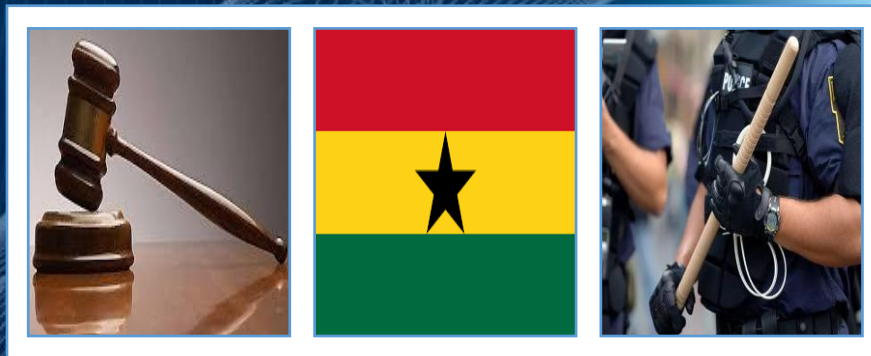


**Consultancy Services for the Development of a Training
Plan/Curricula for Criminal Justice Institutions**



ShawbellConsulting

Volume II
Final Training Needs Assessment Report
Ghana Police Service – Legal and
Prosecution Division

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INTRODUCTION

The United Nations Development Program (UNDP) in collaboration with the Ministry of Justice and Attorney General's Department (MoJAGD) engaged the services of ShawbellConsulting to develop a Training Plan for Criminal Justice Institutions of Ghana. The purpose of the Training Plan is to facilitate capacity building in a structured setting within the Criminal Justice Institutions.

An integral component of the Training Plan is a Training Needs Assessment (TNA). A **Training Need** exists when there is a gap between what is required of an individual or an entity to perform competently and what they actually know. Thus, we assessed the **Current State of Training** in the Legal and Prosecution Division of the Ghana Police Service. We established training benchmarks based on: information from the Stakeholder engagements, expertise of our Institutional Reform and Legal Consultants and a review of global best-practice modules. This was the basis of ascertaining gaps between the Current-state and the Desired-state of training for the Legal and Prosecution Division of the Ghana Police Service. Consequently, we provided our recommendations on the Training Needs Assessment and Proposed Training Programmes for the Legal and Prosecution Division.

This **Volume II** of the Training Needs Assessment Report is structured around three (3) Sections, as follows:

- **Section 1:** Covers the **Current State of Training** in the Legal and Prosecution Division of the Ghana Police Service.
- **Section 2:** Provides our **Findings, Observations and Gaps** emerging from the Training Needs Assessment. In this Section, we established training benchmarks based on: information from the Stakeholder engagements, expertise of our Institutional Reform and Legal Consultants and a review of global best-practice modules. Consequently, we established gaps between the Current-state and the Desired-state, using the Benchmarks stated previously.
- **Section 3:** Provides details of our **Recommendations** on the Training Needs Assessment and **Proposed Training Programmes**.

SECTION 1: CURRENT STATE OF TRAINING IN THE LEGAL AND PROSECUTION DIVISION

This Section entails the **Current State of Training** for Prosecutors in the Ghana Police Service. In accordance with the Police Service Act 1970 (Act 350), the Ghana Police Service was established to maintain law and order, apprehend offenders, detect crime and maintain internal peace and security. Complementary to these functions, the Police may prosecute cases at Magistrate and Circuit Courts upon demand from the Attorney General's Department. Therefore, Prosecution is core to the delivery of criminal justice delivery.

Training programmes, workshops and seminars for Prosecutors in the Ghana Police Service are typically delivered through collaborative participation of Third Parties, including: NGO's, Embassies, High Commissions and Donor Agencies. These capacity building initiatives may be delivered specifically for Prosecutors in the Ghana Police Service or a wider group of stakeholders within the Criminal Justice value-chain.

Some notable courses delivered to Prosecutors include Criminal Law, Criminal Procedure, Advocacy, Legal Systems, Law of Evidence, Constitutional Law and Stimulation Exercises. Facilitators are usually selected from the Ghana School of law, University of Ghana School of law, practicing lawyers; and Principal and Chief State Attorneys from the MOJAGD.

SECTION 2

FINDINGS, OBSERVATIONS AND GAPS EMERGING

GHANA POLICE SERVICE

LEGAL AND PROSECUTION DIVISION

SECTION 2: FINDINGS, OBSERVATIONS AND GAPS EMERGING

Following our review of the Current-state of Training for Prosecutors in the Ghana Police Service in Section 1, we put forward our **Findings, Observations and Gaps** emerging from the Training Needs Assessment (TNA) in this Section. The focus of this TNA is to determine the gap in capabilities of Prosecutors in matters relating to the delivery of criminal justice in Ghana. Therefore, the results of the TNA would be used to determine what training needs exist and if they do, the training required to fill those gaps.

We conducted a Training Needs Assessment of the Staff of the Legal and Prosecution Division by reviewing their responsibilities, required skills, and training to enhance their performance. This was achieved through stakeholder engagements that focused on the review of the mandate of the Legal and Prosecution Division and skills required to effectively implement the mandate. Similarly, we analysed the job and task of staff using job descriptions, work schedules and level of seniority in the Legal and Prosecution Division.

The purpose of conducting the TNA was to identify current and desired job performance, as well as existing and desired competencies and skills.

The Training Needs Assessment (TNA) would ensure:

- (a) Diversity in expectation of knowledge, skills and abilities of officials at different levels of the Ghana Police Service are considered;
- (b) That there is an objective basis of determining employees who would require specific training to accomplish their assignments; and
- (c) The Development of the Comprehensive Training Plan.

We conducted the Training Needs Assessment on the basis of current observations to ascertain the Key Roles that are core to the administration of criminal justice and staff to be trained. This is reported under the Key Roles in the Legal and Prosecution Division of the Ghana Police Service in Section 2B.

The results reflect the training needs as they can be anticipated for the medium term (0-3 years) under this project.

The Results and Resources Framework for this Project indicates Year 2 and 3 Targets as follows:

- Year 2 Targets: Specialised Training Programme developed and implemented; and 30% of direct beneficiaries trained and applying the knowledge by the end of year 2.
- Year 3 Targets: 50% of direct beneficiaries trained and applying the knowledge by the end of year 3.

It is envisaged that the Training Plan to be developed out of this Project would be applicable in the Post-completion period of the Project.

On the following pages, we have provided our findings, observations and gaps emerging from the Training Needs Assessment of the Legal and Prosecution Division of the Ghana Police Service.

Our findings, observations and gaps emerging are structured around the following Themes:

- **Global Best Practice Review of Training Programmes for Prosecutors;**
- **Key Roles in the Legal and Prosecution Division that are core to the delivery of criminal justice; and**
- **Gaps Emerging from the Training Needs Assessment.**

A. GLOBAL-BEST PRACTICE REVIEWS

In this Section, we have provided global best practices in Training for Law Enforcement Officers that function as Prosecutors. Primarily, our review focused on jurisdictions within the Commonwealth of Nations. Thus, the comparative review was based on Tanzania.

Tanzania

Public Prosecutors in Tanzania are part of the Police Investigative Agency. This suggests that the roles of Police Investigators and Prosecutors are unified, as opposed to two (2) separate ones. To facilitate the effective delivery of the duties of Prosecutors /Judicial Police, they undertake training programmes as shown below:

- Use of Pocketbooks/Notebooks/Diaries
- Taking of written Statements including practical exercise to write a statement
- Basic Crime Scene Management
- Compiling a Case Docket
- Interviewing of Witnesses and Suspects
- Gathering of Evidence during an inspection
- Search and seizure
- Making an Arrest
- Hostile people and situations
- Conducting surveillance/ observation posts

B. KEY ROLES IN THE LEGAL AND PROSECUTION DIVISION

Officers in the Ghana Police Service are categorized as Senior and Junior Officers, with Chief Inspectors and Inspectors functioning as Middle-level Officers. The Key ranks within the Legal and Prosecution Division of the Ghana Police Service that emerged as core to the delivery of criminal justice are shown in the Table below:

Senior Officers	Junior-Level Officers
<ul style="list-style-type: none"> • <i>Assistant Commissioner of Police (ACP)</i> • <i>Chief Superintendent of Police (C/SUPT)</i> • <i>Superintendent of Police (SUPT)</i> • <i>Deputy Superintendent of Police (DSP)</i> • <i>Assistant Superintendent of Police (ASP)</i> 	<ul style="list-style-type: none"> • <i>Chief Inspector</i> • <i>Inspector</i> • <i>Sergeant</i>

C. GAPS EMERGING FROM THE TRAINING NEEDS ASSESSMENT

We noted that there were skill gaps as training was typically delivered from institutional knowledge and practices on the job. Therefore, knowledge transfer is not structured and standardized. Similarly, there are officers who are yet to be trained in emerging areas of the Law.

We identified gaps in the areas of supervision, monitoring and evaluation by superior officers. These functions are critical to performance management and the basis of recommending subordinates for the requisite training.

We observed that training for Prosecutors would typically be delivered within few days or a couple of months. It appears that the duration of training is not adequate, as Prosecutors would require longer durations to grasp theoretical and practical components of the Training.

Officers of the Ghana Police Service are trained in general areas of law as part of training for both Senior and Junior Officers. Nonetheless, there are no specific Training Programmes in the Ghana Police Service Training Institutions for Prosecutors.

SECTION 3

RECOMMENDATIONS AND PROPOSED TRAINING PROGRAMMES

GHANA POLICE SERVICE

LEGAL AND PROSECUTION DIVISION

SECTION 3: RECOMMENDATIONS AND PROPOSED TRAINING PROGRAMMES

Following the Training Needs Assessment, we have proposed Training Programmes and Curricula for the Legal and Prosecution Division. The Proposed Programmes were crafted to meet the diverse nature and salient components of the Division. It is noteworthy that the findings, observations and gaps emerging from the Training Needs Assessment and review of curricula would be further developed into the Comprehensive Training Plan. This Plan would facilitate structured learning for staff engaged in Prosecution. Therefore, the Comprehensive Training Plan would enhance the capacity-building imperative of Prosecutors and ensure that officers are equipped with the knowledge and skills required to deliver criminal justice.

In this Section, we present:

- (A) Recommendations on the Training Needs Assessment; and
- (B) Proposed Training Programmes for the Legal and Prosecution Division.

A. RECOMMENDATIONS ON THE TRAINING NEEDS ASSESSMENT

We noted that there are skill gaps as training was typically delivered from institutional knowledge and practices on the job. Therefore, knowledge transfer is not structured and standardized. Similarly, there are officers who are yet to be trained in emerging areas of the Law. **A structured and standardized form of training would ensure that officers are well-equipped in performing their roles in the delivery of justice.**

We identified gaps in the areas of supervision, monitoring and evaluation by superior officers. These functions are critical to performance management and the basis of recommending subordinates for the requisite training. **We recommend that approval for training of officers must be based on their performance reviews which highlight their developmental needs.**

We observed that the Training for Prosecutors would typically be delivered within few days or a couple of months. It appears that the duration of training is not adequate, as Prosecutors would require longer durations to grasp theoretical and practical components of the Training. **We recommended that Courses for Prosecutors are delivered over a period of six (6) months, with a good balance in theory and practical simulations which are reflective of real-life scenarios.**

Officers of the Ghana Police Service are trained in general areas of law as part of training for both Senior and Junior Officers. Nonetheless, there are no specific Training Programmes in the Ghana Police Service Training Institutions for Prosecutors. **Therefore, we recommend that the Training Plan that would be developed out of this assignment should be incorporated in the Curricula of the Ghana Police Training School.**

Non-existent library facilities and Information and Communications Technology were key challenges that confronted Prosecutors in their research work, which is an integral component of their job function. There are also challenges in managing full-cycle information on cases, as monitoring and evaluating tools are not available. Therefore, Prosecutors depend on institutional knowledge to discharge their duties. **We recommend an optimal utilization of Information and Communications Technology to enhance the role of officers in justice delivery.**

B. PROPOSED TRAINING PROGRAMMES

Following our findings and observations from the Training Needs Assessment of Prosecutors of the Ghana Police Service, we propose Training Programmes for their capacity-building needs. The Training Programmes are classified as **Technical or Generic Training Programmes** based on the training requirements of the Legal and Prosecution Division in the delivery of criminal justice.

Technical and Generic Training Programmes/Courses

The proposed Training Programmes/ Courses would be categorised as **Technical or Generic**. This categorization is based on the training requirement of a respective institution in the delivery of criminal justice.

Technical Training Programmes/Courses are directly linked to the mandate of an institution in matters relating to criminal justice. **Generic Training Programmes/Courses** may not be directly linked to the mandate of a particular institution. Nonetheless, the inclusion of Generic Training Programmes/Courses would ensure that staff are trained with the skills required to enhance their technical abilities. The delivery of training in this format would ensure that the training needs of all categories of staff are factored in the overarching goal of capacity-building for Criminal Justice Institutions.

A Training Plan for the Criminal Justice Institutions would be developed out of this exercise. It would be based on:

- (a) The knowledge of our Institutional Reform and Legal Consultants,
- (b) A comprehensive assessment of the needs of staff engaged in the Criminal Justice value-chain, and
- (c) Best-global standards to ensure that criminal prosecutions in Ghana are aligned to criminal legislations in Ghana, as well as international best-practices.

On the following pages, we have provided tables that depict a summary of Courses for Prosecutors in the Ghana Police Service.

FINAL TRAINING NEEDS ASSESSMENT

GHANA POLICE SERVICE – LEGAL AND PROSECUTION DIVISION	
Technical Courses for Prosecutors	
Courses	Prosecutors
Criminal Procedure Criminal Law Law of Evidence Legal Systems Trial Advocacy Constitutional Law Simulation Courses Continuous Education for Lawyers Courses in Emerging trends or Specialised fields (i.e. Cyber Crimes)	<ul style="list-style-type: none"> • <i>Assistant Commissioner of Police (ACP)</i> • <i>Chief Superintendent of Police (C/SUPT)</i> • <i>Superintendent of Police (SUPT)</i> • <i>Deputy Superintendent of Police (DSP)</i> • <i>Assistant Superintendent of Police (ASP)</i> • <i>Chief Inspector</i> • <i>Inspector</i> • <i>Sergeant</i>
Generic Courses for Prosecutors	
Courses	Prosecutors
Report Writing Computer Skills Database Management Psychology Sociology Ethics Communication Skills	<ul style="list-style-type: none"> • <i>Assistant Commissioner of Police (ACP)</i> • <i>Chief Superintendent of Police (C/SUPT)</i> • <i>Superintendent of Police (SUPT)</i> • <i>Deputy Superintendent of Police (DSP)</i> • <i>Assistant Superintendent of Police (ASP)</i> • <i>Chief Inspector</i> • <i>Inspector</i> • <i>Sergeant</i>

Tables of Proposed Training Programmes for Prosecutors

From our analysis of the responsibilities, technical competencies, educational levels, years of experience and skill gaps, we have identified areas of training for Prosecutors in the Ghana Police Service.

Consequently, we have presented Tables on the following pages that highlight:

- Ranks or Positions;
- Expected or Required Duties, Responsibilities, Core Competencies and Skills; and
- Proposed Technical and Generic Training or Courses

TABLE OF PROPOSED TRAINING/COURSES FOR PROSECUTORS IN THE GHANA POLICE SERVICE

POSITION, TITLE OR RANK	EXPECTED OR REQUIRED RESPONSIBILITIES, CORE COMPETENCIES, SKILLS AND QUALIFICATIONS	PROPOSED TRAINING/COURSES
<p>Prosecutors/Judicial Police</p> <ul style="list-style-type: none"> • Assistant Commissioner of Police (ACP) • Chief Superintendent of Police (C/SUPT) • Superintendent of Police (SUPT) • Deputy Superintendent of Police (DSP) • Assistant Superintendent of Police (ASP) 	<p>The general duties, responsibilities, core competencies and skills of Prosecutors/Judicial Police as contained in the Ghana Police Service Instructions, in relation to Case Management include:</p> <ul style="list-style-type: none"> • Ensuring that Reports are adequately prepared with detailed supporting evidence and documents. The evidence in the report should be indicative of the work carried out throughout the entire investigation. Confidentiality and Security is also important. • Reviewing investigative report: to decide whether there is sufficient evidence contained in the file to justify a suspect of being charged with a criminal offence as Republic of Ghana Penal Code of other related relevant law or act; determine what specific crime a suspect should be charged with and who becomes the accused; whether there is sufficient public interest to prosecute the accused for criminal offences charges levied; and build a prosecution case and present it to the Court. • Having conferences or interviewing complainants or witnesses for the effective prosecution of cases. • Maintaining identification/traceability and status of records, and documents, in the course of delivering legal and justice services, meeting legal and statutory requirements. • Providing offenders or suspects access to the Courts to pursue constitutionally mandated rights. 	<p>Technical Courses</p> <ul style="list-style-type: none"> • Criminal Procedure • Criminal Law • Law of Evidence • Legal Systems • Trial Advocacy • Constitutional Law • Simulation Courses • Continuous Education for Lawyers • Courses in Emerging trends or Specialised fields (i.e. Cyber Crimes) <p>Generic Courses</p> <ul style="list-style-type: none"> • Psychology • Sociology • Ethics • Database Management • Computing Skills • Communication Skills • Report Writing

TABLE OF PROPOSED TRAINING/COURSES FOR PROSECUTORS IN THE GHANA POLICE SERVICE

POSITION, TITLE OR RANK	EXPECTED OR REQUIRED RESPONSIBILITIES, CORE COMPETENCIES, SKILLS AND QUALIFICATIONS	PROPOSED TRAINING/COURSES
<p>Prosecutors</p> <ul style="list-style-type: none"> • Chief Inspector • Inspector • Sergeant 	<p>The general duties, responsibilities, core competencies and skills of Prosecutors as contained in the Ghana Police Service Instructions, in relation to Case Management include:</p> <ul style="list-style-type: none"> • Reviewing investigative report: to decide whether there is sufficient evidence contained in the file to justify a suspect of being charged with a criminal offence as Republic of Ghana Penal Code of other related relevant law or act; determine what specific crime a suspect should be charged with and who becomes the accused; whether there is sufficient public interest to prosecute the accused for criminal offences charges levied; and build a prosecution case and present it to the Court. • Having conferences or interviewing complainants or witnesses for the effective prosecution of cases. • Maintaining identification/traceability and status of records, and documents, in the course of delivering legal and justice services, meeting legal and statutory requirements. • Provide offenders or suspects access to the Courts to pursue constitutionally mandated rights. 	<p>Technical Courses</p> <ul style="list-style-type: none"> • Criminal Procedure • Criminal Law • Law of Evidence • Legal Systems • Trial Advocacy • Constitutional Law • Simulation Courses • Courses in Emerging trends or Specialised fields (i.e. Cyber Crimes) <p>Generic Courses</p> <ul style="list-style-type: none"> • Psychology • Sociology • Ethics • Database Management • Computing Skills • Communication Skills • Report Writing