

## REPORT OF THE SUB-COMMITTEE ON POLICE REFORM

- 1) The sub-committee on Police met on five occasions as under:
  - a) Preliminary meeting on 13.6.2006 in Karachi. Chairman and Dr. Shafqat Jamote attended.
  - b) Three meetings with officers of Sindh police in Karachi.
  - c) One meeting in Islamabad on 3.7.2006 attended by the representatives of PPO and the Chief Secretary of all provinces.

The Cabinet Secretary, being out of country, could not attend the first four meetings. However, he attended the meeting in Islamabad. In addition the Chairman met with PPO/Punjab and other Punjab police officers on 9<sup>th</sup> and 10<sup>th</sup> June in Lahore to obtain their views.

- 2) The report was also shared with the following police officers in Islamabad on 25.1.2007:
  - a) Mr. Afzal Ali Shigri, IGP (Rtd)
  - b) Mr. Riffat Pasha, IG/ NH&MP
  - c) Mr. Irfan Mahmud, Addl. Inspector General
  - d) Mr. Tariq Parvez, DG/ FIA
  - e) Ch. Mohammad Yaqub, Member, PMIC
  - f) Mr. Iftikhar Ahmed, IG/ Islamabad

The sub-committee was represented by Mr. Shoaib Suddle and Mr. Najam Saeed. Dr. Shafqat Ali Jamote and the Cabinet Secretary could not attend due to other commitments. The views of the above senior officers have helped in finalizing this report.

- 3) The Police Order, 2002 had been framed keeping in view the following parameters:
  - a) Make police politically neutral
  - b) Make police better accountable to independent citizen Commissions
  - c) Organize police on functional basis
  - d) Operational and administrative autonomy
  - e) Effective internal accountability by police command
- 4) However, the political government installed later that year demanded amendments before implementing the law. The changes in Police Order have completely altered the original parameters. Indeed, the law has now made police legally subservient to elected political functionaries both at provincial and district levels. It has also affected the autonomy that was originally envisaged for the PPO. He is now “subject to the policy, oversight and guidance given by the Chief Minister through the Chief Secretary and the Provincial Home Department”.
- 5) The DPO is in a very awkward position. He is answerable to the Nazim who writes his ACR. He is answerable to a politically biased District Public Safety and Complaints Commission. Finally, he is answerable to the Chief Minister who appoints him.
- 6) Despite the amendments, the law has still not been implemented. Provincial governments are all the time trying to find ways to beat the law instead of implementing it. The Punjab government has recruited officers to the rank of Sub Inspector through the police department by calling them ‘Traffic Wardens’ only to circumvent the Police Order according to which recruitment cannot be made in that rank.

- 7) The reasons for not implementing the Police Order are:
  - a) Lack of political will
  - b) Lack of understanding regarding reorganization of police on functional basis
  - c) Resistance to change by political governments, bureaucracy as well as the police
- 8) There was a general consensus among the police officers that the amendments have virtually altered the original intent and purpose of the Police Order. The amendments take away the operational autonomy conferred by the Police Order to the police. As such even if measures are taken to enforce the organizational provisions of the law there would be no improvement in the situation and police will continue to retain its poor image in public. The citizen will continue to have no faith in it. This image deficit would ultimately give the government a bad name.
- 9) Albeit, the Sub-Committee is of the view that there is a need to take steps to reconstruct police on the lines given in the Police Order. This would enable it to achieve expertise in the various functions that it is required to perform and, in the long run, improve its efficiency.

### **Reorganization of Police Offices**

- 10) The law clearly stipulates that police shall be organized on functional basis. This means that all police offices are to be organized in this manner. Offices which belong to a functional group are also to be organized in accordance with functions it is required to perform. Unfortunately, this has not been done so far in any province. The office of the PPO continues to function according to the old design. Offices of Region/Range are also not organized on functional basis. The office of DPO continues without any structural change.
- 10) The provinces have endeavored to create the functional organizations. But one important aspect is missing. Every functional group must have an executive head with subordinates responsible to him. This aspect is missing from the organization charts shown to the sub- committee or the Commission.
- 11) It is, therefore, of utmost importance that as a first step the office of the PPO should be organized on functional basis. The organizational design of the office of PPO is given in Appendix I.
- 12) All offices at Region/Range and District level need to be organized according to the design set down for the office of PPO. Other functional groups should be organized in accordance with the tasks required to be performed, each task having a separate officer heading it. Organization charts of various branches are attached to the report.

### **Delegation of Powers**

- 13) The Police Order envisages devolution of powers to senior police officers working in key positions. The CCPO has been devolved these powers by the law itself. But powers have not yet been delegated to RPOs and the DPOs. Only Sindh has delegated powers to the RPOs and DIGs in the two regions of Sindh.
- 14) There is a need to delegate powers in other Provinces as has been done in Sindh. Furthermore, there is need to delegate enhanced powers in financial and Administrative

matters to the DPOs. In the case of Inspectors, the DPO should now be made an authority in disciplinary matters in accordance with the Police Order.

- 15) The spirit of the Police Order envisages devolution for better management of resources especially police personnel. It seems that the provision contained in the last sentence of Article 7 (5) inadvertently mentions Inspector to be borne on the provincial seniority. It is therefore proposed that the word "Inspector" should be deleted from this last sentence.

### **Investigation Branch**

- 16) The Police Order clearly stipulates that the Investigation Branch shall be a separate branch for the entire province headed by an Addl. I.G. However, the Standing Orders framed by the PPOs do not strictly follow the law. The investigation branch hierarchy ends at the District or Region/Range level. The Addl.I.G./Investigations performs staff functions and is a custodian of criminal records. As far as investigations are concerned, these are conducted at district level. At the Region/Range or Provincial level only those investigations are conducted which have been transferred from the districts under Article 8(6) of the Police Order. There seems to be some reluctance to create a completely separate branch dealing with all aspects of investigations.
- 17) The concept behind the creation of a separate investigation is to improve its capabilities. Experience had shown that the Ops style investigations did not produce good evidence for courts to convict criminals. Statistics showed a declining conviction rate.
- 18) The manner in which the investigation branch has been separated gives more importance to the Ops functions and completely paralyses the investigation branch. The public is extremely concerned. There are the following causes of concern:
  - a) The FIR is registered by Ops Branch and the case is then handed over to the investigation branch. Having to deal with two branches is of grave concern for citizens.
  - b) The standard of investigators is poor and citizens have no faith in them.
- 19) There is a need to give due importance to the Investigation Branch. It not only needs to be strengthened by good quality officers and men, it also requires a boost in resource and prestige.
- 20) This can be achieved by distributing the police station registers between the investigation branch and the operations branch as given below:
  - a) Ops Branch: Registers No: 6, 10, 11, 16, 17, 18 and 24
  - b) Inv Branch: Registers No: 1, 2, 4, 9, 12, 19 and 22
  - c) The following registers should be maintained by both branches separately: 3, 5, 13, 14, 20, 21, 22 and 23.

The above option would eliminate the two window operation and address the citizen concern effectively. At the same time it would separate the two branches at the police station and, therefore, fulfill the requirements of the Police Order. Moreover, it would boost the prestige of the Investigation Branch.

- 21) In addition the followings steps are also required to strengthen the Investigation Branch. The best officers and men should be posted to the investigation branch. This can be achieved as follows:

- a) A board comprising the DPO, SP/investigations and an SP from the office of the RPO should interview all officers and men for selection to the investigation branch. The board should meet as and when required but at least once a month to ensure that investigation branch gets the officers and men it requires. The proceedings of the board should be recorded.
  - b) A report of the proceedings should be sent to the RPO and the Adtl IG/Investigation on monthly basis.
  - c) The investigation branch must also be strengthened materially. The SP/Investigations should be declared DDOs and budget placed at his disposal.
  - d) In order to ensure that cost of investigation is provided quickly it should be stipulated that a copy of FIR and a copy of challan, duly certified by the court, should be attached with the bill for its sanction. The amount specified for cost of investigation should then be sanctioned. This would enable the investigators to recover costs incurred.
  - e) The head of investigation in the police station should be sanctioned a permanent advance in accordance with financial rules based on the annual registration of cases at the police station. Out of this advance the investigation costs can be met until recouped. This would help in the provision of a better service to the citizens.
  - f) Every investigator should have an accreditation certificate to be able to investigate. The certificate should be liable for cancellation for inefficiency or misconduct.
- 22) The organization of the Investigation Branch should be as envisaged by the law. It should have a separate hierarchy. However, the DIG/SP of the investigation branch should be located at the Region/Range office for the administration of the Inv.Br. The Adtl IG/Inv should have administrative control over DIG/SP in the Region/Range. However, a linkage with the Region/Range will be maintained with the RPO in sharing crime trends and criminal data to keep the Ops Branch in the loop. The organization of the Investigation Branch can be seen in Appendix II.
- 23) The above measures would redress the citizen concern by which they are put through an insidious two window operation. The matter of poor quality investigators would also be suitably addressed. Above all, the organization design would be in compliance with the Police Order.
- 24) The Punjab province introduced the concept of Supervisory Police Officer in police stations of five cities. The SPO is of the rank of DSP and has under his command both the SHO and the head of investigation (SIO) in the police station. The SPO would be required to report both to the DPO and the SP/Investigation. Formal rules have not yet been framed. The remaining districts continue as before. The sugar coating is that the SPO is given special allowances which are more than double the salary. The salary of the SHO is similarly increased. However, nothing like this has been given to the SIO (and it is the Investigation Branch which is required to be established and improved!). A further travesty is the fact that the posts for SPO have been transferred from the Investigation Branch weakening it further. The PPO is of the view that this model would not be in conflict with the Police Order. This concept has now been reviewed and the SPO now has jurisdiction over two police stations and works like an SDPO. However, this is just another example of beating around the bush in order not to implement the Police Order.
- 25) The Punjab has also introduced reporting centers in the office of each DPO to ensure registration of cases. It is felt that this measure would merely add another window but not solve the problem. What is required is a will to register cases and to take severe

action against those officers who do not register a case and those responsible to supervise this responsibility.

### Amendments in Law

- 26) The Police Order has given police new responsibilities to prevent crime in villages and to protect life, property and liberty. However, the CrPC does not allow the police to perform these duties. This is done through Chapter XIV of the CrPC which deals with investigations. Sec.155 prescribes that police shall not investigate any non-cognizable case unless directed by a magistrate. Thus, in a large number of cases that are of daily occurrence the police can merely refer the victim to a magistrate. To illustrate this point, take the case of assault. This is non-cognizable and police refers the victim to the magistrate. In Karachi every year since the last ten years over 6000 reports are made to police. Not a single case has been referred to police by a magistrate for investigation. The victim has not got any redress. Moreover, this provision gives police a lot of discretion whether to register a case or not. This leads to all the ills relating to non-registration of cases.
- 27) This discretion that lies with the police regarding the FIR because of the distinction between cognizable and non-cognizable is a cause of major concern. It has led to:
- a) Burking
  - b) Minimizing offences
  - c) Registering false cases
  - d) Sanctifying FIR
  - e) Corruption
  - f) Citizen dissatisfaction
- 28) Thus, there are two reasons why an amendment needs to be made in the CrPC:
- a) Allow police to perform the new duties given to it by the Police Order and
  - b) Eliminate the discretionary power of police
- 29) In view of above Sec 155 of CrPC requires to be deleted. A new section may be added in its place stating that police shall investigate non cognizable cases in the same manner as cognizable cases *except that arrest shall only be made after obtaining a warrant of arrest from the magistrate.*
- 30) A second amendment is even more essential in order to enable both the investigation branch and the watch and ward (Operations) and striking forces to function independently as separate branches. To achieve this, the word 'SHO', wherever it occurs in Chapter IX and XIV of the CrPC should be replaced with the word 'Police Officer'. This amendment would enable all the functional branches work and function independently.

### Appointments / Transfers

- 31) Appointments are being made on discretion and not according to criteria and merit. Indeed, in the case of senior officers many appointments are being made in violation of the Police Order. This is specially the case in the appointments of DPO and SP/Investigation in the districts. In many cases junior officers are being appointed in violation of the law. While this would require political will to rectify, in other cases there is a need to draw up criteria for various appointments within the districts and within functional groups in order to bring the process of appointments in consonance with the spirit of the Police Order. Having done this, a selection process through a

committee should to be made mandatory before an appointment is made. This procedure should be made mandatory for every appointment from the lowest level in the organization to the top. A record of the committee's proceedings should be kept as record for at least two years. This will eliminate discretion to a large extent and also keep a check on transfers. This would ultimately lead to the appointment of the right man for the job and improve efficiency.

### **Internal Accountability**

- 32) Presently accountability is based on a system of punitive measures but this has failed to show any improvement. Indeed, the system allows officers in a higher position to abuse their authority making subordinates completely subject to their whims. As far as senior ranks are concerned they need to be brought into the ambit of Police Efficiency and Discipline Rules as they are now police officers as defined in the Police Order. However, there is an urgent need to reform the accountability system.
- 33) As a first step the disciplinary rules need to be reframed. The procedure for awarding punishments should be transparent and awarded only after due process. Summary proceedings should deal only with extremely minor faults that can be rectified, not for misconduct.
- 34) The second step which is of greater concern is to put in place a system for the accountability of senior ranks. The Police Order has set down a procedure for the accountability of the PPO and DPO. This is done through the concept of policing plans. These plans are to be approved by the Public Safety Commissions and performance monitored on quarterly basis. The Order only requires the PPO and the DPO to make such plans.
- 35) This is an extremely good tool for accountability of senior officers. A similar accountability process should be made mandatory for evaluating the performance of all officers in senior ranks (DSP and above). The performance of senior officers should be gauged according to policing plans framed by them.
- 36) Heads of functional groups should draw up their own policing plans. Each senior officer within a functional group should do the same. The head of the functional group should approve these plans and monitor on quarterly basis. A record of quarterly review should be made and sent to the PPO.
- 37) The PPO should approve the policing plans of functional heads and Regional Police Officers and monitor them on quarterly basis.
- 38) The ACRs of senior officers should be recorded keeping in mind the targets achieved in the policing plans framed by them to gauge performance. This means that the ACR form will need to be revised.
- 39) The ACRS in the case of junior ranks would also need to be revised. ACR should be in accordance with the tasks which that officer is required to perform within the functional divisions.
- 40) Apart from above, there is a need to develop the concept of the Internal Affairs Branch which, through a team of good investigators, shall look into serious charges of misconduct or corruption. This branch needs to be established in the office of the PPO with an ADDL/IG heading it. It may have its offices located at provincial, regional and

district level. The other function which can be assigned to this ADDL/IG could be financial audit of all police offices.

### **Nazim – DPO Relationship**

- 41) It was generally felt that the Nazim - DPO relationship has not emerged as the law envisioned it. Either there is collusion or there is complete non- cooperation. One case was pointed out where the bad relationship led to considerable violence; and peace in the area was disturbed. The Provincial government supported the DPO while the Nazim used his political support to destabilize the peace. In many districts, the nazims have orchestrated protests to force the DPOs' transfer. Then there are districts where the collusion between the two has led to citizen suffering.
- 42) There was a general consensus that, although this relationship would depend on personalities and politics, some measure of sanity could be brought about through the system of District Public Safety Commissions. These were either not established or not allowed to function. In many cases funds or office space was not provided. The Commissions are generally not encouraged. In view of above the police was exposed to collusive or poor relations with the Nazim. The concept of policing plans and police performance evaluation through the DPSC should bring about a positive change in DPO – Nazim relationship. Some worries were expressed about the new design and constitution of the DPSC through the amendments made in the Police Order. However, it was a general consensus that the DPSC could be effective in mitigating the situation.
- 43) In view of above it is proposed that the Provincial governments should be required, through financial cutbacks if necessary, to ensure the proper establishment of the DPSC.

### **Village Police**

- 44) The Police Order has given police the responsibility for policing villages. Therefore, it is necessary that police should extend to villages.
- 45) This is urgent for another reason also. The village communities are no longer in a position to resolve disputes. This has come to a pass for two reasons:
  - a) Villages are no longer static communities. They are dynamic with many men working away from home. If they come home it is for small durations and disputes may not get settled in such short visits and
  - b) Every village community has a large number of arms licensees. It is estimated that a village in the settled districts of NWFP has no less than 150 arms licensees. The Punjab estimate is almost 125 arms licensees per village. In Sindh also there are slightly more than 100 arms licensees. In this scenario disputes tend to be settled by the gun.
- 46) In Japan the institution of the ‘chuzai-sho’ is in vogue. This is a police residence with an office attached to its front. One police officer lives in it with his family. There is one policeman for every 1500 to 3000 in rural areas and one ‘chuzai-sho’ supervises an area.
- 47) The village policeman basically performs dispute resolution functions, reporting crime and providing criminal intelligence. They work closely with the community and in Japan the police constable visits a household at least twice in a year where he meets with all the family.

- 48) While establishing village police, the main principles should be as follows:
- a) There should be only one unarmed police officer in a village.
  - b) Where the population of the village is less than 3000, two or more villages should be placed under one police officer.
  - c) He should be married.
  - d) He should maintain a daily diary.
  - e) He should perform the following duties:-
    - i) Report all disputes to the police station and assist the village community in dispute resolution.
    - ii) Report all criminal cases to the police station.
    - iii) Provide criminal intelligence to the police station.
    - iv) Provide to community information about crime, modus operandi of criminals and causes of traffic accidents within the jurisdiction of the police station.

### **Transparency International Report**

49) A report of Transparency International was circulated which showed that police is the most corrupt organization in Pakistan. A close examination of the report shows the following areas of police corruption:

a) violation of traffic law	= 35.55%
b) to make complaint	= 21.97%
c) to get release from false arrest	= 10.58%
d) as accused	= 09.00%
e) vehicle fitness	= 08.34%
f) verification for passport	= 05.83%
g) verification for job	= 03.54%
h) character certificate	= 02.24%
i) during snap checking	= 02.94%

50) An analysis of the above clearly shows that the activities mentioned in the report relate either to traffic law enforcement or the police station.

### **Traffic Police**

51) As regards traffic there is a need to adopt the Motorway Police model which has been acclaimed by everyone. The Islamabad Police has recently adopted this model and it is being praised for the change it has brought about in traffic policing. If adopted in other cities it would go a long way in not only reducing corruption but also in improving traffic law enforcement.

52) In order to ensure that traffic law enforcement is given due importance there is a need to establish a separate course in the Police Academy for supervisory and management level officers. The trainers can be obtained from the Motorway Police. If need be Japan/Jica or UK could be asked to help establish and design a training course for the Police Academy. The urgency in this cannot be overemphasized. The citizens are most affected by the poor traffic enforcement. One only has to read the newspapers to gauge citizen concern in this regard. In Karachi, four million people use the road every day and all of them are affected by the poor traffic environment. There is, therefore, an urgent need to give due priority to traffic law enforcement. This can only be done by organizing police on the model of the Motorway Police.

- 53) The system of vehicle fitness certificates is a huge failure and extremely corrupt no matter whether the inspector is in the Transport Department as in Punjab or in the Police Department as in other provinces. There is a need to privatize this system for which a provision exists in the Motor Vehicle Ordinance [MVR 35 (Gazette W.P.Extra, 2<sup>nd</sup> June, 1970)]. The enabling rules should specify what is required in the inspection, what tools should be used during inspection and lay down stiff penalties including cancellation of license.
- 54) The traffic police must deal with traffic accidents. The Motor Vehicle Ordinance deals with death and injury to passengers in a contract carriage through the Claims Tribunal. In addition, third party claims are also to be met through insurance laws. In the case of other vehicles third party liability is a useful means of dealing with accidents involving death and injury. Accidents can be made punishable by the section dealing with rash and negligent driving which carries a punishment of up to one year imprisonment and fine. Subsequent violation is punishable with imprisonment up to 4 years and enhanced fine. The advantage in doing this is that MVO is dealt by summary procedure and is quicker in deciding cases. The present practice of dealing with traffic accidents under the Penal Code is too time consuming. A study in Karachi revealed that it took more than 36 months to decide an accident case. The maximum punishment awarded was fine of five hundred rupees. However, the most important reason why traffic police should deal with accident cases is that the traffic police would understand the causes of traffic accidents and would be able to design accident prevention strategies. Islamabad has recently trained its traffic police officers in accident investigation which initiative should also be followed for other traffic police forces.

### **Reconstructing the Police Station**

- 55) The remedy for the remaining matters in the report lies in improving the working of the police station. The present police station is based on the concepts laid down in the old Police Act, 1861. The Police Order and the situation indicated by the TI report necessitate new initiatives in improving the working of police in a police station.
- 56) The new concept should envisage a police station capable to run its affairs in an efficient manner keeping in view the functions it is required to perform. It should have the necessary resources to perform its functions as given below:
- a) Financial:  
The budget should be comprehensive with all heads as provided to a DDO including salary.
  - b) Personnel:  
The bulk of the force in the police station should comprise of officers of the rank of ASI and above. They should be specially selected for the police station through a selection process. Constables and Head Constables should primarily be posted for clerical jobs and other backup duties. The idea should be to reduce the strength of the latter two ranks to the bare minimum on the same principle as has been done in the Motorway Police.
  - c) Administration:  
An effective unit for administration would be required which should include accountants, computer operators, criminal record unit and other necessary units to properly run the police station.
- 57) The officers for police station duty should be selected according to measurable criteria. They should also be given enhanced salary as has been done for Motorway Police. This would give an added incentive for improvement to the entire force to be considered for

posting to a police station. At the same time the force which is performing unimportant duties would not get enhanced salary.

- 58) At present the police station, in consonance with the Police Act of 1861, is a very small unit. There is a need to change this concept. A police station should be large enough to make it a viable, cost effective unit. This is the concept that prevails worldwide. In Cairo a police officer of the rank of a Colonel commands a police station. In London a Chief Inspector heads the police station. There is a need to raise the level of officer to head a police station here also in order to improve police efficiency where most needed.
- 59) For a start this should be done in cities and towns having more than one police station. Two or more police stations should be combined to make one police station. An ASP/DSP should be made the SHO and he should be given the powers of DDO with a budget placed at his disposal.
- 60) In Karachi there are 101 police stations. Out of these four are working for NAB, CDGK, KESC, Mines and Minerals Department. One PS deals with City Courts and one with KPT which can easily function as posts. Only 50 police stations are located in a government building. The remaining are located in other government buildings or set up on self help basis. The police stations can easily be reduced to 34. The remaining police stations should be converted to function as police posts under one of the police stations so that the police can continue to be as close to the community as possible. ASPs/DSPs are available to head the reduced number of police stations. The post of SDPO would become redundant. The same exercise should be carried out in other cities and towns.
- 61) In the rural areas a thorough reassessment should be made to reduce the number of police stations with outposts covering the areas to provide access to citizens. In large towns with one police station the posting of an ASP/DSP should be considered. The establishment of village police would also have a new bearing on the police station. A rural police station has on an average 70 villages in its jurisdiction thus raising the police station strength and its role in policing villages. It would therefore be quite feasible to reduce the number of police stations and place them under the command of an ASP/DSP. Once this is done there would be no need to have an SDPO.
- 62) As regards release from false arrest there is a need to draw up new procedures so that arrests are made only after due diligence. Sections 167 and 168 of CrPC give powers of oversight to senior police officers. This authority should be invoked to make it mandatory before making any arrest to obtain permission from a senior officer. The establishment of an independent Prosecution Service should also put a stop to this practice. The same should suffice for the purpose 'as accused' mentioned in the TI report.
- 63) The police should immediately do away with the practice of permanent check posts for checking commuters. This is a practice which should be condemned and checking through permanent check posts should be immediately stopped.
- 64) Misuse of police in activities which need to be regulated as businesses under laws pertaining to those businesses should also be prohibited. One example is the business of 'reti-bajri' in Karachi. Instead of regulating it through an appropriate law, the police have been assigned the task of enforcing the proclamation under Section 144 CrPC that prohibits the lifting of 'reti-bajri' from the Malir river bed. The application of this law is illegal because Section 144 CrPC cannot be applied for this purpose. All that it does is that it gives police an extremely bad image.

## Training

- 65) Police training can be placed into three categories:
- a) Initial training for Constable, ASI and ASP
  - b) Promotion courses
  - c) Capacity building courses
- 66) As far as initial training is concerned, the courses have been redesigned. There may be a need to have another look at these courses to see that they are in tune with the Police Order requirements.
- 67) As regards Promotion Courses there are three courses for junior ranks. These courses need to be redesigned and improved. However, there is a need to design a course for Inspectors due for promotion to the rank of DSP.
- The senior police officers were of the view that there is no requirement for an ASP to go through a course before promotion to the rank of SP. The reason aired was that the ASP is due for promotion after five years of service and during this time he also spends 18 months on training. It was, therefore, proposed that capacity building courses should be a sufficient qualification to be considered for promotion. On promotion as SP he would be performing staff duties except in Traffic and Investigation Branches. If an SP is to be posted in the latter two branches, then he should be required to obtain certification by undergoing courses in Traffic and Investigation. The ASP/DSP should therefore be required to undergo at least two capacity building courses and one certification course before promotion as SP.
- 68) The Police Academy has developed a course called the District Command Course which is meant for SPs (18) who are to be promoted to the rank of SSP (19). This should be compulsory for all SPs before promotion to the next rank.
- 69) A number of capacity building courses are being run by the Police Academy which caters to policing, investigation and administration functions. However, there is a need to design a traffic management course for senior officers. This should be in two parts. One should be a capacity building course. The other should be a certification course for those who wish to work in traffic branch. In addition a certification course for Investigation should also be designed. The National Police Academy is already training trainers for provinces. It should continue to provide this service especially for certification courses.
- 70) The Provincial Police Officers would also need to design capacity building courses and certification courses for junior ranks. The following courses are recommended:
- a) Gender sensitization
  - b) Community policing
  - c) Dispute resolution
  - d) Traffic control
  - e) Crowd management
  - f) Event management
  - g) Personal protection
  - e) Premise protection
  - f) Witness protection
  - g) Arrest procedures and use of handcuffs
  - h) Search procedures
    - i. Body
    - ii. Premise
    - iii. Vehicle

- i) Interviewing techniques
  - i. Victim
  - ii. Witness
  - iii. Citizen

- 71) There is a dire need to put enhanced resources into training especially at the provincial level. The way to do this is to sanction training costs for every trainee at an acceptable calculated rate. On the directions of the National Police Management Board an exercise to determine this cost was worked out at Rs.70/- to Rs.100/- per trainee per day for various courses. If this is done then police training can improve by a vast scale.
- 72) The National Police Academy should also assist in preparing training manuals for all the courses. This is an important tool in ensuring continuous training and in bringing the best officers as instructors into the training institutions.

### **Other Recommendations**

- 73) The promotion criteria for police officers in all ranks will need to be revised now that the Police Order stipulates specialization and creation of various functional branches. There would now be a need to have a mix of staff and field appointments for being eligible for promotion. Due weightage should also be given to capacity building courses, promotion courses and for working as an instructor.
- 74) The sub-committee would also like to make the following recommendations to improve recruitment, the quality of recruits, police budget, computerization and community policing:
- i) Constables should be recruited through a Board headed by an officer not below the rank of a DIG. Experts should be hired for recruitment process.
  - ii) There should be no ban on police recruitments. This badly affects the training schedules and the career planning of the officers. It also affects the training system on account of which training suffers.
  - iii) The salary structure of the police needs a review on scientific lines. The principle should be that those performing core tasks should be paid more than those performing routine duties.
  - iv) The police budget needs to be reviewed with respect to the salary/non-salary items. The budget for non-salary component should not be less than 33%. Similarly, the expenditure on police infrastructure needs to be increased.
  - v) The production of under trial prisoners in the courts should be a function of the jail department and not the police.
  - vi) The Federal Government should be requested to expedite its projects dealing with computerization named AFIS and PROMIS.
  - vii) The 15 system of community assistance should be introduced in all cities.
- 75) During the meeting with the senior police officers in Islamabad, two proposals were made. The first related to the appointment of the PPO and the second related to the control of the police service. As far as the appointment of the PPO is concerned it was proposed that the method of selection as contained in the unamended Police Order should be reintroduced as that is a more transparent method of appointment.
- 76) As regards the control of the Police Cadre, the senior officers were unanimous in proposing that the control of this cadre should be given to the Ministry of Interior. The example of India was quoted where the Interior Ministry controls the police cadre.

### **Conclusion**

- 77) Although the Police Order has been seriously affected by the amendments made in 2004, yet there are measures that can be taken to make some fundamental changes. The first is the reorganization of the police on functional lines. This should bring about specialization and create experts. The second is that a system can be designed to make appointments according to merit by establishing criteria and a selection process. Third, the investigation branch needs not only to be established according to law but also strengthened. Fourth, the system of internal accountability needs to be redesigned. Fifth, the police station image needs to be improved. For all these matters recommendations have been given. Recommendations on other matters which are 'do-able' to improve police have also been made
- 78) Reconstructing an organization is no easy matter. It requires constant monitoring and evaluation. None of the police departments have created a meaningful system which could perform this task. It is, therefore, proposed that a **Project Director** should be established in each province with good secretarial and manpower resource. It should be his task to ensure that the police department is constructed in accordance with the provisions of the Police Order. The police departments can easily establish this from within its own resources.
- 79) Other related matters which are of importance are the establishment of an independent Prosecution Service and the District and Provincial Safety Commissions. The provinces need to do this on priority basis.
- 80) A considerable amount of energy has gone into the framing of Police Rules in accordance with the Police Order. The PPOs all have these Rules on which a fare amount of consensus was obtained. They need to refer these rules to the Provinces for adoption.
- 81) It may be mentioned in conclusion that the amendments to the Police Order, 2002 made in 2004 and 2005 basically alter those Articles which were meant to give police operational autonomy. These amendments would be a big hurdle in improving police because political considerations would override operational autonomy. The recommendations given in this report for improvement in police may also suffer the same fate.

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### **Summary of Recommendations**

1. Implement Police Order
2. Reconstruct police on functional lines
3. Activate Safety Commissions
4. Delegate/devolve powers to RPO and DPO in the spirit of Police Order. Amend Art.7(5) to enable this
5. The police station should be upgraded and placed under an ASP/DSP
6. Establish investigation Branch as envisaged by law
7. Distribute registers between Investigation and Ops Branch in Police Station

8. Appointments should be made on merit and in a transparent manner
9. Accountability of senior ranks should be made through policing plans
10. Disciplinary Rules should be revised
11. Traffic police should be organized on the model of the Motorway Police
12. The Police Academy should design and run a traffic law enforcement course for senior officers. The Japanese or British governments should be asked for help for this
13. Promotion courses for Inspector to DSP and SP to SSP are required. In addition capacity building courses and certification courses are needed both for senior and junior ranks, specially for Investigation and Traffic
14. Section 155 CrPC should be amended to read “in Non-cognizable cases police shall investigate in accordance with the same procedures except that arrest shall not be made without a warrant”
15. Amendments are also required in Chapters IX and XIV of CrPC to enable the concept of functional divisions
16. New arrest procedures should be drawn up to bring in due diligence so that false arrests are not possible
17. Permanent check posts for snap checking should be abolished
18. Vehicle fitness should be given to pre-qualified workshops
19. Section 144CrPC should not be invoked to regulate business like ‘reti-bajri’ in Karachi
20. Constable should be recruited through a board. Experts should be hired for recruitment process. There should be no ban on police recruitments
21. Production of UTPs should be the function of the jail department not the police
22. Federal Government should expedite its computerization projects AFIS and PROMIS
23. The 15 system should be introduced in all cities