



SUPPLEMENT  
TO THE  
**NEW ZEALAND GAZETTE**

OF  
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WELLINGTON, WEDNESDAY, JANUARY 12, 1887.

*Police Regulations.*

(L.S.) WM. F. DRUMMOND JERVOIS,  
Governor.

A PROCLAMATION.

WHEREAS by the eleventh section of an Act of the General Assembly of New Zealand intituled "The Police Force Act, 1886," it is enacted that the Governor from time to time may make, alter, or revoke such regulations respecting the training, arms and accoutrements, clothing, and equipment of such force, and respecting all other matters connected therewith as may be required for promoting the discipline and efficiency thereof; and also may from time to time direct the employment of such force as to him shall seem meet:

And whereas by a Proclamation dated the eleventh day of July, one thousand eight hundred and eighty-one, certain regulations were made under "The Armed Constabulary Act Amendment Act, 1869," for the purposes aforesaid, and by subsequent Proclamations dated the first day of April, one thousand eight hundred and eighty-four, and the sixteenth day of December, one thousand eight hundred and eighty-five, certain amendments were made in the said regulations: And whereas it is expedient now to revoke the several regulations so made by the above-recited Proclamations, and to make other regulations in lieu thereof:

Now, therefore, I, William Francis Drummond Jervois, the Governor of the Colony of New Zealand, in pursuance of the said recited power and authority, do, by this present order, revoke the aforesaid rules and regulations, and do make the rules and regulations specified in the Schedule hereinafter written; such regulations to come into force from the date of the publication thereof in the *New Zealand Gazette*.

SCHEDULE.

POLICE REGULATIONS.

DISTRIBUTION.

- 1. For police purposes the colony is divided into districts.
- 2. The police will be distributed at stations throughout the districts, as authorized.
- 3. The officer in charge of a police district, as well as every member of the force appointed to any sub-district or station, will be held specially responsible for the peace, good order, and security of such portion thereof as may be committed to his charge, as well as for the general performance of other police duties.
- 4. The dépôt or headquarters of the police will be in Wellington, under the immediate supervision of the Commissioner.
- 5. The police force will be divided into the following grades—viz. :—  
Commissioner;  
Inspectors, first, second, and third class;  
Sergeants-Major;  
Sergeants, first, second, and third class;  
Constables, first, second, and third class.
- 6. The police will also be divided into preventive and detective branches.

GENERAL RULES.

- 7. Applications for enrolment in the police force (hereinafter termed "the force") are to be made from the Permanent Militia exclusively. (See Section No. 59.)

8. The engagement of every member of the force will be for three years, and thereafter until legally discharged.

9. Three months' notice will be required from any member of the force who wishes to leave the service.

10. Officers shall retire from the force on attaining the full age of 65, and other members of the force at 60.

11. Every member of the force will be required to devote his whole time and energies to the service, and will be held responsible for obedience to all lawful orders and conformity to all regulations.

12. Each member of the force will be presumed to know his duty in every case, and in the absence of orders or instructions will be held responsible for the due performance thereof, and in case of failure or neglect will be liable to punishment or dismissal.

13. Members of the force should endeavour to make themselves well acquainted with all Acts of Parliament relating to crime, or under which any duties devolve upon the police. They should also make themselves acquainted with municipal by-laws, and enforce them as far as lies in their power.

14. The attention of the preventive branch of the police will be specially directed, in the first instance, to the prevention of crime; but, whenever there is any reason to believe crime has been committed, its detection and the apprehension or punishment of the offenders will, as a matter of course, be the duty of every member of the force wherever stationed, and whether in the preventive or detective branch of the force.

15. The police will be strictly impartial in the discharge of their duties towards all classes—the preservation of order and the prevention or detection of serious crime being their first duty. Offences which are of a trivial character, and sometimes committed by law-abiding citizens in ignorance, should be dealt with discreetly. A caution will, in some instances, be all that is necessary, and have the desired effect; but this course should only be pursued when sanctioned by the member of the force in charge. For minor offences the extreme course of apprehension and incarceration should be avoided, when it is clear that a summons will insure the offender being duly dealt with by a Magistrate. By section 73 of "The Justices of the Peace Act, 1882," any person charged with the commission of an offence may voluntarily appear to answer the charge, and the Justices may hear and determine the case without first receiving an information in writing, unless either of the parties to the case shall, before the commencement of the hearing, require an information in writing.

16. Every member of the force will co-operate with, and afford all assistance in his power to, other members of the force, and other officers in the public service.

17. Members of the force will be liable to dismissal for disobedience, neglect, or omission of duty, incompetency, disrespect to any person in authority, insolent or indecorous behaviour, or any misconduct punishable by law, or contrary to regulations, in addition to such other legal penalty as may be incurred thereby.

18. The police will constantly report to the nearest Resident Magistrate, or Bench of Magistrates, the results of the issue of summonses or warrants, and the steps taken from time to time for the purpose of giving effect to magisterial proceedings.

19. The Inspector of each district, when present, will bring all police cases before the Bench, and obtain evidence, so as to present the necessary particulars to the Magistrates as clearly and intelligibly as possible.

20. When prisoners are remanded from one Bench of Magistrates to another, full particulars of the case will be forwarded to the member of the force in charge of the station to which the prisoner is remanded, together with a report of the offender's antecedents, and *Gazette* references to previous convictions.

21. When an offender is committed for trial who has been previously convicted, his criminal history, reference to prison, photograph, &c., should be furnished on the prescribed form to the Commissioner by the officer in charge of the district.

22. Any member of the force who may arrest an offender committed for trial will be considered a witness in the case, whether summoned or not, and should see that all other witnesses are in attendance when required. Should any witness, after being bound over, change his residence to any place at a distance from the Court where a trial is to take place, the circumstance is to be promptly reported to the officer in charge of the district. When members of the force are subpoenaed as witnesses in civil cases, the parties who subpoena them must be made liable for their expenses.

23. In cases of police prosecutions, in which convictions are appealed against, or prohibitions applied for, full particulars must be promptly furnished to the Commissioner.

24. Every member of the force will studiously observe neutrality in political matters, and will rigidly abstain from the manifestation, other than voting themselves at elections, of any politico-sectarian or religious proclivities in the discharge of their duties to the prejudice of the public service, on pain of immediate dismissal or other severe punishment.

25. No member of the force will be permitted to derive any pecuniary profit or advantage from any public contract, or from any purchase made by himself or others in relation to the duties of his office.

26. Every member of the force will avoid incurring debts or placing himself under pecuniary obligation to any person whatsoever.

27. No sergeant or constable will be permitted to marry without leave.

28. No member of the force will be allowed to engage in any trade or business either by himself or his wife.

29. No member of the force will, upon any occasion, or under any pretence whatever, accept any money, gifts, or address from any person without the express permission of the Commissioner.

30. No member of the force will leave his district or station without permission unless in the necessary course and performance of police duties.

31. In the absence of any member of the force from his district or station, his duties and responsibilities will specially devolve upon the member of the force next in rank.

32. Members of the force, on their arrival at Wellington, whether on duty or leave of absence, will report themselves at the *dépôt*. Officers will report themselves at the Commissioner's office.

33. Every member of the force will endeavour, by every lawful means in his power, to make himself acquainted with the local features of the district where he may be stationed, and with the names and characters of the inhabitants thereof.

34. Every member of the force will make the arrival of suspicious characters, or the occurrence of extraordinary circumstances within his district, in so far as they have come under his cognizance, the subject of special report to his superior officer.

35. Should any epidemic of infectious or contagious disease break out in any locality full particulars should be promptly reported to the Commissioner direct by telegraph, and also to the Inspector of his district.

36. Members of the force in charge of stations will be careful that police duties are always impartially divided among the men.

37. Every member of the force in charge of a station will be specially responsible for the conduct, appearance, and discipline of the constables under him, and for the state of the horses, arms, ammunition, accoutrements, and other public property committed to his charge.

38. Every member of the force in charge of a station will keep a roster of the duties performed by himself and the constables under him, and will report without delay any instance of misconduct, irregularity, neglect of duty, or breach of discipline.

39. When any member of the force is in hospital the charge for accommodation and treatment will be deducted from his pay. If suffering from the effects of his own misconduct no pay will be allowed. In ordinary cases of sickness in the country members of the force will have to provide themselves with medical attendance and medicines; but in cases where illness has been occasioned by injuries or otherwise in the execution of duty a special report of the circumstances is to be made to the Commissioner. When any member of the force has been on the sick list for more than twenty-eight consecutive days, or more than four times during twelve months, a report must be made to the Commissioner.

40. Any member of the force suspended from duty, although not performing any police duty, will remain within the limits of the station to which he belongs, unless under orders to the contrary, and will not be entitled to any pay or allowances for the time he remains suspended, unless by special authority from the Commissioner.

41. In addition to special rewards which members of the force may be awarded, under the authority of the Commissioner from the Police Reward Fund, for bravery or other meritorious conduct displayed in the performance of duty, whatever sums may be from time to time offered, whether by the Government or private individuals, for the apprehension of notorious offenders, or the recovery of lost property, will be equally open to all subordinate members of the force, as well as to persons who have given information or assistance, and will be divided among the various claimants in proportion to the relative value of their respective services; but no officer of police, unless by special authority, will participate in any reward, whatever part he may have taken, or however instrumental he may have been in effecting the object for which it was offered.

42. All members of the police force (officers and men) are to salute His Excellency the Governor, members of the Executive Council, and Judges of the Supreme Court. Police of all ranks will also salute officers of the force superior to them in rank. Sergeants and constables are to salute all officers of the force; also commissioned officers of the Army and Navy, the Commandant of Volunteers, when in uniform, District Court Judges, and Resident Magistrates.

#### OFFICERS.

43. The Commissioner of Police will be held specially responsible for the peace and good order of, and for the security of life and property throughout the colony, and in general for the discipline, obedience, and organization of the police. To insure uniformity of action no district order permanently affecting the discipline or management of the force must be issued by Inspectors without reference to the Commissioner.

44. The Commissioner will furnish the Government with an annual report of the general state of the force, its numerical strength, distribution, and general efficiency, the increase or diminution of crime, the formation of new stations, and such other information as may be necessary.

45. Officers in charge of districts will, as far as practicable, act in accordance with the wishes of the Benches of Magistrates, for which purpose they will frequently communicate personally with the Magistrates to ascertain whether their lawful orders are duly carried out by the members of the force, and whether they are active, diligent, and efficient in the prevention of crime or the

pursuit of criminals, and orderly, respectful, and steady in their conduct.

46. Every Inspector in charge of a district will use his own discretion in regard to accompanying the police under him in the pursuit of offenders, and in the performance of other police duties requiring change of place. His most important duties will be those of superintendence and inspection, and in general it will be sufficient for him to enforce obedience to orders issued by himself or by any lawful authority.

47. No officer of police in the Commission of the Peace will act judicially unless in concert with one or more of the local Magistrates, and then only in case of emergency, when his assistance may be urgently required; nor will any such officer act as a Magistrate in any case wherein a member of the police is concerned.

48. Every police officer will pay strict and constant attention to economy, and whenever he sees any means of reducing the expense or promoting the efficiency of the force in the locality within his charge, will communicate his views to the head of his department.

49. On the receipt of an order for the discharge or dismissal of any member of the force, the officer in charge will order the party into district headquarters, if necessary, taking care that all his arms, accoutrements, &c., are returned in good condition, and will arrange payment of any pay or allowances due.

#### SERGEANTS AND CONSTABLES.

50. Every member of the force below the rank of officer will in each district be distinguished by a number.

51. Any constable who habitually quarrels with his comrades will be liable to punishment or dismissal.

52. Every constable will report to a sergeant or officer any circumstance which may appear to affect the public peace or safety or the character of the force.

53. No constable will leave his station or beat while on duty unless in case of great emergency, nor will he enter any house except in the execution of his duty.

54. A constable will not, when on duty, enter into conversation with any person whatever except on matters relative to his duty, but will immediately give his name and number if asked.

55. On no pretence will any member of the force frequent publichouses except in the execution of his duty, nor will he accept drink from any person when on duty or in uniform.

56. If a constable observe anything likely to produce danger or public inconvenience, or to affect the public health, or anything which seems to him irregular and offensive, he will either cause its removal or report it to his superior officer.

57. Members of the force are to treat all persons with civility. Any questions asked are to be answered to the best of the constable's knowledge; and, as far as consistent with his duty, he should be ready at all times to oblige.

#### PROMOTIONS.

58. No constable will be promoted who cannot frame and write a report with facility and keep accounts correctly.

59. All vacancies in the rank of third-class constable will be filled up from men in the Permanent Militia of good character, who have served not less than one year, and are not under 5ft. 9in. in height. All vacancies in ranks of constable above that of third-class will be filled up by promotion from the seniors of the next inferior rank. Vacancies in the grades of sergeant will be filled by the selection of those whose ability, energy, and general fitness qualify them for promotion.

60. At the same time it must be understood that seniority, length of service, and good conduct, though the rule, are not the only recommendations for promotion.

61. Applications for promotion must be made through

the proper official channel only. Members of the force seeking by influence to obtain promotion or other advantage in the service are warned that such interference on their behalf will militate against the end they have in view, and render them liable to severe punishment. Where any member of the force has shown exceptional merit, or performed any specially valuable service, his promotion to a higher rank without regard to seniority, if recommended by the Inspector of the district, may be authorized, but on such occasions a notification will be published in the *Gazette* setting forth the circumstances of the case.

#### COMPLAINTS, MISCONDUCT, PUNISHMENTS.

62. An Inspector in charge of a district may inflict a fine not exceeding £1, or loss of seniority not exceeding six steps in his grade, upon any constable guilty of misconduct. Misconduct calling for more severe punishment, or committed by members of the force of higher rank than constable, will be reported, with the Inspector's recommendation, to the Commissioner, who may sentence non-commissioned officers or constables to reduction, loss of seniority, loss of long-service pay, or dismissal, as he may deem fit; and, in case of officers, will report the circumstances, with his recommendation, to the Minister in charge of the department. Drunkenness on duty will invariably be punished by dismissal or enforced resignation, according to previous character. Simple drunkenness will not be overlooked even on a first occasion. Under extenuating circumstances recommended by the Inspector, this offence may on a first occasion be visited with a lesser punishment, but should the offence be repeated the member of the force will be dismissed.

63. Cases of breach of police discipline will be dealt with by the Inspector, unless he elects, under section 12 of the Police Act, to cause them to be taken before a Commissioner or any two Justices of the Peace. Offences against the public, or where Magistrates have clear jurisdiction, will be always submitted to a local Magistrate or Bench of Magistrates unconnected with the force.

64. Every officer in charge of a district will report, in writing, any complaint against any member of the force which it has been considered necessary to refer to a Bench of Magistrates for adjudication, and will also, if necessary, suspend the individual against whom a complaint has been made, awaiting the decision of the Commissioner.

65. Long-service medals are awarded to members of the force of not less than fourteen years' continuous service in the Police or late Armed Constabulary Force, provided that for the last three years they have not been entered in the defaulters' book.

66. For grave offences, in addition to any fine or other punishment awarded, a member of the force may be deprived of his long-service medal, or may be suspended for a given period from permission to wear the same, as the Commissioner may decide, and to be deprived permanently or temporarily of any part or the whole of his long-service pay.

67. On a constable misconducting himself the particulars of the case will be entered on a "Defaulters' Sheet," which will be forwarded with him to any other district to which he may be transferred. On a constable who has never misconducted himself being transferred a "Defaulters' Sheet," containing his name and description only, will be forwarded with him. In like manner a "Record of Merit" will be kept, in which an entry shall be made of each reward granted, or distinguished service specially acknowledged.

68. On the discharge or dismissal of any man from the force his "Defaulters' Sheet" and "Record of Merit" will be forwarded to the office of the Commissioner, to be there filed for record; and on the application of any one who has been discharged a printed certificate of

character, made out in accordance with the record, will be granted by the Commissioner. No other certificates of character or service will be given to parties leaving the force, and none to those who have been dismissed or who have served less than twelve months.

69. Appeal to the Commissioner may be made by any member of the force against the order or decision of an officer, but if the objection prove frivolous the person appealing will be liable to punishment.

70. Every complaint will be made, in the first instance, to the Inspector, who, if necessary, will forward it to the Commissioner; if from a member of the force in a sub-district, the complaint then to be submitted through the sergeant in charge of such sub-district to the Inspector.

71. Members of the force may at any time make any representation they please to the Commissioner, provided it be in writing, respectfully worded, and forwarded through the regular channel.

72. Any member of the force believing he has grounds for complaint must report the circumstance of the case to his superior officer promptly; for if he broods over and delays making his statements his motives will be judged of by such delays. As a general rule, any petition signed by numbers or combinations for any purpose will subject the parties to punishment or dismissal.

73. No member of the force will be permitted to write letters or other matter for publication in the Press.

#### CORRESPONDENCE, REPORTS, RETURNS, RECORDS.

74. All communications from officers in charge of districts intended to be brought under the notice of the Government or the head of any department will be made through the Commissioner, and all correspondence from sergeants and constables must be forwarded through their immediate superiors.

75. The residence of the Inspector in charge will be at the principal station in his district, and he is not to leave his district without permission from the Commissioner.

76. On offences being committed, reports of the same will be promptly transmitted by post, or telegraph, if advisable, to the Commissioner, the district headquarters, and any police-stations on the route supposed to be taken by the offenders, or where police co-operation is necessary.

77. When offenders are apprehended, or further information respecting suspected parties or cases is obtained, a report of the same should be made in similar manner.

78. From these reports the *Police Gazette*, containing particulars of offences committed, warrants issued, descriptions of stolen horses and cattle, and all other matters of police interest, will be compiled fortnightly in the *Gazette* office. A copy of the *Gazette* will be sent to every station in the colony, where it is to be carefully filed, to be accessible to all members of the force on the station.

79. Merely local and petty cases need not be reported in the manner pointed out; but it is of the utmost importance that the information given in the reports should be accurate in every particular, and that the description of offenders and property should be as clear and minute as obtainable, and names accurately spelt, without abbreviation.

80. All correspondence and reports will be expressed in clear and concise terms, and written in a neat and legible hand on foolscap paper, with one-third margin, on one side only.

81. Reports from subordinate members of the force should be drawn up in the first person, and should be preceded by a brief reference or indication to the subject of the report, as in the following form;—

"Police-station,

"

" \_\_\_\_\_ 18 .

"Report of constable [or sergeant, &c., as the case may be], relative to," &c.

Then follows the report in the first person, and it must, of course, be signed at the end by the person making it, and his Register No. given.

82. In referring to correspondence previously received, the date and number of such communication must be quoted, and when any papers are forwarded with a minute they must be promptly returned when attended to.

83. No member of the force shall divulge the purport of such correspondence, or impart any information connected with the department to private individuals, without authority from the Commissioner or the officer in charge of his district.

84. On the transference, retirement, or removal from the service of any officer, all official papers and books in that officer's possession will be handed over to his successor after careful examination.

85. Every officer of police will be held responsible for a careful scrutiny of all reports, returns, accounts, and vouchers passing through his hands, and certified or signed by him.

86. The following books will be kept at the headquarters of every police district:—

- Occurrence book;
- General Order book;
- Letter and minute book;
- Government property book;
- Miscellaneous property book;
- Register of horses;
- Watchhouse book;
- Warrant book;
- Summons book;
- Recognizance book;
- Register of accounts book;
- Forage book;
- Surveillance book.

The following books will be kept at police-stations:—

- Order book;
- Occurrence book;
- Watchhouse book;
- Warrant book;
- Summons book;
- Recognizance book;
- Forage book;
- Government property book;
- Crime book.

And the following returns furnished:—

- Monthly forage return;
- Four-weekly return of contingent expenditure, with vouchers attached;
- General quarterly report.

87. Photographs of criminals and prisoners convicted of serious offences will be obtained when possible by each Inspector, and circulated amongst the various districts if necessary. In addition to the copy required for the Commissioner's office, eight others should be furnished for distribution amongst the adjoining colonies, and for the Inspector of Prisons.

88. Every member of the force in charge of a station will keep a correct list of all furniture and other Government property under his charge, and will obtain a receipt for the same from the officer relieving him on transfer.

89. Reports from any district for transmission to the Commissioner's office will be forwarded through the officer in charge of the district, except in case of any outrage, serious crime, breach of the peace, or matter of an urgent nature, which the officer in charge of a station will also report to the Commissioner direct,

90. Inspectors in charge of districts will be allowed the services of a member of the force as a clerk, who should understand that his position is of a strictly confidential nature. Other officers and members of the force will make out their reports in their own handwriting.

#### UNIFORM CLOTHING.

91. Officers will invariably appear in uniform when on duty; other members of the force will not appear out of uniform without permission, unless on leave of absence, or when ordered on special duty in which plain clothing may be necessary.

92. Officers of all ranks are to be similarly dressed. Their uniform will be as follows: Blue cloth cap with staff peak, and silver oak leaf band  $1\frac{3}{4}$ in. wide, with silver button and tracing lace on top; blue cloth patrol jacket with standing collar, braided with hussar braid, and silver shoulder cords; blue cloth single-breasted waistcoat hooking to the throat, with silver beading, and silver lace round edges and pockets; blue cloth trousers, with black oak leaf mohair braid down the side  $1\frac{3}{4}$ in. wide; cloak; and buckskin gloves.

93. The uniform of constables is to consist of blue cloth cap with peak and band of black braid 1in. wide; loose blue cloth jumper, with uniform buttons; blue cloth trousers, strong lace-up watertight boots, great coat, waterproof coat, and white gloves.

94. Mounted constables will wear the same uniform in every respect as the foot, with the exception of a cavalry cloak instead of a great coat, and in addition to the above each mounted man is to have two pairs of Bedford cord breeches, napoleon boots, hunting spurs, and buckskin gloves. For bushwork gaiters and watertights may be worn instead of napoleon boots.

95. The uniforms of sergeants, whether mounted or foot, will be precisely the same as that of constables, with the addition of chevrons on the right arm, according to the grade of the wearer; in the case of sergeants-major, surmounted by a crown.

96. White helmets may be worn in summer instead of caps, but each relief must be similarly dressed.

97. Each unmarried sergeant or constable will provide himself with a regulation box and a set of bedding, consisting of one pair white blankets, one pair of sheets, and one rug.

#### ARMS, AMMUNITION, APPOINTMENTS, ETC.

98. Every member of the force below the rank of officer will be furnished, at the expense of the Government, with certain arms, ammunition, appointments, &c., according as he may be attached to the mounted or foot police; and the arms, appointments, &c., constituting the kit of each member of the force will be marked with a distinctive letter and number.

99. Every member of the force, on being supplied with such articles, will sign a certificate containing a list of the same, date of issue, and condition; such certificate will be countersigned by the officer, and produced at all inspections. Any member of the force losing or defacing a certificate will be charged 1s. for a new one, and will be presumed to have been provided with every article mentioned in it.

100. Any member of the force leaving the service, and taking with him any of the articles supplied him by the Government, will be prosecuted.

101. In case of any articles supplied by the Government being lost or damaged, the member of the force to whom they were issued will be liable for the cost. All arms sent to the dépôt for repair must be accompanied by a report accounting for the damage thereto.

102. When any sergeant or constable is discharged or dismissed from the police, the officer in charge will see that his arms, accoutrements, and all other Government property in his possession, are returned to store in a clean and proper state. On the back of his parchment certifi-

cate it should be stated in what condition the arms, &c., issued to him were returned, and his certificate should then be forwarded to headquarters, whence a new one will be supplied for his successor.

103. No constable will load or discharge his firearms unless ordered to do so by his superior officer, or in case of emergency.

104. Every mounted constable will be held strictly responsible for the state of the saddlery in his charge; and any damage done to any article supplied by the Government, unless satisfactorily accounted for, will be repaired at his expense.

#### LEAVE OF ABSENCE.

105. An officer applying for leave of absence will submit the name of the member of the force who will act for him, and such member of the force will be held responsible for the discharge of that officer's duties during his absence.

106. Leave of absence granted to an officer of the force will not be extended, except in cases of urgent necessity, which must be clearly shown by the officer applying. In the event of illness being the plea for an extension of leave, a medical certificate must accompany the application.

107. Sergeants and constables will be allowed leave of absence according to the following scale: For any period not exceeding twelve days, on full pay; above twelve, without pay, except under special circumstances, to be decided by the Commissioner.

108. Officers in charge of districts may occasionally grant leave of absence to their subordinates for periods not exceeding twelve days, but not beyond the boundary of their respective districts, unless under special circumstances, which should be reported to the Commissioner.

109. Applications for leave of absence for more than twelve days must, in every case, be submitted for the approval of the Commissioner.

110. Members of the force obtaining leave will not take with them any part of their arms or appointments, or any Government horse, and will report themselves to the senior officer of the force at or near whose station they may be residing while on leave.

111. In every application for leave of absence it must be stated at what period, and for what length of time the applicant had previously obtained leave of absence.

112. Members of the force when on leave will be subject to every order, rule, and regulation of the force, and will be liable to be called on to act, and to the consequences of any breach of discipline or good order, as if they were on duty; and all members of the force will report all cases of misconduct, on the part of men on leave of absence, coming under their notice.

#### REQUISITIONS.

113. Requisitions for district supplies of stores, stationery, &c., will be forwarded to the Commissioner.

114. Requisitions for station supplies will be signed by the non-commissioned officer or constable in charge of the station, and addressed to the officer in charge of the district, and no requisition whatever will be attended to unless it contains particulars of former supply, how disposed of, and the quantity and condition of stock on hand. Stores, such as utensils for cooking and domestic use, are not provided by Government for the private use of families of the members of the police force.

115. For the purpose of procuring forage for police travelling and absent from police-stations, or procuring conveyance for constables or prisoners, and other services of the kind, a Requisition-book will be given to each member of the force in charge of a station, who, when any supplies or services of the nature are required, will fill up one of the forms and give it to the party making the supply or performing the service, stating on the back of the requisition the amount of the charge.

116. On a requisition so completed being presented, attached to the Government form of account, and duly certified, payment will be made; but, should it appear that a requisition has been given for any supply that was not required for the public service, the charge will be paid, and the amount deducted from the pay of the member of the force by whom it was issued.

117. In making these requisitions, particulars will be entered in the counterfoil of the book, which will be carefully preserved for reference, a note being made therein when the account is rendered for payment. When no contract exists, a certificate should be added that the price charged is according to the current rate.

#### BARRACKS, STABLES, ETC.

118. Officers in charge of districts will be held responsible for the good repair of all buildings and premises occupied by the department under their charge, and no alteration or addition must be made to any Government building, nor must any building be erected on a reserve, without special authority.

119. All damages are to be promptly reported to the proper officer; and when occurring through carelessness or negligence, the party in charge at the time will be responsible.

120. If a member of the force report himself unfit for duty from illness he will, if required, produce a medical certificate, and the officer in charge will note the circumstance in the Occurrence-book.

121. An immediate report will be made of any man who absents himself from duty or from quarters without leave.

122. No man will leave his barracks without acquainting the sergeant or constable on duty where he is to be found, or go from his station any greater distance than a quarter of a mile without permission.

123. No poultry, cows, horses, or other animals shall be kept by the police without permission.

124. The police shall keep every part of their barrack, its approaches, passages, and yards clean and in order. Manure-pits must be placed at a sufficient distance from the barrack to prevent any nuisance therefrom. Manure, if not used on the station, should, when practicable, be exchanged for bedding.

125. The windows of police buildings will be kept clean, opened whenever the weather will admit, and instantly repaired whenever required at the cost of the member of the force chargeable with the damage.

126. If any officer on inspection find any article of bedding requiring to be washed, he will order it to be done at the expense of the person using it.

127. The following rules in regard to hours will, where practicable, be observed at all police-stations in the colony: All constables, with the exception of those who have been employed on night duty, will rise in the morning not later than six in the summer and seven in the winter, and they will dress and have their bedding neatly folded during the next half hour, and the rooms swept and set in order immediately afterwards.

128. The hours for meals will be fixed by the officer in charge of the district and posted in the dining-room. At half-past ten p.m. such men as have not leave or are not on duty will go to bed; and all lights and fires, except such as are authorized to be kept up during the night, will be extinguished by eleven o'clock.

129. The mounted constables will attend morning stable-parade at six in the summer and seven in the winter. Horses, after being watered, should be properly groomed and fed. At noon, horses not at work will be again watered and fed. The hours for evening stables will be half-past four in winter and five in summer, when the horses will be taken to water, and on returning be groomed, fed, and bedded down for the night, every man's saddle and bridle being properly cleaned and carefully placed on the saddle-rack,

130. An officer or a non-commissioned officer will attend stable-parade, and see that the men groom their horses properly.

131. Whenever possible, the police will supply themselves with wood and water; but otherwise, the officer in charge will make the most economical arrangement in his power, unless where contracts exist.

132. Relatives of members of the force, discharged constables, or other persons not connected with the service, will not be allowed to sleep in barracks; and no person, except on public business, will be allowed to frequent police premises, or have access to the records. Any person who has been dismissed from the force will not be allowed to enter police quarters on any excuse whatsoever; nor will any member of the force associate with such person if the offence for which he was dismissed was of a disgraceful nature.

133. Smoking in the sleeping-rooms of the barracks, card-playing, or any other species of gambling, will not be permitted. Members of the force in uniform, whether on duty or not, are prohibited from smoking in the streets of towns or in public places.

134. Officers in charge of districts will pay particular attention to the establishment of messes, and take all necessary steps for forming and adapting them to the requirements of the police under their charge, and for so managing them that constables from other stations, who may be passing on duty, may obtain their meals at a moderate cost. In all matters relating to the expense and management of the mess, the minority must give way to the majority, the officer in charge being appealed to if desired. No mess debts by members or to tradesmen will be incurred.

135. Regularity of hours, cleanliness, proper costume, and correct behaviour at meals will be strictly observed.

136. Every article in a barrack-room, when not in use, will have its appointed place, and a list of the Government property in each room, signed by the non-commissioned officer in charge of the station and countersigned by the Inspector, shall be hung up therein. Provisions will not be exposed to view, nor mess utensils left lying about or dirty. Uniform, arms, &c., to be carefully arranged. Boots to be always kept cleaned, ready for parade.

137. The officer in charge of a station will take charge of the private effects of any constable who dies thereat, and make a careful inventory of the same in the presence of a subscribing witness, and transmit a true copy of such inventory, together with a list of debts (if any), to the officer in charge of his district, who will again transmit the same, with all necessary information regarding pay and allowances due, to the Commissioner, with a view to the proper disposal of such property in accordance with the law.

#### HORSES AND FORAGE.

138. Horses will be purchased for the force by the Commissioner, or by some officer authorized by him, and the horses so procured will, whenever practicable, be examined by a veterinary surgeon, and their soundness, age, and general fitness for service certified before payment is made.

139. Police horses requiring a rest should be turned out when authorized by the officer in charge of the district. Horses worn out or unfit for service will be examined and reported upon to the Commissioner, who will decide how they should be disposed of. If condemned, they will be branded with the letter R on off rump, and sold by auction.

140. Every member of the mounted police will be furnished with a horse branded with a Crown and number, and will be held responsible for its treatment and general condition. Any member of the force either illtreating, or permitting to be illtreated, or neglecting any horse under his charge, will, in addition to such other punishment as

may be inflicted upon him, be dismounted, and ordered to return to foot-police duty, or, in extreme cases, dismissed.

141. No member of the foot police will be permanently mounted, nor any mounted constable dismounted, without authority from the Commissioner.

142. Each officer in charge of a district will keep a register of the horses under his charge, in which their numbers and description will be carefully entered. A similar record will be kept at each station of the horses thereat.

143. Officers in charge of districts and sub-districts will see that every police horse, as well as its rider, has a fair share of work, and will not allow some horses to be petted and kept idle in the stables while others are injured by over-work or neglect; nor are horses, unless when sick or clipped, to be clothed in stables.

144. All members of the mounted force must be particular to see that their saddles are carefully fitted to the horses' backs, and the officers in charge of districts will hold the men accountable for horses in their charge having sore backs or girth galls (which in most cases are caused by hard riding or inattention in not seeing that the saddles are properly fitted), as well as for any other injuries which could have been prevented by attention; and unless the cause can be traced to some other source than ill-usage or neglect, the constable to whom the horse was told off will be charged for the forage or paddocking of the animal while unfit for use, in addition to such other punishment as may be awarded.

145. No horse should be allowed to travel at a pace exceeding five miles per hour unless in cases of emergency, such as the pursuit of offenders, &c.

146. No troop-horse will under any circumstances be used in harness, unless it be ordered for Government purposes by competent authority, nor will any member of the force use his horse unless in the performance of his duty.

147. No subordinate officer will be allowed to forage and use a private horse in the discharge of his duty without first obtaining authority to do so, nor will he be allowed to make use of any Government horse in addition to his own unless in case of emergency, when it must be shown that his own was injured in the service or otherwise unfit for duty; nor will he be allowed to make use of the horse so kept at the public expense in harness or for private purposes, or to dispose of it without the sanction of the Commissioner.

148. Police horses must not be ridden, unless under special authority, by any other person than a member of the force.

149. Tenders for shoeing and forage are to be called for in the prescribed form, in the month of March each year, and submitted to the Commissioner; and officers are specially enjoined to see that the shoeing is properly performed. Where there is only one farrier, or it can be shown that no advantage will accrue from entering into a contract, no tenders need be called.

150. Members of the force in charge of stations will give timely notice to contractors, stating the supplies of forage needed, in accordance with the terms of contract.

151. When forage is delivered at any station by a contractor the net weight must be ascertained, and the receipt signed for that quantity for which the officer in charge, who signs the receipt, will, in his issues, be held responsible.

152. If a station be under the charge of a subordinate member of the force, he will permit no one but himself to issue forage when at the station; at large stations one constable only will be authorized to have charge, issue, and keep the account.

153. When a fresh supply of forage is received at a station it will not be issued until the old stock is consumed.

154. The police at every station will exert themselves to insure the supplies being stored in such a manner as to prevent any injury through the effects of weather or other causes, and should any damage or loss occur the strictest investigation will be made, and the party who, from negligence or other fault, allowed the same to take place will be held personally responsible.

155. When forage is issued for any other than police service, a requisition will be obtained from the official drawing the same, which must be attached to the forage return, in which particulars of the quantity of forage drawn, the officer's name, and on what duty engaged will be inserted.

156. The regulation scale of a ration will be 10lb. of oats, 1lb. of bran, 14lb. of hay, 8lb. of straw for bedding.

157. Forage-books must be entered up daily. A copy of the monthly entries will be forwarded to headquarters for transmission to the office of the Commissioner.

158. The officer by whom the correctness of returns has been certified, must be held responsible for any errors therein causing public loss.

159. At every station where practicable the officer in charge will turn out the horses to graze, issuing only half rations, or such other forage, if any, as may be necessary, due regard being had to their being kept in serviceable condition.

160. Live stock the subject of criminal prosecution must, when practicable, be turned into a paddock or handed over to one of the claimants on his giving a guarantee to the satisfaction of the Bench for the animal's production when required. But in the event of its being necessary to retain an animal in the possession of the police, sufficient fodder must be issued for sustenance.

161. On the charge of any station being transferred from one member of the force to another, the forage in store will be weighed, receipts given for the actual weight, and any deficiency or surplus noted in the monthly forage returns.

162. If any constable absent from his station draw more than one ration per diem for his horse *en route*, he will be charged with the amount overdrawn. Horses must not be fed at inns unless when unavoidable, and they must be groomed by their riders as at a police-station.

#### ESCORTS.

163. Police in charge of an escort will be held specially responsible for the safety and security of prisoners or property committed to their charge.

164. Having received their charge properly secured, it will be the duty of an escort to guard against such security being weakened or endangered; for this purpose they will frequently and closely inspect the handcuffs, &c., placed on the prisoners, and the fastenings of the doors, windows, &c., of any place of confinement. They will also inspect the locks, seals, or other means by which treasure or other property is secured. Neither by day nor by night will an escort separate from or lose sight of their charge.

165. Escorts must not halt during the night at public-houses when it can be possibly avoided; but when absolutely necessary an agreement must be made with the landlord for the use of a room, and for meals to be supplied to prisoners on the most moderate terms, and all possible precautions adopted against escape.

166. Police on escort must neither drink intoxicating liquors themselves, nor allow the prisoners in their charge to do so.

167. While on march prisoners must be kept in the centre of the party, and not allowed to separate or straggle, the rate of marching being regulated according to the powers of the prisoners if on foot, and if in carts according to the pace at which the vehicles can conveniently proceed. Neither acquaintance of the prisoners

nor other person will be allowed to mix with or accompany the escort.

168. A female lunatic under escort must be accompanied by a female attendant from the lunatic asylum where practicable, unless in charge of her husband or other relative. If any difficulty arise instruction should be asked by telegram.

169. Everything belonging to prisoners under escort must be made up into separate sealed packages, each marked with the name of the prisoner and the contents; and these separate parcels (with a list), enclosed in a strong sealed cover with a memorandum, must be delivered to the officer in charge, his acknowledgment and signature being taken to a duplicate retained. The memorandum and the sealed parcel will be handed, with the seal unbroken, to the person into whose charge the prisoners are delivered, a receipt being taken for the same.

170. Police in charge of prisoners travelling by coach will sit near them, not on the box, while prisoners are inside the vehicle. To avoid annoyance to the public by conveyance in passenger coaches of dangerous or troublesome lunatics, or prisoners of an objectionable class or condition, arrangements should be made for a special vehicle, if practicable, without increased cost, and generally to avoid public inconvenience.

171. Every officer, before taking charge of prisoners, will cause them to be searched in his presence, and examine his authority for their custody.

172. Constables escorting a Judge on circuit, or any other Government officer, as an orderly, will be relieved at each station, so as to avoid, as much as possible, taking any constable to a distance from his station or into another district.

173. No officer of police will, under any circumstances, be accompanied by a constable as orderly, as such attendance as a mark of honour will not be permitted.

174. When a constable is despatched from one station to another on any duty he will be furnished with a "Route," on the printed form by the officer instructing him, such "route" to contain the hour of departure, the rate to be travelled, time of arrival, with remarks, if necessary, regarding the performance of the duty.

#### DUTIES WHEN PERSONS CHARGED WITH CRIMES.

175. Every person taken into custody without warrant—unless detained for the mere purpose of ascertaining his name or address—shall be forthwith taken to the nearest watchhouse, and searched.

176. Every precaution must be taken to avoid the possibility of an innocent person being arrested under mistaken belief of identity. When practicable photographs of accused persons should accompany warrants, descriptions, or crime reports. If a supposed offender is arrested on suspicion when it is not possible to wait for positive identification, and if identity be denied and is doubtful, instant action should be taken, by telegraphing or otherwise, to set the question at rest, the accused being detained in the meantime with as little restraint as possible consistent with safe custody.

177. When a constable takes any one into custody he should, if possible, give notice to another constable, so that his place may be supplied while he is taking his prisoner to the watchhouse, he returning to his post without unnecessary delay.

178. No constable, if it can be avoided, shall search a prisoner by himself, but in all cases shall take him to the nearest watchhouse or police quarters, and, in the presence of the watchhouse-keeper or a sergeant, or, in the absence of both, a civilian, shall search, and shall take from such prisoner all property in his possession; and before confining him the property so taken will be given to the watchhouse-keeper or sergeant, and entered by him in the "Charge-book," which will be signed by the prisoner, if he be willing, but if not, by the sergeant,



watchhouse-keeper, or civilian, and the apprehending constable. Female prisoners must be searched by the female searcher, or, in her absence, by some female engaged for the purpose.

179. Prisoners not searched immediately after arrest should be kept under close observation when being escorted to a watchhouse, to see that they do not part with stolen property, and thus cause a failure of justice by preventing its production in evidence.

180. A person against whom a charge of assault, attended by cutting and wounding, or of felony, has been received, should, when such charge has been entered in the "Charge-book," be detained in custody at the watchhouse until taken before a Magistrate for examination; and no person should be detained in the custody of the police after he has been once brought before a Magistrate to answer any such charge preferred against him without a warrant for his detention. When a remand is required for any period exceeding three days a warrant is necessary, if not exceeding three days a verbal order of a Magistrate is sufficient. (*Vide* section 135, "Justices of the Peace Act, 1882.")

181. If a complainant, after having given a person into custody on a criminal charge, refuse to sign the entry in the "Charge-book" and appear against such person, and the charge has been made in the first instance to a constable, the constable will, if he has seen the offence committed, enter and sign the charge himself, and the complainant must be summoned to establish it. The constable on duty will, for this purpose, always ascertain the name and address of the complainant before making any inquiry of him. If the constable be himself unable to establish the charge, and the complainant refuse to appear in support of such charge, the party accused will not be detained save in case of a serious offence, or where there are grounds to suppose the prisoner guilty, notwithstanding the prosecutor's refusal to so appear.

182. A description of property brought to a constable on duty at a watchhouse, whether taken from persons apprehended or otherwise, should immediately be entered in the "Charge-book," and the several articles marked so that they may be afterwards identified. Such property should be taken by such constable himself from the party bringing it, and not allowed out of his sight until marked in the manner directed; it should then be locked up, or, if required as evidence, given back to the charge of the constable bringing it.

183. As a statement or confession from a prisoner in custody on a charge of a crime, to be admissible as evidence against himself, must be free and voluntary—that is, not induced by any untrue representation or any threat or promise—constables should be very careful not to make any such representation, threat, or promise. If the prisoner make any statement or confession the constable should not prevent him doing so, but should pay every attention to it. It is not desirable that a constable should ask questions thereupon without warning him that his answers may be used as evidence on his trial. If any statement or confession be made the constable will endeavour to fix it in his memory and at the time take a note of it, and also of any conversation immediately preceding it, so as to be able to give evidence at the trial of the prisoner of any such conversation, statement, or confession.

184. A constable on duty at a watchhouse will on no account quit it during his time of duty.

185. Such constable will receive charges against prisoners, will ascertain their nature, and, when satisfied of their propriety, will cause the name of each prisoner to be entered, with the particulars of his offence, in a book kept for the purpose, to be called the "Charge-book."

186. When persons are arrested who are believed to be intoxicated, care should be taken to ascertain that they are not suffering from illness; if there be any doubt, such persons should be gently shaken or roused; if that

fail, the fastenings about the neck should be loosened and the head raised, and, if deemed advisable, no time should be lost in obtaining medical aid. A person arrested in a state of helpless drunkenness should be visited while in the lock-up at intervals of not more than three hours, and proper remedies applied to prevent death from cold or exhaustion. Care should be taken that where possible all expenses incident to such cases, including the cost of his maintenance in any hospital, infirmary, or other place to which he may have been sent for curative treatment, shall be paid by such person. (See section 21, "Police Offences Act, 1884.") Under no circumstances is a constable justified in leaving his beat to conduct a drunken person to his home.

187. The daily ration for prisoners in watchhouses consists of 24oz. of bread; and to prisoners *in transitu*, awaiting trial, or under committal—

	Male.	Female.
Oatenmeal ... ..	8oz.	6oz.
Bread ... ..	16 "	12 "
Meat ... ..	6 "	6 "
Potatoes ... ..	8 "	8 "
Sugar ... ..	1 "	1 "
Soap ... ..	$\frac{1}{2}$ "	$\frac{1}{2}$ "
Salt ... ..	$\frac{1}{2}$ "	$\frac{1}{2}$ "

Officers in charge of districts will make the most economical arrangements possible for supplying prisoners according to the above scales, and, where they consider it advantageous, will call for tenders and transmit them to the Commissioner's office to be dealt with. Where no contract exists, the cost of rations supplied to prisoners confined in the several watchhouses is not to exceed one shilling and sixpence per day.

188. When it is necessary for prisoners in confinement to have other supplies than are provided by Government the sanction of a Magistrate, officer, or medical man must be obtained in writing, and the order must accompany the account.

189. Care should be taken, in incarcerating prisoners, to classify them, as far as the cell accommodation will admit, the young being kept apart; and persons of a respectable class, charged with minor offences, are not to be confined with old criminals or prisoners in an offensive condition. Prisoners will be frequently visited in the cells during the day and night, and prompt attention given to any cases requiring medical aid.

190. In case of persons of known respectability being arrested for some trifling offence, they need not be searched, but should be requested to produce such property as they may have on their persons, and should, when possible, be placed in a cell by themselves, and provided with clean bed-clothes.

191. When an accused person is committed for trial, the sergeant or constable in charge of the case will furnish a report of the antecedents of such person to the officer in charge of his district, together with a list of the property, if any, to be produced, the name of the constable having possession thereof, and the names and addresses of the witnesses.

DUTIES AT COURTS.

192. Members of the force having to attend Courts must observe strict punctuality. The officer in charge should inspect all men on such duty before they quit their stations, to see that they are smart and clean in appearance, and in proper uniform; also to see that they are prepared with any property required to be produced in Court in any case in which they may be concerned.

193. At the Court members of the force having charge of cases must make it their business to see that the witnesses are in attendance, and that they do not leave without permission from the proper officer. Should any witness be absent the Crown Solicitor or Crown Prosecutor should be promptly informed.

194. Police when giving evidence must stand in an upright position, respectful in demeanour, speaking ex-

plicity and in a clear voice so as to be heard distinctly by the Court and jury. They are to confine themselves strictly to the evidence in the case before the Court and jury; [and, to refresh their memories, they may refer to any notes they may have made at the time] and in giving evidence they should as much as possible avoid using slang phrases.

195. In cross-examination answers must be given with the same readiness and respect as in the examination-in-chief, that the whole truth may be elicited, whether against or in favour of the accused.

196. Prisoner's property must remain in the custody of the police until the prisoner on whom it has been found shall have been either discharged or convicted—unless otherwise directed by competent authority—and must be kept at the place of trial previous to the time appointed for trial, so that it may be accessible either for purposes of identification or returned to the prisoner, if discharged, or delivered, with a copy of the inventory, to the gaoler, if the prisoner be convicted. If the offender be admitted to bail, property not the subject of the charge or required in connection with the case may be returned to him, and his receipt taken therefor.

197. Property necessary for purposes of identification must remain, if possible, in the hands of one constable or officer, so as to avoid complicating or embarrassing the question of identity. Property which may be regarded as the proceeds of embezzlement or fraud must not be given up without proper authority.

198. On the acquittal and discharge of a prisoner his property must be restored to him, and a receipt taken for the same, unless the Judge or Magistrate make any special order, or unless it may be advisable to retain any portion for further proceedings, in which case special report must be made to the Inspector.

199. The property of prisoners, on their conviction, must (in the absence of any special direction from the Judge or Crown Prosecutor) be handed over to the gaoler at the prison to which they have been sentenced, a receipt being taken for the same and duly filed.

200. A record must be kept of money or other property which may come into the possession of the police in any other way than by forfeiture or seizure, and a list and description of the same must be furnished to the Inspector, with a report of the circumstances connected therewith; and any goods and chattels which have lawfully come to the possession of the police, and which are unclaimed, may be sold and disposed of by direction of the Commissioner of Police by public auction, a notice of such sale having been previously published thrice consecutively in the *Government Gazette*; and the clear produce of such sale shall be paid to and shall form part of "The Police Reward Fund," and every such sale shall be valid against all persons; and no person selling any goods or chattels under the provisions hereof shall be subject or liable to pay any auction or other duty in consequence of such sale.

#### CHIEF CENTRES OF POPULATION.

201. Each chief town will be divided into sections, each under the immediate charge of a sergeant, and the section will be subdivided into beats, for the safety of which constables on duty will be held responsible.

202. The hours for duty will be as follows:—

The day duty will commence at 5 a.m., and continue till 9 p.m., for which purpose half the available duty-men are told off, who are divided into two reliefs, with one sergeant to each, and take street-duty by four hours at a time.

The first relief goes on duty at 5 a.m., and remains till 9 a.m.

The second goes on at 9 a.m., and remains till 1 p.m.

The first goes on at 1 p.m., and remains till 5 p.m.

The second goes on at 5 p.m., and remains till 9 p.m.

During the intervening four hours between their

duties one of the men so relieved remains in the barracks, and the others are allowed to return to their homes, but must be ready at least a quarter of an hour before their tour of duty commences.

The night-duty men go on at 9 p.m., and remain on beat duty from that hour until 5 o'clock the next morning.

The night and day duties will change every fourteen days.

The day-duty room should be clean and fit for inspection at 11 a.m. and the night-duty room at 1 p.m. daily.

203. The sergeant in charge of a section will, both day and night, visit every part of his section and will see that the constables are on the alert and understand their duties properly.

204. Every constable will move regularly through his beat at a pace of about two and a half miles an hour, so that any person requiring assistance, by remaining in the same spot for any length of time, may meet a constable. This regularity of movement will not, however, prevent his remaining at any particular place if his presence there be necessary for the due performance of his duty, to observe the conduct of any suspected person, or for any other good reason; but he will be required to satisfy his superior officer that there was a sufficient cause for such apparent irregularity.

205. Constables will attend at appointed times to report to the sergeant, for transmission to the Inspector, anything requiring notice.

206. The attention of the police should be specially directed to banks, jewellers' shops, and other places where valuables are deposited. They should warn the owners to take every precaution for the security of their property, and any means of access to the premises likely to be made available by thieves should be pointed out.

207. Orange-peel and other fruit-skins should be removed from the footways to prevent accident.

208. If at any time a constable require immediate assistance, and cannot in any other way obtain it, he will sound his whistle; but this is to be done as seldom as possible, and always reported afterwards.

209. Married constables will lodge in the neighbourhood selected by the Inspector, and whether on duty or not, will be prepared to turn out in all such emergencies as fires, accidents of any kind, disturbances, &c.

210. The Inspectors will see that the men provide themselves with decent and respectable lodgings, and that they take a sufficient period of rest when off duty, and that any on the sick report do not leave their homes without reasonable and proper cause.

211. Sergeants in charge of sections will take their turn of day and night duty; but will not be required to visit the guardroom or barracks of any other section than their own.

212. Every sergeant in charge of a subdivision will occasionally visit every part thereof, at uncertain hours, during the day and night; and, when on duty, will attend the Court and visit the watchhouse at least once during the day and once after midnight.

213. Every sergeant in charge of a subdivision will be responsible for, and will take immediate charge of, the lock-ups situated in that division.

214. On any alarm of fire the police—including those who are off duty—will turn out in uniform and render every aid in their power which circumstances may demand.

215. Where there are fire-brigades established the duty of the police will be simply to preserve order, protect life and property, and to procure a free scope for the exertions of the firemen and the parties more immediately interested; and with this view they will clear the street or ground in the immediate vicinity of the fire of all persons not usefully employed, taking care that all adjoining streets, as far as may be practicable, are kept clear of obstructions by crowds, or carriages, wagons, carts, &c., that the engines may not be delayed. The attention of the police is directed to the provisions of

"The Municipal Corporations Act, 1886," especially the 351st clause thereof.

216. Every assistance possible will be given by the police for the security of property, conformably with the wishes of the Superintendent of fire-brigades or proprietors; and, if desired, such property may be conveyed to the nearest police-station for safe custody.

217. The police will collect upon the spot all the information they can obtain relative to the origin of the fire, which, together with the circumstances attending it, will be reported fully as soon as possible to the officer in charge.

218. The foregoing rules will also apply generally to the performance of police duties in country towns.

#### DETECTIVE POLICE.

219. The detectives are subject to the same discipline as other members of the force; but their attention is principally directed to the detection of crime, and to a special surveillance of the criminal class.

220. The distinction between them and the general police is sufficiently explained by the terms "preventive" and "detective;" but these terms are to be understood as only indicating in a general way the nature of the duties the two branches of the service are called upon to perform. It is neither practicable nor desirable so to divide police duties that the prevention of crime shall be left to the one branch, and the detection of crime already committed to the other. The preventive police must necessarily be frequently employed in detective inquiries and investigations, while the detectives will sometimes be employed on general police duties.

221. In the performance of detective-police duty the exercise of reticence and tact will generally be sufficient to enable any member of the force to cope with the machinations of criminals. It should be the object of a detective to avoid everything that tends to excite distrust and suspicion or expose him to misrepresentation. If he conduct himself so as to lead to a suspicion that he is untruthful there will be little confidence in his integrity and good faith, and his usefulness will, in consequence, be materially impaired.

222. The detective force is formed by selecting from among candidates offering themselves from the preventive branch men who are considered most suitable for the service. They are first employed for a time on probation, after which, if they are reported favourably of by the officer in charge, they are appointed as fourth-class detectives, and are promoted as vacancies occur, and as they show by their zeal and efficiency their fitness for such advancement.

223. They are under the control of the officer in charge of the stations at which they are doing duty, and, as being dressed in plain clothes they may be required to produce the authority under which they are acting, each is furnished with a warrant-card for the purpose, signed by the head of the department.

224. When a detective is doing temporary duty at a station where there is no officer, the nature and extent of his communications to the police at the station must to a great extent be left to his own judgment and discretion; but he will be held strictly responsible that the public interest does not suffer through undue reticence on his part. He must conduct his business in such a manner as not to clash with the action of the general police. He will keep the member of the force in charge advised of his absence from and return to the station, and, as far as may be expedient, of the duties on which he is engaged. There will, however, occasionally occur cases in which entire secrecy is desirable.

225. If the detectives act so as not simply to obtain, but to deserve the aid and co-operation of the general police, there will generally be no difficulty in detecting crime and tracing out offenders, who, to escape detection, have fled from town to country or from one goldfield to

another; and it is expected that the preventive police will consider it imperative upon them to afford every information in their power to the detective police, and to facilitate, in every possible way, the proper discharge of their particular duties.

226. With a view to the detection of crime in their respective districts, the detectives must endeavour to acquire a knowledge of the members of the criminal class; must watch their movements, and promptly communicate particulars of the same and of other necessary information to police-stations. They are required to furnish periodically to the officer in charge surveillance returns of all suspected persons in their respective districts.

227. In reporting the particulars of inquiries conducted and arrests made, and generally of the steps they have taken, the detectives must not omit to include the names of other members of the force who have been engaged with them in the same duties.

228. When an officer of police is present at a Resident Magistrate's Court, the detectives must hand their briefs of evidence to him, and otherwise afford him every assistance to enable him to conduct their cases, or to make other arrangements for the same.

229. Detectives are not to withhold from their officer any information they may be possessed of relating to their duty.

230. The warrant-cards are on no account to be transferred from one detective to another, nor will they be issued a second time. They are numbered consecutively as issued, and on any member of the detective police leaving that branch of the force, his warrant-card is cancelled. Each member of the force will be held strictly responsible for the proper care of the warrant-card issued to him, and upon no account is he to let it go out of his possession.

231. Any detective who through neglect or carelessness loses his warrant-card will be severely punished. He must immediately report the loss to his officer, and unless he can give a satisfactory explanation as to the cause of the loss, he will be at once suspended from duty until the charge against him of neglect has been disposed of.

232. These warrant-cards are the property of the Government, and must be returned, with other appointments, by members leaving the force. In the event of the death of any detective care must be taken to secure his warrant-card, and transmit it to the Commissioner without delay.

233. Warrant-cards are issued only to members of the detective force who are on the permanent staff. To those on probation, or persons employed on occasional duty, a memorandum will be given by the officer in charge. This must be given up on the discharge of the holder, or when he is appointed to the permanent staff.

234. The warrant-card is the only badge used by detectives holding permanent appointments. In cases where, in addition to the warrant-card, proof may be required that the bearer is the person named therein, the detective can produce his memorandum book, some official letters, cards, or like documents.

235. It is requested that any instance in which any improper use has been made of the documents thus issued to members of the detective force may be at once reported to the Commissioner.

236. The senior detective stationed at Auckland, Wellington, Christchurch, and Dunedin will be designated Chief Detective.

#### TRAVELLING ALLOWANCES.

237. All salaried officers shall receive travelling allowance for personal expenses according to the scale fixed for Civil servants, which at present is at the rate of three shillings and sixpence (3s. 6d.) for every one hundred pounds (£100) of the salary received by them respectively: Provided, however, that the minimum allowance to be so paid shall be ten shillings (10s.) per diem, and the

maximum allowance shall be twenty-five shillings (25s.) per diem.

238. These allowances shall be paid only where an officer is necessarily absent from his headquarters at night; but, for all journeys where an officer is not obliged to be absent at night, actual expenses will be paid, to an amount in no case exceeding the full daily rate above authorized for personal expenses, on production of a statement giving details of the nature of the charges, with dates, places, and to whom paid, but without being obliged to produce receipts.

239. Other members of the force shall receive their actual expenses.

240. Cost of transport by land or sea will be paid for by the Government, or, when paid for by the officer travelling, the same will be recouped to him on the production of vouchers; but no vouchers for such expenses will be required for sums of less than ten shillings (10s.), and vouchers for railway fares will not be required if the railway travelled upon and the extent of journey is stated.

241. Officers shall be entitled to first-class fare, and other members of the force to second-class fare when travelling by steamer or railway.

242. For all days at sea, after the first day, an allowance of only two shillings and sixpence (2s. 6d.) per diem will be given. For the first day at sea the ordinary allowance may be drawn.

Given under the hand of His Excellency Sir William Francis Drummond Jervois, Lieutenant-General in Her Majesty's Army, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued under the Seal of the said Colony, at the Government House, at Wellington, this seventh day of January, in the year of our Lord one thousand eight hundred and eighty-seven.

J. BALLANCE.

GOD SAVE THE QUEEN!

## PART II.

### INSTRUCTIONS.

*The following Instructions are published for the guidance of the Members of the Police Force in the performance of their duty.*

1. It is intended here to state such parts of the law relating to the office of constable as may be sufficient for the general instruction of the police force.

2. Each constable will bear in mind the extreme importance of making himself perfectly acquainted with this subject, in order to enable him, with due regard to his own safety, to act efficiently for the protection of the public.

3. He is in many cases authorized and required, in the execution of his office, to arrest a party charged with or suspected to be guilty of some offence, to enter a house in pursuit of an offender, to quiet an affray, to search for stolen goods, and to take possession of goods suspected to have been stolen.

4. It therefore becomes necessary that the constable should inform himself in what cases he ought so to interfere, and what legal powers he possesses to effect the object, in case he meets with resistance. To assist the police constables in the discharge of their duties, the

following observations are prepared for their attentive perusal and study:—

5. Murder, rape, housebreaking, robbery, picking pockets, receiving stolen goods knowing them to have been stolen, assaulting any one with intent to rob; wounding, &c., with intent to do grievous bodily harm; setting fire to any dwellinghouse, a person being therein, are some few of the principal felonies, and persons guilty of any of these offences are called felons. Slighter offences, such as common assaults, affrays, and riots, which are not felonies, are called misdemeanours.

6. The powers of a constable as to arrest in cases of felony or misdemeanour differ in this: In the case of a felony no warrant is required, whether the person is arrested in the act of committing, or at any time after committing, or on reasonable suspicion of having committed the crime; but, in the case of a misdemeanour, unless the person is taken in the act of committing, or immediately after having committed, the offence, a warrant for his apprehension is still necessary.

7. With respect to the mode of effecting the apprehension in cases where no warrant is necessary, the constable should state that he is a constable, and should touch the person arrested, saying, "I arrest you in the Queen's name," and should say for what, and he ought to use no more force than is necessary for affecting the arrest. If he finds he cannot effect the arrest himself, he may call upon all persons to assist him. He ought not to use handcuffs unless there be a reasonable necessity for so doing.

#### ARREST.

8. A constable may arrest without a warrant all loose, idle, or disorderly persons whom he shall find disturbing the public peace, or any person whom he shall have good cause to suspect of having committed, or being about to commit, any felony, misdemeanour, or breach of the peace. Power is also given him to arrest any person who, within his view, shall offend in any manner against the provisions of "The Police Offences Act, 1884," whose name and residence shall be unknown to such constable, and cannot be ascertained by him. (Section 35, "Police Offences Act, 1884.")

9. By "The Larceny Act, 1867," section 102, any person found committing any offence punishable either on indictment or on summary conviction under its provisions (except angling in the day-time), may be apprehended by any person without a warrant.

10. By "The Malicious Injuries to Property Act, 1867," section 61, any person found committing an indictable offence (or one punishable on summary conviction) may be immediately apprehended, without warrant, by a peace officer, or the owner of the property, or some one authorized by him.

11. Any constable or any peace officer may take into custody without warrant any person whom he shall find lying or loitering in any highway, yard, or other place during the night, and whom he shall have good cause to suspect of having committed or being about to commit any felony against the provisions of "The Larceny Act, 1867," and shall take such person as soon as reasonably may be before a Justice of the Peace. (Section 103, "Larceny Act, 1867.")

12. He should arrest any person found committing any of the following offences:—

- (1.) Soliciting, gathering, or collecting alms, subscriptions, or contributions under any false pretence.
- (2.) Imposing or endeavouring to impose upon any charitable institution or private individual by any false or fraudulent representation, either verbally or in writing, with a view to obtain money or any other benefit or advantage.

- (3.) Playing or betting in any public place\* at or with any table or instrument of gaming, at any game or pretended game of chance;
- (4.) Having in his custody or possession, without lawful excuse (the proof of which excuse shall be on such person) any picklock-key, crow, jack, bit, or other implement of housebreaking.
- (5.) Being armed with any gun, pistol, sword, bludgeon, or other offensive weapon or instrument, with a felonious intent.
- (6.) Being found by night having his face blackened, or wearing felt or other slippers, or being dressed or otherwise disguised with a felonious intent.
- (7.) Being found by night†, without lawful excuse (the proof of which excuse shall be on such person), in or upon any dwellinghouse, warehouse, coachhouse, stable, or outhouse; or in any enclosed yard, garden, or area; or in or on board any ship or other vessel when lying or being in any port, harbour, or place within the colony.
- (8.) Who, being a suspected person or reputed thief, frequents any port or harbour, river, canal, navigable stream, dock or basin, or any quay or wharf, or any other public place, or any house, building, or other place adjacent to any such port or harbour, river, canal, navigable stream, dock or basin, or quay or wharf, with intent to commit felony. (Section 28, "Police Offences Act, 1884.")

13. In each of these cases the constable must judge from the situation and behaviour of the party what his intention is. In some cases no doubt can exist, as when the party is a notorious thief, or acting with those who are thieves, or when the party is seen to try people's pockets in a crowd, or to attempt to break into a house, or to endeavour to take any property secretly from another. The constable must not act hastily in case the intention is not clear, but content himself with watching closely the suspected party, that he may discover his design.

FELONY.

14. The constable must arrest any one whom he sees in the act of committing a felony, or discovers immediately after the commission of a felony, or any one whom another positively charges with having committed a felony, or whom another suspects of having committed a felony, if the suspicion appear to the constable to be well-founded, and provided the person so suspecting go with the constable, and sign the charge-book.

15. Though no charge be made, yet if the constable suspect a person to have committed a felony at any time

\* "Public place" includes and applies to—

- Every road, street, footpath, footway, court, alley, and thoroughfare, of a public nature, or open to or used by the public as of right, and to every place of public resort so open or used.
- Also any public park, garden, reserve, or other place of public recreation or resort; or
- Any railway-station, platform, or carriage; or
- Any public wharf, pier, or jetty; or
- Any passenger ship or boat plying for hire; or
- Any licensed public vehicle plying for hire; or
- Any church, chapel, or other public building where Divine service is being publicly held; or
- Any public hall, theatre, or room in which any public concert, theatrical representation, or other public entertainment is being held or performed, or is taking place; or
- Any market; or
- Any auction-room, or mart, or place while a sale by auction is there proceeding; or
- Any open bar in the premises of any licensed publican, whether under an annual or temporary license; or
- Any racecourse, cricket-ground, football-ground, or other such place to which the public have access free or on any payment of any gate-money. (Sections 2 and 18, "Police Offences Act, 1884.")

† Between 9 p.m. and 6 a.m. (Vide section 1, "Larceny Act, 1867.")

previously, for which he has not been tried, he should arrest him; and if he have reasonable grounds for his suspicion, he will be justified, even though it should afterwards appear that no felony was, in fact, committed; but the constable must be cautious in thus acting upon his own suspicions. Generally, if the arrest was made discreetly and fairly in pursuit of an offender, and not from any private malice or ill-will, the constable need not doubt that the law will protect him. (See Judge Johnston's "Justice of the Peace," sections 632 and 634.)

16. On the apprehension of any person who has committed or is suspected to have committed a felony, if there is reason to believe that any property connected with the felony will be found on the premises which such person has been occupying, the arresting constable should, in the presence of the party so arrested, search such premises, and open any boxes, cases, or other receptacle of property belonging to the prisoner which he may find there."

17. A constable should, when apprehending a person charged with felony in a case of death or wounding, minutely examine the prisoner's hands, clothes, knives, &c., and inspect the place where the felony is said to have been committed, taking care to measure and mark all particulars tending to show the mode of entry into the house, &c., which is very often of the utmost importance. If a print from a shoe be left he should take care that it does not get defaced; he should protect it, and place a watch to prevent its being disturbed. Should the boot or shoe be obtained from any party suspected he should take care the same be not placed in the print already left, but by the side thereof, and he then measure it very carefully by compasses, &c. If a person appear likely to die from the effects of a wound any statement made by him as to the cause of the wound should be carefully attended to, and, if possible, be taken down in writing, as such a statement, in the event of his death, may be given in evidence, where such death is the subject of inquiry, against the accused person, though made behind his back and not on oath, if the deceased when he made the statement believed that he was in a dying state. Evidence to this effect should also be noted. Should the injured person believe that he is dying, the statement should commence by referring to the fact.

18. Whenever any person, charged with an offence of which he is liable to be summarily convicted before Justices of the Peace, shall be brought without the warrant of a Justice of the Peace into the custody of any constable in charge of a police-station or watchhouse, and cannot conveniently be taken forthwith before a Justice of the Peace, it shall be lawful for such constable, if he deem it prudent so to do, to take the recognizance of such person with or without sureties, conditioned, for the appearance of such person before a Justice of the Peace at a certain time and place to be specified in such recognizance, not later than seven days from the date of such recognizance. The "Justices of the Peace Act, 1882," provides that such recognizance shall be taken without fee or reward, and the constable taking the same shall enter in a book, to be kept for that purpose at every police-station or watchhouse, the names, residence, and occupation of the party and his surety or sureties (if any) entering into the recognizance, together with the conditions thereof, and the sums respectively acknowledged; and such entry shall be signed by the party and his surety or sureties (if any) entering into such recognizance, and shall be laid

\* In a recent case, in reply to observation by counsel that a constable had acted illegally in making search without a search-warrant, Pollock, C.B., is reported to have said that he could not allow to go uncontradicted the statement that the constable was not justified in searching the place where a prisoner was found who was charged with felony. It was frequently, he added, most essential to the ends of justice that this should be done. (Snowden, page 184, according to "Wilkinson's Australian Magistrate," page 108 n.)

before such Justice as shall be present at the time and place when and where the party is required to appear; and if the party does not then and there appear the Justice shall require a record of such recognizance to be drawn up and signed by such constable; and if the party not appearing shall apply by any person on his behalf to postpone the hearing of the charge, and the Justice shall consent thereto, such Justice shall be at liberty to enlarge the recognizance to such further time as he shall appoint; and, on the party appearing at the time and place fixed, either originally or by enlargement or postponement, to answer the charge brought against him, the recognizance shall be void; but if the party shall not so appear the Justice shall certify on the back of the recognizance the non-performance of the condition thereof. Every recognizance taken by a constable as hereinbefore provided shall be of equal obligation on the parties entering into the same, and liable to the same proceedings for the estreating thereof, as if the same had been taken before a Justice of the Peace. (Sections 222 to 226, "Justices of the Peace Act, 1882.")

#### SUSPECTED PERSON.

19. If, after sunset and before sunrise, the constable shall see any one carrying a bundle of goods which he suspects were stolen, he should stop and examine the person, and may detain him; also (by section 38 "Pawnbrokers' Act, 1868") when any property is offered to be pawned, or pledged to any pawnbroker, if he suspects that an offence has been committed with respect to such property, he is authorized to apprehend and forthwith take before a Justice the party offering the same, together with such property, to be dealt with according to law.

In such cases of suspicion the constable should be careful to judge from circumstances (such as the appearance and manner of the party, his account of himself, and the like) whether he really has stolen goods in his possession before he takes him into custody.

#### ARREST: BREAKING DOORS.

20. The constable must make every exertion to effect the arrest, and the law gives him abundant power for the purpose. If the felon or party accused of felony flee he may be immediately followed wherever he goes; and if he takes refuge in a house the constable may break open the doors\* if necessary to get in, first stating who he is and his business; but the breaking open outer doors is so dangerous a proceeding that the constable should never resort to it except in extreme cases, and when an immediate arrest is necessary. (See Judge Johnston's "Justices of the Peace," section 1192 (2).)

21. There are some cases in which a constable may, and ought to break into a house, although no felony has been committed, when the necessity of the case will not admit of delay, as when persons are fighting furiously in a house, or when a house has been entered by others with a felonious intent, and a felony will probably be committed unless the constable interfere, and there is no other means of entering.† Except in such cases it is better, in general, that the constable should wait till he has a warrant from a Magistrate for the purpose.

\* In no case is a constable justified in breaking an outward door or window unless a previous notification has been given, and a demand of entrance made and not complied with. (Foster, 320.) Where a felony has been actually committed, or a dangerous wound given, a constable can break an entrance door to arrest the offender without any warrant; but in cases of misdemeanour and breaches of the peace a warrant is required. It likewise seems to be the better opinion that mere suspicion of a felony will not justify him in proceeding to this extremity unless he have a warrant. (Foster, 320, cited Roscoe, 763.) In civil suits an officer cannot justify the breaking open an outward door or window to execute process.

† If there be an affray in a house, and manslaughter or bloodshed is likely to ensue, a constable, having notice of it, and demanding entrance and being refused, and the affray continuing, may break open the doors to keep the peace.

#### PRISONER ESCAPING.

22. If a prisoner escape, he may be retaken, and in immediate pursuit the constable may follow him into any place or any house; and if the escaped prisoner take refuge in a house, the doors may be broken open after demand of admission, and after notification by the constable of his office and object in coming.

23. If a constable finds his exertions inefficient to effect the arrest, he ought to require all persons present to assist him, and they are bound to do so, on his stating that he is a constable and has lawful authority for what he is doing.

#### BREACHES OF PEACE.

24. In cases of actual breaches of the peace, as riots, affrays, assaults, and the like, committed within the view of the constable, he should immediately interfere (first giving public notice of his office, if he be not already known), separate the combatants, and prevent others from joining in the affray. If the riot, &c., be of a serious nature, or if the offenders do not immediately desist, he should take them into custody, securing also the principal instigators of the tumult, and doing everything in his power to restore quiet. He has no power to arrest when the affray, &c., is over, and there is no fear of its renewal.

25. A constable may take into custody, without a warrant, any person who shall be charged by any other person with committing an aggravated assault in every case in which such constable shall have good reason to believe that such assault has been committed, although not within view of such constable, and that, by reason of the recent commission of the offence, a warrant could not have been obtained for the apprehension of the offender. (See section 36, "Police Offences Act, 1884.")

26. When the offence has not yet been committed, but when a breach of the peace is likely to take place, as when persons are openly preparing to fight, the constable should desire them to desist, and if they do not do so should take the parties concerned into custody; but if they flee into a house and are making preparations to fight within, the constable should enter to prevent them, and likewise take the parties into custody; and should the doors be closed, he may break them open if admission is refused, after giving notice of his office and his object in entering. A constable should always be guided by the character of the parties; and it is often better in cases not requiring immediate apprehension, and when the offender can easily be found, to obtain a warrant, even though he might arrest without a warrant.\*

27. If a party threaten another with immediate personal violence, or offer to strike, the constable should interfere and prevent a breach of the peace; if one draw a weapon upon another, attempting to strike, the constable should take him into custody. If persons be merely quarrelling or insulting each other by words, the constable has no right to take them into custody, but should be ready to prevent a breach of the peace.†

28. A Justice of the Peace may, by word of mouth, command any constable or any other person to arrest another who shall be guilty of any felony or actual breach of the peace in his presence, and such command is a good warrant without writing, and must be obeyed accordingly.

#### RESISTING POLICE.

29. A constable may arrest any one assaulting or obstructing him in the execution of his duty, or any one

\* Upon any information being obtained that persons are training or preparing to fight, or are accessories to an intended prize-fight, the facts should be reported without delay to a superior officer or Magistrate, in order that steps may be taken to prevent the fight.

† By "The Police Offences Act, 1884" (Section 35), a person found disturbing the public peace can be arrested,

aiding or assisting any person so assaulting or obstructing him. (See section 38, "Police Offences Act, 1884.")\*

#### FORCIBLE ENTRY.

30. If a person forcibly enter the house of another, the constable may, at the request of the owner, turn him out directly; if he entered peaceably, but having no right to enter, and the owner request the constable to turn him out, the constable should first ask him to go out, and unless he do so he should turn him out, in either case using no more force than is necessary for that purpose.† In case the offender's name and residence are not known he may be taken into custody without warrant. (See section 6, subsection 3, and section 35 of "The Police Offences Act, 1884.")

#### ESCAPE IN MISDEMEANOUR.

31. If a person charged with misdemeanour escape out of custody, he may be pursued immediately anywhere, and if he take refuge in a house the doors may be broken open after demand of admission, and after notification by the constable of his office and object in coming.

#### ARREST WITH WARRANT.

32. A constable authorized to arrest a person with a warrant should immediately proceed to find and arrest such person, and, when making the arrest, should show him the warrant. But the constable should not part with the possession of the warrant under any circumstances prior to its execution; and after its execution he should hand it to his superior officer that it may be carefully preserved. The warrant remains in force until executed.

33. The constable is bound to follow the directions contained in a warrant, and to execute it with secrecy and dispatch. The power given to him for the purpose of arresting has been already shown. If the warrant cannot be executed immediately it should be executed as soon as possible afterwards. If the prisoner apprehended on the warrant escape, the constable may take him again and again until the object of the warrant is effected. A warrant specially addressed to one constable cannot legally be executed by another.

34. The constable must execute the warrant himself, ‡ or when he calls in assistance must be actually present. Upon all occasions he ought to state his authority, if it be not generally known, and should show his warrant when required to do so, but he should not part with the possession of the warrant, as it may be wanted afterwards for his own justification.

35. After an arrest the constable is in all cases to treat a prisoner properly, and impose only such restraint upon him as may be absolutely necessary for his safe custody.

36. Upon the arrest being made a constable is bound to take a prisoner before a Magistrate as soon as he reasonably can, § but he should in the first instance take him to the watchhouse and cause the charge against him

\* Where the prisoner had assaulted a constable who went away, and after two hours' time returned and took him into custody, it was considered an unlawful arrest. An arrest for a misdemeanour without a warrant must be at the time of offence committed, or on continued pursuit.

† A constable, though he may not be bound to assist an occupier to put out from his house an intruder, may lawfully do so; and, if he sustains violence in so doing, the party inflicting such violence, though he may not be indictable for assaulting a constable in the execution of his duty, will be liable to a conviction for assault. (R. v. Roxburgh, 12 Cox 8, per Cockburn, C. J.)

‡ He must have the warrant with him ready to be produced, if production be demanded, and it is not sufficient that he has it at home or that it is lodged at the watchhouse. (Galliard v. Laxton, 31 L.J.M.C., 123; R. Whiteman, 2 S.C.R.C.L., 118.)

§ The person should be taken direct to the Magistrate or the lock-up. The constable has no right to take him first to the prosecutor's house (R. v. Curran, 3 O. and P., 397) or to detain him longer than is necessary for bringing him up for examination. (Wright v. Court, 4 B. and C., 596.)

to be entered in the "Charge-book." When the prisoner is brought before a Magistrate, he still remains in the custody of the constable until his discharge or committal, or until the constable receive the orders of the Magistrate.

37. Should an offender, charged on warrant with any offence punishable by law, abscond from the colony, the course to be followed by the Imperial Fugitives Offenders' Act may be ascertained by reference to the Act which was brought into operation in this colony by Proclamation published in the New Zealand Government Gazette, No. 114, of the 1st November, 1883. (For Part II. of the Act referred to see *Police Gazettes* No. 23 of the 14th November, 1883, and No. 2 of the 23rd January, 1884.)

#### SEARCH WARRANTS.

38. A constable having received a search-warrant should demand admittance to the house to search for the stolen goods, and if refused should break open the doors. (See "Justice of the Peace Act, 1882," section 209.) It seems to be settled that upon search-warrants regularly granted and specially directed, after proper demand, the doors of the house to be searched may be broken open, and, in like manner, boxes after the keys have been demanded, and whether the stolen goods be found there or not, the officer is excused. The constable should follow the directions of the warrant, and in the absence of directions must execute it in the daytime, but if it be a case not of probable suspicion only, but of positive proof, the warrant should be executed at night\* lest there be a removal of the goods or offenders. If he finds the goods mentioned he should take possession of them, and when the warrant so directs he should take the person also in whose possession they are found. To avoid mistakes, the owner of the goods or the person who applies for the warrant should attend the constable at the search to identify the goods.

39. By section 208, "Justices of the Peace Act, 1882," and section 102, "Larceny Act, 1867," a search-warrant may be granted on the representation by a credible witness to a Justice that he reasonably suspects that any person has unlawfully in his possession or on his premises any property with respect to which an offence has been or is believed to have been committed, or which there is reason to believe has been stolen; and if the said property, or any part thereof, be found, to bring the property so found, and the person or persons on whose premises or in whose possession or custody such property shall be found, before the same Justice or some other Justice of the Peace, to be dealt with according to law.

#### ARREST WITHOUT WARRANT AUTHORIZED BY STATUTE.

40. In the following cases also, a constable is empowered to arrest without warrant, but he is to be careful not to do so upon light grounds.†

41. *Drunkards.*—He can arrest and confine in a watchhouse, until he can be taken before a Magistrate, any person whom he shall find drunk in any public place. (Section 19, "Police Offences Act, 1884.")

42. *Disorderly Persons.*—He should apprehend and carry before a Justice any common prostitute—

- (1.) Who loiters and importunes passengers in or upon any public place for the purpose of prostitution; or
- (2.) Who behaves in a riotous or indecent manner in any public place. (Section 23, "Police Offences Act, 1884.")

43. Every person whom he shall find wandering abroad, or placing himself or herself in any public place, street, highway, court, or passage, to beg or gather alms, or causing, or procuring, or encouraging any child or

\* See section 211, *idem*.

† The power to arrest without warrant given by the following statutes can only be exercised under the circumstances mentioned in such statutes.

children so to do; all persons going about as gatherers of alms, or as collectors under any false pretence; and all persons imposing, or endeavouring to impose, upon any charitable institution or private individual by any false or fraudulent representation, either verbally or in writing, with a view to obtain money or some other benefit or advantage.

44. Every person whom he shall find wilfully exposing to view in any street, road, thoroughfare, highway, or public place;\* or who shall expose or cause to be exposed to public view, in the window or other part of any shop or other building situate in any street, road, thoroughfare, highway, or public place, any obscene book, print, picture, drawing, painting, or other indecent exhibition or representation.

45. Every person whom he shall find wilfully and obscenely exposing his or her person in any street, road, or public highway, or in view thereof, or in any place of public resort.

46. Every person whom he shall find playing or betting in any street, road, highway, or other open and public place† at or with any table or instrument of gaming or pretended game of chance.

47. Any person who shall sing any obscene song or ballad, or write or draw any indecent or obscene word, figure, or representation, or use any profane, indecent, or obscene language, in any public place,‡ or within the view or hearing of any person passing therein or residing in such public place.‡

48. Any person who shall use any threatening, abusive, or insulting words or behaviour in any public place with intent to provoke a breach of the peace, or whereby a breach of the peace may be occasioned.

49. In all these cases constables are empowered to arrest without a Magistrate's warrant any person whom they shall find so offending; and they are also bound to receive into their custody any person found committing any of these offences who, having been apprehended by another, is delivered to them; and any refusal or wilful neglect to take such offender into their custody, or to take or convey him or her before some Justice of the Peace, will be a neglect of duty, and will render him liable to the penalty attached to such neglect.

50. A constable, upon his own view or upon the complaint or information of any one who declares his name and place of abode to the constable, may seize and secure—

- (1.) Any person who cruelly beats, ill-treats, overdrives, overloads, abuses or tortures any animal,§ or being the owner of or having the charge of such animal, omits to supply any such animal with proper and sufficient food, water, or shelter;
- (2.) Any person who keeps, or uses, or acts in the management of any place for the purpose of fighting or baiting any kind of such animal, or permits or suffers any place to be so used, and any person who receives money for the admission of any other person to any place kept or used as aforesaid;
- (3.) Any person who in any manner encourages, aids, or assists at the fighting or baiting of any such animal; and
- (4.) Any person who slaughters, brands, conveys or carries, or causes to be slaughtered, branded, or conveyed or carried, any such animal in

\* For statutory definition of public place, see note to section 12, ante, page 31.

† Where the arrest is under the Police Offences Act of a party offending, such person must be taken either in the act of committing the offence, or on a fresh pursuit.

‡ Obscene words or figures written, painted, or chalked on walls, doors, fences, &c., should be defaced by the police during the night.

§ The word "animal" means and includes any beast or bird of any kind or species whatever, and whether of domestic or wild nature, and whether indigenous or imported into the colony. (See section 7, "Police Offences Act, 1884.")

such a manner or position as to subject such animal to unnecessary pain or suffering.

51. With regard to other offences punishable summarily, the following are cases in which the offenders may be apprehended without warrant:—

- (1.) Soldiers deserting from the Army and seamen from Her Majesty's Navy (see Mutiny Act, and 10 and 11 Vict., cap. 62, section 9.)
- (2.) Smuggling. (See "Customs Laws Consolidation Act, 1882," section 225.)
- (3.) Persons offending in view of a constable against section 7, Part I., and Parts II. and III. of "The Police Offences Act, 1884," and against any of the remaining provisions of the said Act, if the name and residence of the offender shall be unknown to the constable and cannot be ascertained by him.
- (4.) Persons lurking or loitering about with a view to communicating with prisoners under sentence. (See section 33, "Prisons Act, 1882.")
- (5.) Women quitting a female reformatory without a discharge. (See section 21, "Contagious Diseases Act, 1869.")

52. There are many cases in which it may be desirable that the constable should only ascertain the name and residence of the party offending, and he should then take care that he secures the means of finding him afterwards. A report should be made to his superior officer, either immediately or when relieved, according to circumstances.

53. He should enter any licensed premises, or premises in respect of which an occasional license is in force, for the purpose of preventing or detecting the violation of any of the provisions of "The Licensing Act, 1881." (See section 184.)

54. He must also report the name of any publican or keeper of any house, shop, room, or place of public resort wherein provisions, liquors, or refreshments of any kind shall be sold or consumed (whether the same shall be kept or retailed therein or procured elsewhere), who shall knowingly permit or suffer in such house, room, shop, or place drunkenness or any other disorderly conduct, or any unlawful game or gaming whatsoever, or prostitutes or persons of notoriously bad character to assemble or continue therein. ("Licensing Act, 1881," sections 146, 147, and 149.)

55. A constable may arrest any inmate absenting himself from an industrial school without leave of the manager, and convey such child into the manager's custody. ("Industrial Schools Act, 1882," section 68.)

56. The police are required to obey the lawful orders of all Magistrates made by them in the execution of their judicial duties—as, for instance, by serving all legal processes, such as warrants, summonses, orders of Court, &c.

#### SUMMONSES.

57. Summonses will be delivered to constables in duplicate, or with the original summons will be delivered a copy. The constable should in the first instance endeavour to serve the original personally—that is, deliver it into the possession of the individual to whom it is addressed. In case the constable is unable from any cause to serve the summons personally, it will generally be considered a sufficient service if it be left with some person for the person to whom it is addressed at his last or most usual place of abode, the nature of the summons being explained to the person with whom it is left. The constable serving it shall keep a copy of the summons, and indorse on it the date of its service. Although a summons may be served by day or night, the constable serving will be careful to execute this duty between sunrise and sunset as much as possible; and in serving at the abode he is not to require admittance into the dwellinghouse. The summons should not be served by the constable who is either the informant or com-



plainant in the case. (See section 195, "Justices of the Peace Act, 1882.")

**CORONERS' INQUESTS: CASES OF VIOLENT OR SUDDEN DEATH.**

58. When the body of any deceased person is found by the police, or reported to them as having been found, it should, where there is no morgue, be removed to the nearest publichouse in the neighbourhood; but where there are two or more publichouses near to each other they should be used alternately.

59. A report stating, if possible, the names of the deceased and the manner of the death should be made immediately to the Coroner, if resident within twenty miles (see section 11, "Coroners Act, 1867"), or, if not, to the nearest Magistrate, in all cases of violent death, casualties by which death ensues, sudden deaths, persons found dead, persons committing suicide, prisoners dying in any of Her Majesty's gaols or other places of confinement, and in all cases where death is suspected to have occurred from foul play; and such a report, together with the result of the Coroner's inquest or magisterial inquiry, should be made to the Commissioner.

60. The appearance of such body, the position in which it was found, and the probable length of time dead, should be noted; and it should then be carefully searched, and anything found thereon should be kept in the custody of the police and produced at the inquest.

61. Whenever any such body is found, or where circumstances come to the knowledge of the police which render it expedient that an inquest should be held, the matter should be immediately reported to the Coroner or Magistrate.

62. If the police are unable to secure the attendance of a Coroner, they should forthwith report the matter to the nearest Magistrate, or take other necessary steps, so that an inquiry may be held as soon as possible.

63. A constable should remain in charge of the body until an inquest or inquiry has been held thereon.

64. The constable should take care that the jury are not of kin to the deceased, or interested for any person charged with or suspected of any crime in connection with the death of the deceased, or to be called as a witness.

65. Summonses should be personally served upon the witnesses, or persons who may have found the body, or know any circumstances connected with the death of the deceased, and also upon the medical man who first saw the body, should the Coroner desire his attendance.

66. The constable should produce at the inquest any papers or other property found on searching the body of the deceased, and any weapon or instrument found that might be supposed to have been the means of death, such as a knife, razor, pistol, or any bottle, or paper, &c., containing poison.

67. When the body is viewed, the constable must attend and see that all the jurors are there. The constable has charge of the jury, and should see that all of them accompany him to view the body; and when the jury retire to consider their verdict, he must keep the door, and see that no one interferes with them.

68. If the wound consists of a cut, the length, breadth, and depth should be ascertained as far as possible, together with its exact position and appearances. If firearms appear to have been the cause of the death, it is desirable to find the bullet or any other matter which may have entered the body; but a medical man should generally make any examination of the body that may be necessary for the purpose, and in all cases, before the body or any weapon or other article which could in any way be connected with the case is moved, or the position of the body altered, care should be taken that every particular should be noted in writing.

69. Should there be wounds or other marks of violence on the body, it is of importance to ascertain and get possession of the instrument (if any) with which such wounds or marks have been inflicted.

70. The police should not take upon themselves to

bury the body without an order from the Coroner or a Magistrate, unless it is impracticable to obtain one.

71. Upon inquiries into deaths caused by violence, the police officer in charge of the station at the time must consider himself as the person whose special duty it is to get up the case for the Coroner or Magistrate.

72. Reports in the proper form are to be made respecting all inquests. If the deceased died intestate and possessed of property, full particulars respecting the same must be promptly transmitted to the Agent for the Public Trustee, together with affidavit of death and intestacy in the prescribed form; the cost of funeral expenses will form the first charge upon the deceased's property. When the name of the deceased is not known an accurate description of the body should be furnished.

**FINDING OF NEW-BORN CHILD OR DEAD BODY.**

73. In case any dead body shall be found exposed, a constable of the district shall forthwith inform the Registrar thereof, and of the place where such dead body was found; and when an inquest shall be held on any dead body, the Coroner or Justice of the Peace holding the same shall, within fourteen days after the holding of such inquest, notify to the Registrar of the district the verdict of the jury, with all other particulars required to be registered concerning the death, and such Registrar shall make the entry in his Register-book accordingly, and the same shall be signed by the Coroner or Justice of the Peace by whom the information has been given. (Section 25, "Registration of Births and Deaths Act, 1875.")

74. It shall be the duty of all police constables to inquire for every death within their respective districts or localities, and to report thereon to the principal police officer of the district, who is hereby required to give notice thereof to the Registrar of the district within which such death occurred, and also respecting some person present at the death, or in attendance during the last illness of such deceased person, or respecting the occupier of the house in which such deceased person died, as the case may require.

75. Any police constable who shall have been informed of any death, and who shall neglect forthwith to report the same, and any principal officer of police receiving such report who shall neglect to send notice thereof within seven days, by writing, sent through the post or otherwise, to the Registrar aforesaid shall be liable to a fine not exceeding forty shillings.

For the purposes of this and the last-preceding section the expression "principal officer of police" shall mean the chief or only officer of police in the locality where such death has happened or is believed to have happened. (Sections 26 and 27, "Registration of Births and Deaths Act, 1875.")

**INQUESTS CONCERNING FIRES.**

76. In cases of fire the police shall take careful notice of the appearance of the premises that have been burnt, both inside and out, and also of any property (whether it be fixtures, or loose boxes, cases, &c.) on such premises, and any matters which may tend to throw light upon the cause of the fire, and shall forthwith make a note in writing of all such circumstances, and shall take possession of such premises and such property, in order that they may be viewed by or produced to the jury and Coroner at the inquest.

77. In cases of fire, the reports to the Inspector should contain full particulars of the same, a description of the property destroyed, the estimated value, whether insured or not, and if insured, the amount, the office, and the date of the insurance; also the character and position, &c., of the owner, whether a reward is offered, and whether any suspicion attaches to any person as an incendiary.

78. The police will discharge the same duties at inquests concerning fires under "The Coroner's Act, 1867," as at inquests in cases of deaths, so far as the cases permit.

