Working Dress.

(iv) SOCKS

As in the case of Working Dress.

(v) CAP

As in the case of Working Dress.

(vi) CLOTH BELT

1 7/8 inches wide cloth belt of same material as tunic, fitted with two-prong chromium plated buckle.

(vii) MEDAL RIBBONS

As in the case of Working Dress.

(viii) BADGES

Force badge on shoulder strap.

(ix) SHIRT

White with collar attached.

(x) TIE

As for Officers and Inspectors.

(xi) ACCOUTREMENTS

Waist belt as in case of working dress to be worn instead of navy blue serge when carrying side arms.

(xii) WATERPROOF CLOAK

Dark blue.

(xiii) CANE

As in the case of Inspectors.

(III) CEREMONIAL FULL DRESS

(a) TUNIC - WHITE SATIN DRILL

Polo collar, patch pockets with flap on each side of breast with box pleats down the centre; five large buttons down the centre, one small button hole and eyelet on each pocket; long sleeves; cut plain with pointed cuffs. Shoulder straps of self material, the coat to have two vents of 8 inches depth, collar square in front and fastened with two hooks and eyes.

(b) TROUSERS

As in the case of Working Dress.

(c) BOOTS

As in the case of Working Dress.

(d) SOCKS

As in the case of Working Dress.

(e) CAP

As in the case of Working Dress.

(f) BELT

As in the case of Working Dress.

(g) MEDALS

As for Officers and Inspectors.

(IV) BREECHES AND LEGGINGS

Riding breeches and leggings will be worn instead of trousers, when riding horses or motor cycles.

(V) BUTTONS AND BADGES

Buttons and badges of the Force and approved sizes will be worn.

UNIFORM FOR 4.
WOMEN POLICE

The following uniform will be worn by Women Sub-Officers and Constables

(I) WORKING DRESS

(i) SHIRT

Striped blue cotton of approved pattern with collar attached; two breast pockets with folds down the centre; two flaps with button holes; shoulder straps.

(ii) BADGES

Force badge to be worn on each shoulder strap.

(iii) NUMERALS

White chromium plated on nickel to be worn above the centre of right breast pocket fold.

(iv) BUTTON

Seven buttons of white metal.

- (v) SKIRT
Navy blue serge; cut on gored lines having three to the front and two to the back; worn knee length, hemmed under at tail; scarlet stripe 1 7/8 inches down the left side with zipper; one pocket on right side; waist band all around.
- (vi) BELT
Waist belt of same material as skirt with Force buckle.
- (vii) SHOES
Black leather, laced, plain front.
- (viii) STOCKINGS
Nylon, approved shade and pattern.
- (ix) CAP
Navy blue women constables cap; with small chin strap attached to cap by two small Force buttons of white metal.
- (x) MEDAL RIBBONS
As for Working Dress of male Sub-Officers and Constables.

(II)

DRESS UNIFORM

- (a) TUNIC - NAVY BLUE SERGE

Single breasted, four button holes and eyelets; button stand cut on; open facing with facing lined to form protector; break neck to first button in line with top pocket with no button or button holes; waist seam from nape to waist line, separated from bottom half with 2 inch pleat in the centre; two bottom pockets, bellows 9 inches at the bottom and 8 inches at the top straight flap 3 3/4 inches deep at the peak and 3 inches at the trough; button holes and eyelets to match, two loops of self material, long sleeve with pointed cuffs 6 inches deep at the peak and 3 1/4 inches at seam permanent turn down; shoulder straps to be clear of collar; button holes and eyelet holes protector formed by facing; eyelets on right shoulder for chevron, press studs to flap of top pocket.
- (b) NUMERALS
As in the case of Working Dress.
- (c) BADGES
As in the case of Working Dress.
- (d) BUTTONS
Four large buttons down the tunic and four medium buttons for shoulder straps and breast pockets.
- (e) SHIRT
White shirt with collar attached.
- (f) TIE

As for Officers and Inspectors.

- (g) SKIRTS
As in the case of Working Dress
- (h) SHOES
As in the case of Working Dress.
- (i) STOCKINGS
As in the case of Working Dress.
- (j) CAP
As in the case of Working Dress.
- (k) BELT
1 7/8 inch wide cloth belt of same material as tunic, fitted with two-prong chromium plated buckle.
- (l) MEDALS
As in the case of Working Dress.
- (m) CANE
As in the case of Working Dress.
- (n) WATERPROOF CLOAK
Dark blue.

(III) CEREMONIAL FULL DRESS

- (a) TUNIC - SATIN DRILL

Single breasted, four button holes and eyelets, button stand cut on; break shirt collar with no button or button holes; short sleeves 1 1/2 inches permanent turn up; two breast pockets with three pointed flap with button holes and eyelets; shoulder strap of self material with button holes and eyelets; 2 inch pleats at each sides.
- (b) SKIRT
As in the case of Working Dress.
- (c) SHOES
As in the case of Working Dress.
- (d) STOCKINGS
As in the case of Working Dress.
- (e) CAP
As in the case of Working Dress.
- (f) BELT
Cloth belt of same material as tunic, 1 1/2 inch wide with Force buckle.

- (g) MEDALS AND DECORATIONS
As for Officers and Inspectors.
- (h) BADGES
As in the case of Working Dress.
- (i) NUMERALS
As in the case of Working Dress.

IMMIGRATION

UNIFORM FOR IMMIGRATION OFFICERS

The following uniform will be worn by Immigration Officers:

(I)

WORKING DRESS

- (a) SHIRT

White shirting material; break neck; collar attached, shoulder loops of self material short sleeves; two breast pockets with 3/4 inch fold, with flaps pointed in the centre; eight transparent shirt buttons.
- (b) TROUSERS
Grey serge; zipper front; two side and two back pockets; extension extended band all round; no turn up.
- (c) EPAULETTES
Grey serge of same material as trousers; 2 inches wide and 6 3/4 inches in length, pointed to be worn on shoulder loop with button.
- (d) BADGE
Immigration badge of brown metal with the word "IMMIGRATION" in black to be worn on epaulettes.
- (e) SHOES
Black leather, plain toe-cap and front laced.
- (f) SOCKS
As in the case of Working Dress.
- (g) TIE
Plain black open ends, length 45 inches.
- (h) CAP
Regulation pattern in navy blue cloth; stiffener in front; chin strap of black leather; buttoned on two small buttons.
- (i) MEDAL RIBBONS
To be 5/8 inches in depth and to be worn on a bar in the same position as medals the right of the first ribbon being 1 1/2 inches from the edge of the garment. When there is not

sufficient room to wear the ribbons in row, they may be worn in two or more rows, not more than 1/2 inch apart.

(II) CEREMONIAL FULL DRESS

- (a) JACKET - GREY SERGE
Grey serge material, double breasted, reefer with six button holes; three on each side; one breast pocket and two bottom pockets without flaps; centre seam at back but no vent; shoulder straps of self material with button holes and eyelets.
- (b) TROUSERS
As in the case of Working Dress.
- (c) BADGE
As in case the of Working Dress.
- (d) SHOES
As in the case of Working Dress.
- (e) SOCKS
As in the case of Working Dress.
- (f) SHIRT
As in the case of Working Dress.
- (g) TIE
As in the case of Working Dress.
- (h) CAP
As in the case of Working Dress.
- (i) MEDALS AND DECORATIONS
As in the case of Working Dress.

UNIFORM FOR
MARINE DIVISION

6. The following uniform shall be worn by members of the Marine Division:

(I) WORKING DRESS

- (a) SHIRT
Striped blue cotton of approved pattern with collar attached, two breast pockets with pleats down the centre, two flaps with button holes, shoulder straps.
- (b) TROUSERS
Navy blue serge; fly front, two side pockets; no turn up; no stripes.
- (c) BADGE
Force badge to be worn on each shoulder strap.
- (d) BOOTS

Black leather, laced plain front. Rubber soled canvas shoes of approved pattern may be worn on water patrol duty.

- (e) SOCKS
Black or navy blue.
- (f) CAP
Peaked; Infantry pattern, navy blue with small cap badge in front.
- (g) CUMMERBUND
Black material of approved pattern.
- (h) BELT
Black; patent of approved pattern with Force buckle.
- (i) MEDAL RIBBONS
As in the case of Sub-Officers and Constables.

(II) DRESS UNIFORM

- (a) As in the case of Sub-Officers and Constables
- (b) TROUSERS
As in the case of Working Dress.

(III) CEREMONIAL FULL DRESS

- (a) As in the case of Sub-Officers and Constables full dress.
- (b) TROUSERS
As in the case of Working Dress for Marine Division.

UNIFORM FOR 7.
ALL RANKS

GENERAL WEAR

Blue denim overall (shirt, pants and cap) may be worn by all ranks when carrying out:

- (a) Training
- (b) Maintenance
- (c) Lock-Up Duties
- (d) Fatigue
- (e) As may be ordered
- (f) Badges of rank will be worn as in working dress except in the case of (d) above.

UNIFORM TO BE
SUPPLIED

8. A member of the rank of Inspector and above who does duty in uniform shall not be supplied with uniform free of charge but shall be paid in lieu of a uniform allowance.

The uniform specified in the following tables shall be issued free of charge to members below the rank of Inspector in accordance with those tables, subject to any modifications approved by the Minister; provided that where the duties of a member of the Force entail greater or lesser wear than normal or where damage is occasioned in the execution of duty, otherwise than owing to the members default, the issue of any article of uniform may be made as required.

ACCOUTREMENTS

9. Issues of accoutrements shall be made as the circumstances require to members of the Force below the rank of Inspector and may include the issue of the following articles:

- Athletic shorts
- Athletic vests
- Athletic shoes
- Badges
- Batons
- Blankets
- Brushes
- Buttons
- Cane
- Combs
- Denims (overalls)
- Eating utensils

- Rubber Soles
- Handcuffs and keys
- Medal Ribbons
- Numerals
- Pocket Book
- Polish (shoe)
- Polish (silver)
- Razors
- Bath Trunks (Marine only)
- Towels
- Waist Belts
- Identification Booklet
- Waterproof Coats
- Whistles and Chains
- Boots
- Caps
- Flash Lights
- Mace
- Tear Gas (Handheld)

IMMIGRATION OFFICERS

ARTICLE	INITIAL ISSUE	FREQUENCY OF ISSUE	PERIOD OF WEAR	NUMBER IN POSSESSION
JACKET	1	On Replacement	Unlimited	1
TROUSERS	4	-do-	-do-	4
SHIRTS	10	-do-	-do-	10
TIE	2	2 Yearly	1 Year	2
SOCKS	4	4 Yearly	1 Year	4
SHOES	2	2 Yearly	1 Year	2
CAP	2	On Replacement	Unlimited	2

MARINE POLICE

ARTICLE	INITIAL ISSUE	FREQUENCY OF ISSUE	PERIOD OF WEAR	NUMBER IN POSSESSION
Tunic white	2	-do-	-do-	2
Trousers	4	-do-	-do-	4
Denim	2	-do-	-do-	2
Shirts (working)	8	-do-	-do-	8
Shirts (dress uniform)	2	-do-	-do-	2
Boots (working)	2	1 yearly	1 year	2
Boots (general service)	1	1 every 2 years	2 years	1
Lanyard (for glock pistol)	1	On Replacement	Unlimited	1
Tee-Shirt (blue)	3	On Replacement	Unlimited	1
Blue Shorts	3	On Replacement	Unlimited	1

MARINE POLICE (Continuation)

ARTICLE	INITIAL ISSUE	FREQUENCY OF ISSUE	PERIOD OF WEAR	NUMBER IN POSSESSION
Tie	2	On Replacement	Unlimited	2
Yachting Shoes	2	2 Yearly	1 Year	2
Socks	4	4 Yearly	1 Year	4
Cap (Black with white ceremonial covering)	2	On Replacement	Unlimited	2
Cap cover (water proof)	2	-do-	-do-	2
Cummerbund	3	-do-	-do-	3
Waist belt	1	-do-	-do-	1

SUB-OFFICERS AND CONSTABLES - MALE

ARTICLE	INITIAL ISSUE	FREQUENCY OF ISSUE	PERIOD OF WEAR	NUMBER IN POSSESSION
Blue serge Tunic	2	On Replacement	Unlimited	2
White Tunic	2	-do-	-do-	2
Trousers	4	-do-	-do-	4
Shirts (working)	8	-do-	-do-	8
Shirts (Dress Uniform)*	2	-do-	-do-	2
Denim (overall)	2	-do-	-do-	2
Socks	4	4 Yearly	1 Yearly	4
Boots (working)	2	2 Yearly	1 Yearly	2
Boots (general service)	1	1 Every 2 Years	2 Years	1

SUB-OFFICERS AND CONSTABLES - MALE (Continuation)

ARTICLE	INITIAL ISSUE	FREQUENCY OF ISSUE	PERIOD OF WEAR	NUMBER IN POSSESSION
Tie	2	On Replacement	Unlimited	2
Cap	2	-do-	-do-	2
Cap cover-waterproof	2	-do-	-do-	2
Waist belt	1	-do-	-do-	2
Cummerbund	3	-do-	-do-	3
Breeches	4	-do-	-do-	4
Leggings (motor cyclist trousers)	1	-do-	-do-	1

SUB-OFFICERS AND CONSTABLES - FEMALE

ARTICLE	INITIAL ISSUE	FREQUENCY OF ISSUE	PERIOD OF WEAR	NUMBER IN POSSESSION
Tunic - white	2	On Replacement	Unlimited	2
Shirt	3	-do-	-do-	3
Trousers	1	-do-	-do-	1
Shirt (working)	8	-do-	-do-	8
Shirt (dress uniform)*	2	-do-	-do-	2
Stockings	24	24 Yearly	1 Year	24
Shoes	2	2 Yearly	1 Year	2
Tie	2	On Replacement	Unlimited	2
Cap	2	-do-	-do-	2
Denim (overall)	2	-do-	-do-	2

* Special Duties - initial 5
(Court Duties)

**SPECIAL OPERATIONS TEAM FOR; AREA, DIVISIONAL AND MOBILE RESERVE
(Male & Female)**

ARTICLE	INITIAL ISSUE	FREQUENCY OF ISSUE	PERIOD OF WEAR	NUMBER IN POSSESSION
Denim (blue)	1	On Replacement	Unlimited	1
Helmet (black)	1	-do-	-do-	
Boots	1 pair	-do-	-do-	1 pair
Cap (baseball with jcf crest to front & letters JCF printed at back)	1	-do-	-do-	1
Belt (web or pvc black)	1	-do-	-do-	1
SOCKS	4	4 Yearly	1 Year	4
Bullet proof vest	1	-do-	-do-	1
Knee & Elbow Pads	1 pair	On Replacement	Unlimited	1 pair
Baton: Black Rapid Rotation (hard plastic coated)	1	On Replacement	Unlimited	1
Baton: Folded (Black Metal)	1	On Replacement	Unlimited	1

BICYCLE PATROL UNIT (Male & Female)

ARTICLE	INITIAL ISSUE	FREQUENCY OF ISSUE	PERIOD OF WEAR	NUMBER IN POSSESSION
SHIRTS	5	On Replacement	Unlimited	5
SHORTS	2	On Replacement	Unlimited	2
HELMET(white & black)	1	On Replacement	Unlimited	1
BOOTS(specially designed)	1 pair	On Replacement	Unlimited	1 pair

Research, Planning & Legal Services Branch