

ROYAL SOLOMON ISLANDS POLICE FORCE

Station

District

Date

C.R.B./S.R.B./E.F. No.
(Delete prefix NOT applicable)

Page No.

STATEMENT

Name:

Age:

Years

Address:

Occupation:

Native of:

INTERVIEW OF A PRISONER WITHIN A PRISON

Prisons Act (Ch. 111)

Section 88(1)

I, _____, hereby make application to the Officer in
(Name of Police Officer making application)

Charge of _____ Prison to interview a Prisoner, namely,
(Name of Prison)

_____ pursuant to section 88(1) of the *Prisons Act* (Ch. 111) in connection with the investigation of an offence. I produce herewith an order in writing from a police officer:

- in charge of a police station; or
- of or above the rank of Inspector

(Cross out inapplicable option)

namely

(Name, Rank and Station of the Police Officer)

The interview is to take place within the Prison and within the sight and hearing of a Prison Officer unless the Officer in Charge of the Prison is satisfied that the prisoner is willing to be interviewed by two police officers out of the sight and hearing of a prison officer.

I, _____ of _____
(Name of Officer in Charge of Prison) (Name of Prison)

am satisfied / not satisfied that prisoner _____ is / is not willing
(cross out inapplicable option) (cross out inapplicable option)

to be interviewed by not less than two police officers within the prison and out of sight and hearing of a prison officer.

Signed _____ of _____ Prison
(Officer in Charge) (Name of Prison)

AUTHORITY OF A POLICE OFFICER TO INTERVIEW OF A PRISONER WITHIN A PRISON

***Prisons Act* (Ch. 111) Section 88(1)**

I, _____, hereby approve and order that
(Name of authorising Police Officer)

_____ is authorised to interview
(Name of Police Officer)

a Prisoner currently in custody at _____
(Name of Prison)

pursuant to section 88 of the *Prisons Act* (Ch. 111) in connection with the investigation of an offence.

Signed _____ Status _____
(Name and Rank of Police Officer) (Officer in Charge of a Station or an Inspector or above)

This form is to be produced to the Officer in Charge of the Prison.

**AUTHORITY OF A POLICE OFFICER TO TRANSFER AN UNCONVICTED
PRISONER INTO POLICE CUSTODY**

***Prisons Act* (Ch. 111)**

Section 89

I, _____ hereby approve and order that
(Name of authorising Police Officer)
_____ is authorised to interview
(Name of Police Officer)
an unconvicted Prisoner currently in custody at _____
(Name of Prison)
pursuant to section 89 of the *Prisons Act* (Ch. 111) in connection with the investigation
of an offence and I hereby request that the Officer in Charge of _____
(Name of Prison)
Prison deliver the prisoner into the custody of _____
(Name of Police Officer)

Signed _____ Status _____
(Name and Rank of Police Officer) (Officer in Charge of a Station or an Inspector or above)

This form is to be produced to the Officer in Charge of the Prison.

**AUTHORITY OF A POLICE OFFICER TO TRANSFER A CONVICTED PRISONER
INTO POLICE CUSTODY**

Prisons Act (Ch. 111)

Section 89

I, _____, hereby approve and order that
(Name of authorising Police Officer)

(Name of Police Officer)

is authorised to interview

a convicted Prisoner currently in custody at

(Name of Prison)

pursuant to section 89 of the *Prisons Act* (Ch. 111) in connection with the investigation

of an offence and I hereby request that the Officer in Charge of

(Name of Prison)

Prison deliver the prisoner into the custody of

(Name of Police Officer)

Signed

Status

(Name and Rank of Police Officer)

(Officer in Charge of a Station or an Inspector or above)

This form is to be produced to the Officer in Charge of the Prison.

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RECORD OF INTERVIEW

Name: Age: Years

Address:

Occupation:

Native of:

Q1: This is a record of interview between [insert name and rank of interviewing officer] and [insert name of defendant] being conducted at [insert location]. Do you agree that [insert names of other persons present] [are/is] also present?

A1:

Q2: Do you agree that the time is now [specify the time]?

A2:

Q3: Can you state for the record your full and correct name and address?

A3:

Q4: Are you currently over the age of 18 years?

A4:

[All persons present, other than the defendant, are to sign the bottom of each page as an acknowledgement that it is true and correct. The defendant is to be requested to sign/mark the bottom of each page.]

RECORD OF INTERVIEW

Page 2 of the Record of Interview between [insert name and rank of interviewing officer] and [insert name of the defendant].

Q5: Are you currently affected by alcohol?

A5:

Q6: Are you currently affected by drugs?

A6:

Q7: [Insert name of the defendant], I will now tell you what is alleged against you, do you understand?

A7:

Q8: [Insert name of the defendant], it is alleged that [briefly specify the allegation]. Do you understand?

A8:

Q9: Before I ask you any further questions I must warn you that 'if you want to remain silent you may do so'. Do you understand?

Or in Pidgin

'Sapos in laek fo stap kwaet no moa in save duim. In minim?'

A9:

Q10: 'But if you want to tell your side you think carefully about what you say because I shall write what you say down and may tell a court what you say if you go to court. Do you understand?'

Or in Pidgin

'Bat sapos in laek fo tell aot stori blong iu iu tink hevi nao long wannem nao iu tellem. Bae mi ratem kam samting nao iu tellem. Sapos iu go long court bae maet me tellem disfella court toktok blong iu. In minim?'

A10:

[All persons present, other than the defendant, are to sign the bottom of each page as an acknowledgement that it is true and correct. The defendant is to be requested to sign/mark the bottom of each page.]

RECORD OF INTERVIEW

Page 3 of the Record of Interview between [insert name and rank of interviewing officer] and [insert name of the defendant].

[When questioning the defendant:

- [i] give the defendant the opportunity to tell his/her own story;
- [ii] ask simple questions;
- [iii] ask short questions;
- [iv] do not ask more than one question at a time;
- [v] ask questions in a logical sequence;
- [vi] clarify any issues raised by the defendant;
- [vii] focus on proving the elements of the charge/s; and
- [viii] focus on negating any defence/s raised by the defendant.]

QX: Do you agree that there were no threats made to you to provide the answers you have given?

AX:

QX: Do you agree that you were not assaulted in order to make you provide the answers you have given?

AX:

QX: Do you agree that there were no promises made to you to provide the answers you have given?

AX:

[All persons present, other than the defendant, are to sign the bottom of each page as an acknowledgement that it is true and correct. The defendant is to be requested to sign/mark the bottom of each page.]

RECORD OF INTERVIEW

Page 4 of the Record of Interview between [insert name and rank of interviewing officer] and [insert name of the defendant].

QX: Do you wish to alter anything, correct anything or add anything?

AX:

[Any alterations/corrections should be marked with an 'X' and anything added should be included.]

QX: Do you agree that the time is now [specify the time]?

AX:

I fully understand what is written in the Record of Interview which [I read or was read aloud to me by the investigating officer]. It is true.

[If the defendant refuses to sign/mark this fact should be noted here.]

**Signature/Mark and Printed Name
of Defendant**

**Signature, Printed Name and
Rank of Investigating Officer**

[Signature/s and Printed Name/s and Ranks of Other Officer/s and Signatures and Printed Name/s of Any Other Person/s Present]

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Page No. 1

CAUTION STATEMENT

Name: Age: Years

Address:

Occupation:

Native of:

Q1: 'If you wish to remain silent you may do so. If you wish to, you may give a written statement. You can write it or I will. That is up to you. If you give a written statement it may be produced to a court if you go to court. Do you wish to give a written statement?'

Or in Pidgin

'Sapos iu laek to stap kwaet no moa in save dium. Sapos iu laekem iu save givem stori long iu long paper. Iu save raetem kam seleva o mi save raetem. Hemi saed long iu. Sapos iu givvem wan fela stori long paper ia bae misfella save taken disfella paper long court for showem long court ia sapos iu go long court. Waswe, iu laek fo givvem stori blong iu long paper?'

A1:

Q2: Do you understand what I have said to you?

A2:

[All persons present, other than the defendant, are to sign the bottom of each page as an acknowledgement that it is true and correct. The defendant is to be requested to sign/mark the bottom of each page.]

CAUTION STATEMENT

Page 2 of the Caution Statement provided by [insert name of the defendant].

Q3: Do you wish to make a written statement?

A3:

Q4: Do you wish to write it yourself?

A4:

If the defendant agrees and asks the police officer to write the statement it should start:

'I agree to give this statement on my own free will. I want the policeman to write down my statement. I have been told I can remain silent. I know the statement may be used in court. It is true what I now put in the statement.'

Or in Pidgin

'Mi seleva agree fo givvem stori blong mi long paper. Mi leakem policeman fo raetem kam stori blong mi. Olketa tellem mi finis mi save stap kwaet no moa. Mi save tu disfella paper ia might hem kamap long court. Stori bae me tellem hem turu wan.'

If the defendant writes the statement leave out the words, 'I want the policeman to write down my statement' or their pidgin equivalent.

[If the defendant refuses to sign/mark
this fact should be noted here.]

**Signature/Mark and Printed Name
of Defendant**

**Signature, Printed Name and
Rank of Investigating Officer**

**[Signature/s and Printed Name/s and Ranks of Other Officer/s and Signatures and
Printed Name/s of Any Other Person/s Present]**

CAUTION STATEMENT

Page 3 of the Caution Statement provided by [insert name of the defendant].

Q5: Do you agree that the time is now [specify the time]?

A5:

Q6: Can you state your full and correct name and address?

A6:

Q7: Are you currently over the age of 18 years?

A7:

Q8: Are you currently affected by alcohol?

A8:

Q9: Are you currently affected by drugs?

A9:

[Insert the story of the defendant in his/her own words.

If you are writing the story down for the defendant, do not change any words.

If the defendant uses pidgin then write the version in pidgin.]

Q10: Do you agree that [you have read this statement or this statement was read to you by
(insert the name of the investigating officer)]

A10:

Q11: Do you wish to alter anything, correct anything or add anything?

A11:

[Any alterations/corrections should be marked with an 'X' and anything added should be included.]

[All persons present, other than the defendant, are to sign the bottom of each page as an acknowledgement that it is true and correct. The defendant is to be requested to sign/mark the bottom of each page.]

CAUTION STATEMENT

Page 4 of the Caution Statement provided by [insert name of the defendant].

Q12: Do you agree that there were no threats made to you to provide this statement?

A12:

Q13: Do you agree that you were not assaulted in order to make you provide this statement?

A13:

Q14: Do you agree that there were no promises made to you to provide this statement?

A14:

Q15: Do you wish to read the statement or have it read to you?

A15:

'I understand what is in the statement which [I have read or was read to me by (insert name of the investigating officer)]. It is true.'

Or in Pidgin

'Mi save gudfella wannem noa in saet long disfella paper ia. Mi readem finis (o "olketa readem hem kam long me finis"). Evri samting hem turu noa.'

[If the defendant refuses to sign/mark
this fact should be noted here.]

**Signature/Mark and Printed Name
of Defendant**

**Signature, Printed Name and
Rank of Investigating Officer**

**[Signature/s and Printed Name/s and Ranks of Other Officer/s and Signatures and
Printed Name/s of Any Other Person/s Present]**