

Police Service Report 1995

SRI LANKA POLICE SERVICE

SUGGESTIONS FOR IMPROVING
ITS
EFFICIENCY AND EFFECTIVENESS

**REPORT
OF
THE COMMITTEE APPOINTED ON 24-02-1995**

SECRET

th August 1995

Sir

POLICE DEPARTMENT – REPORT

1. We have pleasure in submitting to you our report on the functioning of the Police Department. We regret the delay in completing this report, which was due to the fact that Mr. W. T. Jayasinghe was out of the Island for a month and later his appointment to Air Lanka.
2. We appreciate that some of our recommendations will have to be modified in the light of the Devolution that finally emerges. However, we believe that the principles underling our recommendation will still have a relevance.
3. If it is convenient to you, you may give us a date and time at which we can highlight to you the main consideration that have prompted us to make our recommendation.

Yours faithfully,

(W. T. Jayasinghe)

(Col Ivan Samarawicrama)

(Justice D. G. Jayalath)

Hon Anurdha Ratwatte M. P.
Deputy Minister of Defence,
Ministry of Defence,
Colombo 1.

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CONFIDENTIAL

Introduction

terms of reference

1. We were appointed her Excellency the President, in her capacity as Minister of Defence, to a Committee to "inquire into and report on the reorganization of the Police service". This was conveyed to us by the Secretary". Ministry of Defence by his letter D/P C 37/25 of 24 February, 1995. The term of reference, set out in the same letter, were;

"To examine and report on:-

- (a) the structure and composition of the Police Force;
- (b) the methods of recruitment and training of personnel for the Police Force;
- (c) the selection of officers for promotions and transfer;
- (d) the nature and scope of functions of the Police Force and the measure that should be taken to secure the maximum efficiency of the Police Force for the purpose of maintain law and order;
- (e) the measure that should be adopted to encourage better relation with the general public;
- (f) the establishment of a Permanent Police Commission to administer recruitment, promotions and disciplinary control in the Police Service;
- (g) any other amendments to the Police Ordinance and to other existing legislation which may be necessary for giving effect to the recommendations on the matters aforesaid or for securing the objects and purpose of such recommendations;

briefing

2. The Deputy Minister of defence met the Committee on 23-02-1995. In elaborating on the terms of reference, he said that the Government was giving the highest priority to restoring the moral and image of the Police, so that every officer would be motivated to discharge his duties equally and impartially to all the people in Sri Lanka. The image of the Police had been severely tarnished in recent years and remedial measures had to be taken has a matter of urgency, so that the people would have confidence in the Police and a healthy relationship would be established between the Police and the public. He drew the attention of the Committee to the address made by Her Excellence the President to senior officers of the Police last August.

low profile

3. He would like the Committee to maintain a low profile in carrying out its inquiries and to avoid, as far as possible, external publicity. After identifying the issue to be studied, the Committee could have discussions with the relevant officials in the Police, afford an opportunity to the organizations in the Police to make their representation, study the reports that have been submitted by the earlier Commissions and by officials of the Police, and make their report. In keeping with this directive, the Committee confined its consultation within the Police and to having informal discussion with an academic in the field social psychology, a representative of the Bar Association of Sri Lanka and a Member of Parliament.

Part 1

Role and Functions, Structure and Composition

department assigned to M/Defence

1. The Police Department functions under the Ministry of Defence. The Defence Portfolio is held by the President. In most countries, the Police functions under the Minister of Home Affairs or the Minister for the Interior. In Sri Lanka also, the Police functioned under the Minister of Home Affairs during the period of the State Council and for a few months after Independence. There after, the Police has been functioning under the executive Head of Government in view of the special importance attached to the effective functioning of the Department.

functions

2. The duties of the Police as set out in Section 56 of Police Ordinance are:-
 - "(a) to use best endeavours and ability to prevent all crimes, offences, and public nuisance;
 - (b) to preserve the peace;
 - (c) to apprehend disorderly and suspicious characters;
 - (d) to detect and bring offenders to justice;
 - (e) to collect and communicate intelligence affecting the public peace; and
 - (f) promptly to obey and execute all orders and warrants lawfully issued and directed to him by any competent authority".

wider role today

3. The police Ordinance was enacted in 1866, a year after the Police Department was first set up. The role of the Police is much wider today than what it was during the colonial period in mid 19th century. In addition to its primary task of maintaining law and order, today it is often called upon to mediate in minor civil disputes, eg., in family or boundary disputes. (This matter is dealt with in detail in Part II of the Report) Section 56 that so succinctly sets out the duties of a Police Officer, has stood the test of time and adequately encompasses the functions of a Police Officer today.

However, the Police now, is also called upon to perform a services function. In times of natural disasters, such as floods and cyclones, or man - made disasters such as fires, the Police are in the van of rescue and relief operations. in any situation of physical danger a citizen looks to the Police for protection or rescue. This extended "good Samaritan" role that the Police is called upon to play today, in a way, assists them to discharge more effectively their primary duty of maintaining law and order and preserving the peace.

organization

4. The organization of the Police is in three segments:-
 - a) Headquarters -the I.G.P. formulates policy and over looks the effective functioning of the entire Police Force. He is assisted by a number of Deputies and other staff.

- b) Territorial Ranges- the police stations maintain law and order throughout the country ;the whole Island today is policed, unlike in the past. The police stations are grouped into districts, which in turn have been grouped into divisions.
- C) Functional divisions, such as the CID, located mostly in Colombo. In addition to performing their own specialised function, they provide the expertise and logistical and other support to the police stations to help them to function more effectively.

Headquarters

5. When the police Department was set up in 1865, it was headed by a Chief Superintendent of police and in the provinces he was assisted by a number of Superintendents. The following year the Head of police was elevated in rank and the post was re-designated Inspector General of police. In 1916 an intermediate rank of DIG was created, between the IGP and the Superintendents. Two DIGG were appointed, one to be in charge of the Provinces and the other to coordinate the activities in the CID.

The number of DIGG had increased to five by 1970, one for Administration, one for the CID and HQ Administration, and three for the Ranges. Consequent to a decision made in 1979 to station the Range DIGG within their Ranges, the three DIGG in charge of the Ranges were posted out to function from their Ranges. Simultaneously, the number of Ranges was increased to five. They reported directly to the IGP. The following year, the posts of the two DIGG remaining at Headquarters were upgraded to be held by Senior DIGG. The number of the Senior DIGG has now increased to seven. They are responsible for Administration, for the Ranges, for Crime and Operations, for Intelligence and Security, for personnel, Training and Welfare, for Logistics and for the NIB.

territorial ranges

6. The police functions through the police Stations that are located to serve the whole Country. The number of police stations has increased from 269 in 1970 to 322 today. They police Stations are graded into six categories- A I (81), A II (43), A III (39), B (75), C (81 and D 3). The police station is the Lynch pin in the organizational structure of the police. It is in charge of a police Officer of the rank of SI, IP or CI, according to its grading.

The 322 Police Stations are presently grouped into 132 territorial districts, each of which is ordinarily headed by an ASP. These districts in turn are grouped under 35 divisions, each headed by a SP. The SPP's divisions were earlier grouped into three Ranges each in charge of a DIG, who functioned from Headquarters till 1979.

While the number of police stations has increased from 269 in 1970 to 322 today. The number of territorial districts in charge of an ASP has increased from 62 to 132 and the territorial divisions in charge of a SP has increased from 16 to 35. The population has increased from 12.5m in 1970 to 17.8m in 1995.

The incidence of grave crime reported was 41,497 in 1970 and was 52,344 in 1994. Even in normal times, a considerable number of cases of grave crime is not reported to the Police, It is likely that the during the years of upheaval, more cases of grave crime were either not identified or reported. Statistics of solved and unsolved crime at different points of time are as follows:-

1970 - Total	-	41497
Solved	-	31048
unsolved	-	10449
percentage unsolved	25%	
1980 - Total	-	52157

		solved	-	28360
		unsolved	-	23797
		percentage unsolved		46%
1992	-	Total	-	46963
		solved	-	21889
		unsolved	-	25073
		percentage unsolved		53%
1994	-	Total	-	52344
		solved	-	21924
		unsolved	-	31420
		percentage unsolved		58%

It is generally accepted that the crime rate rises with the increase in population and as society becomes more sophisticated and complex. But it is disturbing to note the steadily increasing percentage of unsolved crime, which is out of proportion to the increase in population and the enhanced strength of the Police Service. Statistics pertaining to unsolved crime are a very objective yardstick and a constant focus of attention must be placed on it to assess the efficiency and efficacy of the Police. A qualitative improvement overall, is necessary for improved performance in this field. Training, productivity levels, recourse to modern practices and systems and the use of up to date technological aids are all areas that should be addressed.

A detailed presentation of the statistics cited in this paragraph is found at annexure A.

significant change

7. In July 1979, a decision was made that the range DIGG should be stationed within their Ranges. To quote from a letter of S/Defence dated 11 July 1979, this decision was made "to enable them to be personally associated with the activities of their Ranges and take on the spot decisions". The Ranges themselves were to be re-demarcated so as to be "made liaison and more effective direction and closer supervision and control". Consequent to this decision, the Ranges were re-demarcated and five DIGG were stationed within the new Ranges in 1979. These DIGG reported directly to the IGP. The number of Ranges was increased to eight in 1980, to ten in 1992 and to 19 in 1995, each in charge of a DIG. These DIGG now report to the IGP through the Senior DIG Ranges at Headquarters.

functional divisions

8. The functional divisions have seen a phenomenal increase 1970 and today. In 1970 there were only five functional divisions. This number increased to 21 in 1980, to 38 in 1992 and to 39 by 1995. The functional areas have been overly sub divided and even fragmented during this period as will be evident from annexure B.

The functional divisions are headed by a director in the rank of an SP who reported to a DIG (later senior DIG) at head quarters. In 1989 when a new division for housing and development was created, a DIGG was appointed for the first time to be interposed between the Senior DIG and the Director. This started the process of grouping the functional divisions under DIGG and today there are twenty DIGG supervising the 39 functional divisions. These 20 DIGG report to several DIGG at headquarters.

cadre

9. The sanctioned cadre of the Regular police is 38,420, and the actual strength is 30,236. There are therefore, 8,184 vacancies mostly in the other ranks. The sanctioned cadre for the Reservists is 30,419 and actual strength mobilised is 28,527. The total strength of the whole Police Force today is 30,236 Regulars + 28,527 Reservists = 58,763.

Not all these 58,763 are deployed on normal Police duties. Of the 30,236 Regulars, 4,400 are assigned for V. I. P. security 3,339 are in the S.T.F. and 2,227 are deployed in platoons in operational areas and elsewhere. A total of 10,071 of the Regular Police officers are therefore, not available for normal Police duties.

Of the 28,527 Reservists 13,632 are in platoons in operational areas and elsewhere and 14,895 are deployed on Police duties. The total of both Regulars and Reservists available for normal police duties (leaving out of the Northern province and parts of the Eastern province) is 20,165 Regulars + 14,895 Reservists = 35,060. This works out approximately at 1 police officer to 460 head of population, excluding the Northern province and the Eastern province.

breakdown

10. The breakdown of the cadre is as follows:

Regulars:-

	<u>Sanctioned</u>	<u>Actual</u>	<u>Difference</u>
PCC	26972	20520	6452
Sgt.	6311	5730	581
Sgt. Maj	136	89	47
SII/IPP 4016	2949	1067	
CII 361	351	351	10
ASPP/SP/}			
SSPP }	575	549	26
DIGG	48	47	01
IG	01	01	-
Total	<u>38,429</u>	<u>30,236</u>	<u>8184 (short fall)</u>
	=====	=====	=====

Reservists:-

PCC	24834	25860	1026 (excess)
Sgt.	3049	715	2334
Sgt. Maj	23	23	-
SI/IPP	2378	2084	294
CII	70	05	65
ASPP/SP			
SSPP	65	13	52
TOTAL	<u>30419</u>	<u>28527</u>	<u>2754 (short fall)</u>
	=====	=====	=====

Out of a sanctioned cadre of 30,419 28,527 have been mobilised.

deployment

11. The deployment of personnel in the Ranges and the functional divisions (together with Headquarters) is follows:-

	<u>Ranges</u>	<u>Funct. Div.</u>
<u>Regulars</u>		
DIG	19)	28)
SSP	31) 303	71) 293
SP	64)	76)
ASP	189)	118)
INS.	2,124	1,177
Ors.	19,073	7,266
TOTAL	<u>21,500</u>	<u>8,736 = 30,236</u>

Reservists

SGO	03	06
Ins.	1,537	319
Ors.	24,739	1,923
Total	<u>26,279</u>	<u>2,248 = 28527</u>

Grand total 58,263
=====

The number in the Ranges includes in the 2,272 Regulars and 13,632 Reservists serving in the platoons in the operational areas (mostly) and elsewhere.

Observations and Comments

assignment to M/Defence

12. A representation was made that in the matter of obtaining external assistance for training aboard etc., the Police Department was at a disadvantage in being assigned to the Ministry of Defence; some foreign donors are vary of giving assistance to an arm the Defence Ministry, as the Defence Ministry is concerned with military matters and not the civil function of internal security. The Committee has looked into this representation and finds that it is not borne out by facts. There not been single application for overseas training or other forms of external assistance made by the Police, which has being turned down merely, because the Police is functioning under the Ministry of Defence.
ratio of Police to population
13. The Police of personal performing normal Police duties appears to be adequate. The ratio of 1 Police officer to 460 head of population compares favourably with the ratio obtaining in even the developed countries, as is seen in the following table:-

Italy	-	191
Spain	-	215
Portugal	-	220
France	-	247
Greece	-	261
Germany	-	281
Netherlands	-	301
Belgium	-	305
Ireland	-	337
Luxembourg	-	355
U. K.	-	372
Denmark	-	499
European Union		257

It would be seen that ratio in Sri Lanka is higher than in Denmark which however, has a lower crime rate and hardly any security problems.

ranges

14. The Committee would like of make the following observation on the changes that have taken place in the organization and structure of the Police in the Ranges:-

- (a) In 1979 there was a rationale for the stationing of the DIGG in there ranges, when five DIGG were stationed in their Ranges in NR, NWR, CR, WR and SR The advantages visualised were greater sensitivity to the problems of the area through interaction with the other Government agencies etc., on the spot decision making, providing leader ship direction, control and supervision. The DIG would be conversant with policy formulated in headquarters and could review same in the light of his experience of its effectiveness in implementation and suggest modifications where necessary. He would be responsible for the strategic planning of Police operation in his Range.

Within a period of 16 years the number of territorial Ranges has increased from 5 to 19. Perhaps, the move to decentralise the administration as a whole and letter, the possibility of the 13th Amendment being implemented, may have been the ostensible reason for this phenomenal increase. However, in this process the original objectives in making this in 1979 have been lost sight of, if not defeated. The actual function they perform today have resulted in a complete change of the role that was intended for them in 1979.

- b) Almost all the officers, with whom we had discussions, were of this view. In fact, they said that this move has turned out to be a retrograde step which has dismantled the effective administrative arrangement that existed earlier. One or two DIGG (not those desirous of remaining in Colombo) were frank enough to admit that they had no work, besides the ceremonial functions and that the post was superfluous.

The Committee from the discussions with the officers and from their own independent observations, have concluded that, in the event and in course of time, the desired results have not been achieved and that the structural change has in fact proved to be counterproductive.

- c) The Committee has identified the following serious defects and deficiencies in the present functioning of the new system.

I) Dilution/abdication of responsibility and authority

- II) Absence of independent inspection and review,
- III) Loss of accountability

- d) With increase in the number of the DIGG and the consequent re-demarcation of the Ranges, with some Ranges being co-terminus with a single SP's division, it has become almost impossible to assign distinct areas of responsibility and authority between the DIG of the Range and SP of the division. If he has to play any role, other than being a mere channel of communication between Head quarters and the division, he has to intrude in to the area of responsibility and function of the SP. In this process, not having his own administrative set up and having to rely almost entirely on the apparatus of the SP. He in fact, becomes dysfunctional.

A more serious consequence is that the SP on his part tends to refer matters on which he could and should make decisions to the DIG. This results virtually in an abdication of authority and responsibility by the SP.

- e) As regards accountability, the DIG's position is seriously compromised by the system now adopted for financial management. His position is in fact , downgraded by the arrangement by which his financial operations are technically managed by a SP of a division who serves under him. This should be corrected so that in financial matters, he would be accountable to the IGP.

- f) Earlier, there was a DIG located in Colombo in charge of a Range. If there were some extraordinary incident or grave issue to be resolved, the DGI visited the division, made his inquiries formed his conclusions, gave the necessary directives, and returned to Colombo to report to the IGP and/or the Prime Minister. Not being stationed in the provinces and functioning from Colombo, the DIG was able to assess the functioning of the Police officer in his Range with impartiality and detachment. His finding were therefore, more objective and independent. He was in a position to assess the extent to which the divisional Police administration complied with policy directives and conformed to the programmes designed at Headquarters.

This salutary administrative arrangement of an independent and impartial review is now totally absent with the re- demarcating of the Ranges and their proliferation. the DIG is now so proximate to the other echelons of the Police administration in the Range that he is unable to sufficiently distance himself in matters where an independent and unbiased judgement is required. Proximity under the new arrangement as it was in 1979 would have had advantages. But proximity as it exists today, has resulted in a severe impairment of the machinery for inspection and review. Being remote from Headquarters he is not involved in the policy making process and besides, he has lost the close contact with his colleagues in the functional divisions which provide the supporting services and expertise so vitally necessary for the effective performance of Police work in the Range.

- g) The concept of 1979 to station five DIG within their Ranges had considerable merit. In its implementation over a period of a few years, the concept has been perverted.

The Committee is of the view that if the original concept is implemented as it was intended, the distortions that have crept in can be remedied. If the number of the Ranges is determined on a regional basis, having regard to regional factors, the DIG located in such Ranges can play a useful and meaningful role.

Functioning in a region, which would necessarily extend beyond narrow Provincial boundaries, the DIG would not confine himself parochial matters. He perforce, would take a wider view, develop a broader perspective and form a correct appreciation of the particular problems affecting that part of the country. He would also be able to devote more

time and attention to observe nascent trends and movements which could be of a seditious nature and which could eventually affect the maintenance of law and order and the good governance of the country.

As to his being remote from Headquarters, it would be observed that at the present moment, because of the revolutionary changes that have taken place in the field of communications, he could still be abreast of the latest policy developments at Headquarters.

The area that would constitute a Range could be determined on a number of factors, economic, social and political. There is now a DIG for the Northern Province and another DIG for the Eastern Province, and this arrangement will continue. It occurs to the Committee that in the rest of the island, the regions might be considered to cover four broad areas, viz., the North-Central and North-Western dry zone, the area inhabited by the estate population, the South, where there is a large potential for development and a large number of restless educated unemployed and most important, the coastal belt, say, from Chilaw to Bentota including the metropolis. Such a range would cover densely populated areas, contain the industrial estates and zone and throw up the problems peculiar to a metropolis with a concentration of the intelligentsia.

- h) There are 35 SPP divisions and 132 ASPP districts in the Ranges. Most of these divisions and districts would ordinarily be headed by one SP and one ASP respectively. But presently there are 95 SSPP and SPP and 189 ASPP in the Ranges. Some of the SPP are in charge of a district and not a division and some ASPP have only one police Station in their district. This is an anomalous situation as the Committee sees a clear need for a re-deployment of these gazetted officers for their greater effectiveness and their better utilisation. Even with a re-deployment, there would still be a number of gazetted officers, who would be surplus to the need of the Ranges.

functional divisions

- 15. a) As stated above, the functional divisions have increased from 5 in

1970 to 39 in 1995. The Committee finds it difficult to understand how this inordinately large increase has occurred, it being not determined on the basis of actual need. It is evident that some of the divisions have been unnecessarily sub-divided into virtually micro divisions. The sub division has resulted in compartmentalisation leading to insularity. There is a noticeable absence of linkages and therefore, lack of coordination. At times, there is overlapping. All these features are seen specially in the divisions concerned with personal administration / management and in the field of logistics and welfare. The splitting of functions hampers the smooth and harmonious functioning of the divisions and also results in waste and mis-allocation of resources, both human and material.

The Committee sees a clear possibility for the rationalisation of the number of divisions on the basis of actual needs.

- b) The earlier arrangement was for the DIGG at Headquarters to supervise the divisions grouped for each DIG, later re-designated Senior DIGG. In 1987, a DIG was interposed between the Senior DIG and the Head of division held by a SP. There are now 20 such DIGG. They do not make an effective contribution in the management of the functional divisions.
- c) Excluding the number deployed in the Ranges, there are 299 Senior gazetted officers, 1496 in the inspectorate and 9201 other ranks. They are deployed in the 39 functional divisions and at Headquarters. The larger number of these officers are from the Regular Police. The Committee observes that the deployment between the Ranges (platoon

included) and the functional divisions and Headquarters is roughly in the following proportion:-

SGO	1 : 1
Inspectorate	1 : 2+
ORS	1 : 4+

The Committee appreciates that both in the functional division and at Headquarters, there must necessarily be a higher proportion of gazetted officers and Inspectors than the Ranges. Even when allowance is made for this factor, it would appear that is a surplus of gazetted officers in the functional division and Headquarters. The problem would be aggravated if the surplus gazetted officers in the Ranges are redeployed elsewhere. This is a matter that requires a closer study which the Committee has not been able to undertake.

Cadre

16. a)

The effective cadre in the Police today comprises a total of 58,763 officers (30,236 Regulars and 28,527 Reservists). For the foreseeable future the Committee cannot visualise a significant variation of this number. The effective cadre for normal Police duties is approximately 35,000 which number, as has been observed above, is adequate.

But in the territorial Ranges, in the rank of Inspector and below, 1/3 of the effective strength engaged in normal Police duties is filled by officers from the SLPR.

- b) The cadre of the Regular Force has been last assessed in 1981. A few divisions, like the traffic, have informed the Committee of the need for an increase in their strength. In some other divisions too, it was stated that the strength should be increased. A re-deployment of the existing cadres on the basis of actual needs is therefore, evident.
- c) In the Department, there is a geo-coded Data Bank which contains information by Police Station areas indicating area, population, important institutions both public and private, industrial plants, agricultural and tourist projects, crime and minor offence, traffic density and accident etc.,. There are also maps showing the boundaries of Police Station areas, districts, divisions and Provinces. It would not therefore, be difficult to determine the cadre requirement of each Police Station having regard to the nature of police activity in its area.
- d) The average number of police personnel in each of the grades of police stations excluding the operational areas in the North and the East, as analysed by the Department, is as follows :

AI	- 146
AII	- 65
AIII	- 43
B	- 36
C	- 30
D	- 21

The cadre requirement of the territorial Ranges can roughly be reckoned on this basis allowing for possible distortions or illogicalities that have taken place in arriving at these average number. This would not be however, be a scientific approach to determine the cadre requirements of the Ranges because the cadres were last assessed in 1981 and the grading of the stations do not appear to have been done on a strictly rational basis.

- e) The cadre requirement of the functional divisions can be worked out more precisely, it being more dependent on the current level of activity with projections for the future being plotted in. This has not been done up to now.
- f) In the Regular force, there are about 1,000 vacancies in the Inspectorate and about 7,000 in the other ranks. Among the Reservists, there are about 470 Sub Inspectors and 8,300 other ranks, who have the requisite educational and other qualifications to be considered for appointment to the Regular Force. There are a number of compelling reasons to absorb these officers in the Reserve to the Regular Force, which will be dealt with in the part on the Reserve police.
Without a change in the overall cadre and with only a marginal financial implications, can be absorbed into the Regular Force.
- g) In detailing and rostering Police officers at Police stations, a more productive and equitable arrangement is possible. Also, for the better utilisation of Police personnel, the appropriate priority must be accorded to normal Police work. It was found that large number of police officers are committed to duties connected with ceremonial occasions or providing security to important personages both local and foreign seriously reducing their availability for normal work.
- h) The Committee noticed an excess in the supernumerary cadre in some ranks.
Also, there is a common cadre for SII and IPP and ASSP and SPP. It is difficult to understand why this should be so. It would be more desirable to have separate cadre provision at least for each of the gazetted ranks with the numbers being determined on actual needs. As observed earlier at present, talking the Ranges alone, there is an excess over requirement of both SPP and ASPP. For 35 divisions there are 95 SPP and for 132 districts there are 189 ASPP.

Part II

Establishments-Recruitments, Promotions, Transfers, training etc.,

Scheme of recruitment and promotion

1. The schemes of recruitment/promotion in summary form, relating to each of the ranks of the Police and are as follows:-

Police Constables:-

Eligibility is G.C.E. (O/L) with six subjects including language and mathematics, in one sitting or at two sitting with five passes in the first sitting; 18-32; compliance with physical measurements; passing endurance test; written test; successful performance at interview.

Police sergeants:-

90% of the vacancies in the grade of Sergeant area reserved for the promotion of constables, who have 5 years service and are successful in the following six steps:-

1. eligibility; i.e. acceptance of application for qualifying examination.

2. examination - Knowledge test
3. evaluation of meritorious performance at a SPP's interview Board.
4. training - refresher course
5. acting period of one year
6. final assessment for confirmation

The balance 10% is reserved for constables with long service of 20 years

Sub Inspectors

50% of the vacancies are by ., Eligibility is GCE (A/L) with three subject having passed the GCE (O/L) in six subjects, with four credit passes which include Language and Mathematics at one sitting; age limit 18 - 25 years ., satisfactory physical measurements; success in endurance test; written examination and interview.

40% is reserved for promotion of Sergeants with 5 years service in the grade of sergeant and who pass a qualifying examination; the six steps enumerated in the previous paragraph have to be successfully cleared by the applicants.

10% is reserved for promotion of Sergeants with 15 years service in the grade of Sergeant.

Inspectors:-

90% of the vacancies are reserved for the promotion of SII, who have 5 years service as SII and pass the qualifying examination. Here again the six steps shown above to be cleared.

The balance 10% is reserved for the promotion of SII with a long service of 12 years in that grade.

Chief Inspector:-

Any Inspector with 4 years service as Inspector is eligible. Applicants are required to appear at an interview held by a Selection Board appointed by the PAC. Acting period 1 year.

Asst. Supdt.

25% of the vacancies are filled by direct recruitment. Age 22 - 29 years, education qualification – Degree; satisfactory physical measurements; endurance test; written examination; viva voice.

The Committee understands that there has been no direct recruitment to the rank of ASSP since 1987.

75% of the vacancies filled by promotion from the ranks of CII, who have been confirmed. They would have to present themselves for an interview before a Selection Board appointed by the PSC. (Earlier, 50% of the vacancies had been filled by the promotion of Chief Inspectors and Inspectors with 15 years service in the Inspectorate (8 years in the case of promotees from the rank of PC) and 25% by promotion of Inspectors with 10 years service in the Inspectorate and on the results of a limited competitive examination).

Superintendent Gr.2

This is a promotion rank officers with 6 years service as A.S.P. in case of direct recruits and 4 years for promotees from the Inspectorate. The requirement of 6 years service has recently not been observed.

Supdt. Gr. 1

This is a promotion grade for officers with 5 years service as S. P. Gr. 2.

DIG:-

By promotion from rank of S. P.Gr. 1, solely on exceptional merit.

OBSERVATIONS AND COMMENTS

general

2. a) Direct recruitment is effected only into three ranks. Viz. Police Constable, Sub Inspector and Asst. Supdt. (In the case of the last two ranks, only a proportion of the vacancies is so filled). The procedures for inviting applications and processing them, the nature of the examination and the interview process is reproduced below in point from:-

Police Constable/Sub-Inspector of Police :-

Steps:-

- (i) Advertisement and Notice in the Newspapers calling for applications.
- (ii) On the information given in the applications, those who do not possess the basic qualifications, educational and physical, are left out of further consideration.
- (iii) First interview at which physical measurements are taken and certificates checked.
- (iv) Endurance test
- (v) Written test
- (vi) medical examination
- (vii) Final interview (marks given at the final interview are added on to the written test marks and the selections are in order of merit depending on the number of vacancies.

Probationary ASP

- (i) Advertisement and notice in the newspapers calling for applications.
- (ii) On the information given in the applications, those who do not possess the basic qualifications, educational and physical, are left out of further consideration.
- (iii) First interview at which the physical measurements are taken and certificates checked.
- (iv) Endurance test
- (v) Written examination (conducted by the Commissioner of

Examination).

(vi) Medical Examination

(vii) Viva voce by a Board appointed by the PSC - (marks obtained at the written examination by the candidates are not made available to the Interview Board/Selection Board prior to the interview).

It will be seen that besides the qualifying examination, a candidate is subject to an interview. In any interview, the subjective element cannot altogether be eliminated. However, a fair measure of objectivity can be achieved if the interview is structured so that the applications are assessed, taking into consideration the qualities and requirements that are essential for the making of a good Police Officer. As suggested by an academic, the marking could be:-

Sports, Cadetting 20

Extracurricular activities such as debating drama, Scouting etc., 20

Community service 20

Interests and hobbies which indicate a desire to enlarge his knowledge 20

Personality and Impression created of his potential to be good Police Officer 20

The transparency in the procedure and process now adopted can be further enhanced by this method of making. The selections would then be made on more objective criteria and on the intrinsic merits of individual candidates.

- b) It is desirable that recruitment is effected regularly on an annual basis. This will facilitate training and also help to maintain an equable age difference among the officers. Retirement and wastage will then take place, without disrupting the structure of the Service. The Committee appreciates that annual recruitment may not always be possible. Where the number of vacancies is minimal and there is likely to be an unduly large number of applicants, annual recruitment may not be prudent, as there will be frustration among a large number of the unsuccessful candidates. But the benefit of the infusion of fresh blood in to the system through regular and periodic recruitment should constantly be borne in mind.

Promotions

- c) Appointment to the other grades is solely by promotion. The larger percentage of the vacancies in the ranks of PS, SI and ASP is filled by the promotion of officers, who have served for a specified period and are successful at a qualifying examination and who get through the several other steps. The promotion scheme is designed to provide a fair, rational and uniform procedure for the selection of personal best qualified to hold the next higher rank.

A smaller percentage is reserved for the promotion of officers, who have long service only.

In to some ranks promotion is automatic through efflux of time eg., SI to IP or ASPI to SP.

Special promotions

- d) Under Police Departmental Order -A5- part IV, the IGP can grant

Special promotions up to the rank of IP, for "Gallantry", outstanding good work, outstanding performances in any activity which brings credit to the country and enhances the reputation of the Police Service". The Committee found that there has been serious abuse the exercise of this provisions. One IGP on his retirement, in the recent past, had promoted as many as over one hundred officers through recourse to this provision. It is unimaginable how the meritorious service of such a large number of officers could have escaped attention and recognition during his tenure of officer as IGP, but could be detected only on the eve on his retirement. As a practice, just prior to their retirement, several IGPP granted promotions. It is difficult to resist the impression that they were capriciously done.

However, the general opinion expressed was that it is desirable to retain this provision to enable the IGP to grant promotions to officers who really deserve to be so promoted. It is our view that when the IGP intends to grant special promotions, he should report the full facts to the proposed Police Service Commission and obtain its approval.

PCC

- e) The Committee is of the view that the age limit should be reduced to 25, which was the limit prevailing before 1971 for the following reasons :-
 - i) A candidate who joins the service at a younger age is more likely to take pride in the service and make it his career.
 - ii) A candidate normally should complete his O'Level at 18 years; He has ample time till 25 to decide on a career in the Police Service.
 - iii) A candidate is likely to have secured some form of employment by 25. If the age limit is retained at 32, it will provide an opening for those who have been frustrated in their earlier employment to apply for appointment to the Police as his second choice. This is not desirable.

- f) Representations were made that it was not prudent to recruit as constables candidates, who had more than the basic educational qualifications. They were likely to create embarrassment to higher officers, who may have less educational qualifications, leading to a breakdown in discipline, which is so essential for the effective functioning of the Service.

The Committee does not agree with this view. The standard of general education is ever increasing among members of the general public. A Police Constable with higher educational qualifications will command more respect from the public. With increasing numbers qualifying at O'Level each year, it is likely that in the near future the basic educational qualification for enlisting as Police Constable may have to be raised.

- g) It is essential that the Police Constable should have a high proficiency in his own national language and a working knowledge of the other national language. At present a Police Constable is conferment if he is able to speak a few words in the second language. The standard required is wholly inadequate.

The Committee is of the view that a Police Constable, before confirmation, should be required to pass the O'Level (Lower paper) in the second national language.

- h) Representations were made that an adequate knowledge of English was essential for a Police officer for the effective performance of his duties, particularly in prosecuting in Courts.

The Police College should have in its training curriculum, provision for the teaching of English, both spoken and written, to recruits to the service

The Committee also considers it desirable that inducements be given for the study of English. It will be good if a Police Constable is required to pass a paper in O' Level English, for promotion to the grade of Sergeant. An alternative suggestion to have a departmental examination of a standard that would make a Police Constable sufficiently competent to perform his duties in English, deserves consideration. But care should be taken to ensure that the examination is of a sufficiently high standard.

P. Sgts

- i) Not all Police Constables, who have 5 years service and are successful at the qualifying examination and subsequent steps are promoted the number of vacancies. At present, officers not promoted for lack of cadre are required to sit for the next examination, together with PCC who would by then have the required time period. There are many instances of PCC, who secure a lower point in the order of making even in the subsequent effort and are again not selected for lack of cadre. This causes much heartburn among officers, who though they have passed both qualifying examinations and other tests are yet not selected for lack of cadre.

The Committee is inclined towards the view that subsequent vacancies in the cadre of sergeants be filled from among the constables, who had qualified at a the earlier examination and been successful in the performance evaluation process at the SPP's interview, but had not been selected for want of cadre. A fresh examination for selection should be held only after the candidates, who had earlier qualified, have been selected.

SII

- j) Representations were made that according to the present scheme of promotion from PC to PS and from PS to SI, there have been instances when junior officers have secured promotions through success at examinations and thereby superseded their erstwhile seniors in rank. Discipline tends to get eroded as such officers do not draw respect from those in lower ranks who have had a longer period of service. To correct this, a suggestion was made that a Police Sergeant should have at least 10 years service in that rank or one immediately above it, before he is considered for promotion to the rank of SI. The Committee was not apprised of the numbers so involved and therefore, has been unable to get a proper insight into the severity of this problem.

CII

- k) Since there is only an interview before service qualified IPP are selected for promotion, it would appear that influences and pressures cannot be altogether avoided.

ASPP

- l) A large number of CII who did not possess the basic requirements for promotions have been appointed on a supernumerary basis, There is no justification for this situation.

There has been no direct recruitment - lateral entry - after 1987. The structure both within this rank and the higher ranks has been disturbed, resulting in a perceptible qualitative change in the ranks of the SGOO as a whole.

DIGG

- m) An unimaginable number of promotions to this rank had been made in the recent past. This is not warranted and is totally unacceptable. The Committee has come to the inescapable conclusion that the inordinate increase in the number of DIGG has taken place not on a consideration of requirements but apparently, for extraneous factors, there having been 63 DIGG at one stage.

Training

3. i. In all spheres of employment, increasing stress is laid today on the need for scientific training and for the need to follow up this training with special courses at various points in one's career. The objective is to make the officer a professional in his career and also to keep him updated in the field of his expertise and the latest systems, methodology and technology from time to time. The Sri Lanka Institute for Development Administration performs this function in respect of the administrative and allied services. In the case of the Police, who are called upon to perform multifaceted duties, the need for training to acquire a high degree of professionalism is paramount. One would have thought that the Government and Police administration would therefore, have attached the highest priority to provide adequate facilities for the training of, training of Police officers, so that they can through a "state of the art" technology reach the highest levels of excellence.

The Committee was disappointed to find that, far from trying to attain levels of excellence in training, even the basic requirements for the training of Police officers by way of qualified personnel and equipment are not provided at all or is inadequately available. In fact, it would seem that the subject of training is treated with indifference and that the importance of training has not been sufficiently recognised at the higher levels.

- ii. Police Constables, Sub-Inspectors and ASPP on recruitment undergo a six months period of training at the Police College, Kalutara. PCC and SII are thereafter, attached to Headquarter Police Stations during their period of probation. This period of attachment is regarded as an extension of the initial training process at the Police College. The college has the capacity to train 900 recruits for a year.

in-service training

- iii. In -service training at the Police College is minimal, being confined to a short course to officers on promotion. Constables on promotion as Sergeants and SI to Inspectors are provided with a brief course relevant to the duties in their new rank.

Refresher courses are not provided for Police officers, as is done by SLIDA for the SLAS etc. Something of this nature is provided in certain territorial Police divisions but not on a systematic and uniform basis in all Police divisions.

The Committee is of the view that, if the efficiency of a Police Officer is to be maintained in the various ranks throughout his career, Refresher Courses will "re-educate" the officer from time to time. It may be possible to organise these refresher courses, which would not be more than a fortnight's duration at the divisional level, making use of the accommodation available in the school during the holidays. Such an arrangement would not require substantial funds. These Refresher Courses should be properly structured to serve the changing facets of the duties of a Police officer.

higher training

- iv. Following the Basnayake Commission in 1970, the Police Higher Training Institute was established in 1978.

The objective of the institute was to enhance the quality of officers on promotion, particularly those in the Inspectorate and gazetted officer ranks, i. e. SI to IP, IP to ASP etc.

In addition to the promotion courses, the Police Higher Training Institute also took over the foreign training of officers in the department. Opportunities were also found for officers to follow training programmes and seminars conducted locally at MIBM, SLIDA, Colombo University etc.

The following programmes are presently conducted at the PHTI:

1. Certificate Course :

- | | | |
|------|------------------------|--------------|
| i. | I. G.'s Traffic Course | - 01 month. |
| ii. | Detective Course | - 02 months. |
| iii. | Prosecutors' Course | - 02 weeks |

2. Refresher Course :

- | | | |
|------|-----------------------------|-------------|
| i. | ASPP Familiarisation | - 01 month |
| ii. | Inspectors promotion course | - 10 weeks. |
| iii. | PS to SI Promotion course | - 02 weeks. |

Resource persons for these courses are drawn from experienced Police officers in the department, Auditor General's Department, Govt. Analyst's Department, University of Colombo and Attorney-General's Department.

In 1984, a new scheme of promotion came into effect and the conduct of qualifying examinations for PSS seeking promotion to SI rank and SII seeking promotion to IP rank and the ranks in-between, devolved on the Police Higher Training Institute. Later on, when a directive was received that the recruitment processes to be made after an examination, recruitment examination also had to be conducted by the PHTI. This necessitated the opening of a separate unit headed by an ASP at the PHTI, whose exclusive responsibility was to organise and conduct the aforesaid examinations. He reported to the Director / PHTI.

In order to improve the quality of the training conducted here, evaluation of performances of officers trained at the PHTI was done but owing to poor feed-back this exercise is now virtually abandoned.

Officers in the rank of SI and above are regularly sent to countries like, UK, Japan, India, Malaysia, Sweden, France and Australia to follow training programmes in order to enhance their knowledge and capabilities.

This division is presently in the process of conducting a research of the training needs in the department today and based on the results of this research, training programmes will be adjusted suitably to enhance the knowledge of police officers.

It has now been decided to up-grade this institution to a level of Staff College with Diploma/ Certificate awarding status.

OBSERVATIONS AND COMMENTS

4. In Summary, the Committee has found the following shortcomings in the facilities now provided at the Police College:-
- a) The right type of personnel have not been appointed to the Training College. The personnel charged with the responsibility for training have been selected at random. Many of them have neither the qualifications nor the aptitude that is required of a teacher and a trainer. In fact, many of the personnel in charge of training do not have the inclination, much less the motivation to perform the role that is expected of them. Moreover, it has been found that officers unwanted elsewhere have been posted to the Police College. There has been only a handful of officers in the training field from its inception, who have had a sense of total commitment.
 - b) Apart from the lack of qualifications etc., there is no infusion of new thinking into the curriculum. officers initially unsuited have functioned in the training institute for a long period, so that they are not aware of the new problems that Police officers face in the field from time to time. They have not had the benefit of an exposure to the ever changing realities in the field.
 - c) Training requires honing of skills. Facilities should be provided for the training of these officers selected for the Police College so that they are initiated into the latest techniques etc. of training. Expatriate experts could be brought down so that the local trainers can be trained by them. Also, opportunities for following training courses abroad could be afforded. Officers who are thus trained should be required to serve in the Police College for a specified period thereafter.
(In this connection the Committee was surprised to learn that an officer who underwent special training abroad was on his return, posted not to the Police College, but to another division of the Police, and that too, was not at the instance of that officer).
 - d) Replacements are not given in time to fill the vacancies caused by transfers, retirement etc., so that the full teaching cadre is not available for training. The Committee was informed that there is a reluctance on the part of the Police officers to take up postings in the Training College, mainly because officers in the field enjoy greater benefits financially and also other benefits of non-monetary nature through the social contacts they have when posted in the field. The present allowances paid hardly compensate for these disadvantages. Under the present system of promotions, officers of the Police College are at a disadvantage vis a vis their colleagues in the field in the matter of promotions, rewards, hardship allowances, and other perquisites. Serving in the Police College is not adequately reckoned for purposes of promotion.
 - e) The curriculum at the Police College has to be related to the functions that a Police officer is called upon to perform today. These functions are much wider and complex today than what they were at the time of Independence. However, over the years the curriculum has seen little or no change. The present curriculum gives emphasis to training in the observance and the enforcement of the law, physical fitness and self defence capability, combat and weapon training and traffic control and supervision. This curriculum is thus weighted towards instruction in the field of

law enforcement. New areas have now assumed importance, such as the need for a attitudinal and behavioural change in Police officers, Police Public Relations, including his relation to the M.P, knowledge and awareness of Human Rights of the members of the public, English Language teaching etc. which are not at present, adequately covered or not covered at all. In many third world countries, the curriculum for Police Training is wider and has greater relevance to today's needs.

- f) The modern equipment that is a sine quo non for effective training, such as audio visual equipment, is sadly lacking or insufficient.
- g) The evaluation and review of programmes of training now conducted and the response of the trainees to such courses is not currently undertaken. It would be necessary to do so in order to assess the benefit that trainees had acquired from the training.
- h) As regards the Institute of Higher Training, it is yet in an embryonic stage and should be fully developed out to serve the originally intended role. Refresher and familiarisation courses have been given priority so that promotions can be given on time. Other courses and workshops on Court work, mini detective work and traffic are few, and are sandwiched among other programmes.

The PHTI has turned out to be an examination branch for the Police Department. It should be detached from the institute and given an independent status.

Research and planning for higher training to achieve high standards of vigilance, control and detection of crime and all other aspects of Police duties, to adopt the most modern techniques and practices in vogue in other countries should be undertaken by the PHTI.

Review of courses and programmes as well as evaluation of the clientele groups that received higher training should also be undertaken as a continuous and ongoing exercise.

Transfers

- 5. i The Committee was surprised to learn that the scheme of transfer that was in operation prior to 1987 is now very much in abeyance and hardly observed. Officers, who appeared before us, expressed grave concern and much dissatisfaction at the manner in which transfers are now effected. It would appear that it is the influence of the M. P. that counts most in an officer getting the station of his choice. A systematic and transparent scheme of transfers would go a long way in restoring the morale of the Service.
- ii. We commend some of the beneficial features of the pre 1987 scheme :-
 - (a) Transfers generally should be effected at the end of the year.
 - (b) A transfer board should be constituted at headquarters to deal with applications for transfers that should be submitted by July. A decision should be communicated by September and any appeals disposed of by October, so that an officer has time to arrange for his family to move to the new station.

- (c) The officer will indicate two Superintendents Divisions of his choice and the Board will endeavour to accommodate him, subject to some overriding considerations.
- iii. The Committee is of the view that an officer on enlisting should serve the first ten years of his career in the field. This experience will stand him in good stead, when subsequently he comes to specialise in a particular area of Police work. He should be exposed to the different types of problems he would encounter in different areas.

The Committee recommends that he should be posted for three years at a time to different D.I.G.G Ranges, chosen with a view to giving him as much diversity of experience as possible. Such a scheme will also have an added advantage that sufficient officers will always be available for posting to stations, where at present there is a shortfall due to the reluctance on the part of officers to work at such stations.
- iv. It is desirable that an officer should not have more than two postings in any one territorial SP's division. This could be a maximum of three years each, but in the case of other ranks, it could a maximum of 5 years each. This will ensure that every officer gets an opportunity to serve in the station of his choice and will prevent an officer acquiring a vested interest in a particular area.
- v. Representations were made in support of a theory that an officer should not serve in his "home station" except when it happens to be last posting before retirement. The Committee found it not possible to agree on what constitutes a home station. Given the difficulties of housing and schooling of children today, it is beneficial if an officer can serve in a locality, where he has the advantage of housing and schooling.

The best rule that the Committee was able to formulate was that in the case of officers in charge of Police Stations, including the sectional heads, the I.G.P. should not post him to a station, where there is likely to be a conflict of interest and the officer likely to be embarrassed in the discharge of his duties. The requirement that an officer should not serve for more than six years in a S. P' s Division will ensure that officers will not acquire such interests as to imperil their efficiency or integrity.

Logistics

- 6.
 - i. For the effective functioning of any organisation particularly an action-oriented one, logistical support is vital. Not only should the requisite logistical requirements be available but their proper management should be ensured. It was made known to the Committee that despite severe limitations, about 60% of the requirements are met. In this situation, it is most important that waste and misuse should be avoided. Also, it is necessary to make certain that the equipment and other supplies are of the proper type and quality. But this does not appear to be taking place.
 - ii. The Committee was informed that in the recent past, in respect of vehicles, the types suitable for police work were not obtained e.g. the Marutis and Pajeros. There is no standardisation and maintenance has been expensive. Even the number of repair units is inadequate or inappropriate and they have severe space limitations. There appears to be a need for decentralisation and dispersal of these units.

Misuse of vehicles, even ignoring the need to make them available for important tasks, is rampant, so much so, that only about 60% of transport is in fact, used for actual Police work. Attendant with this is the waste of fuel.

- iii. Similarly, there is misuse and misallocation of other material resources like communication equipment. It has been found difficult, for want of adequate financial provision, to meet the needs of any Police station area satisfactorily, but there appear to be a plethora of handsets (walkie talkies) in other units largely in excess of their actual requirements. This position has to be remedied. The establishment of a cellular telephone system for the Police Department would be welcome but it is anticipated that the cost would be prohibitive.

Requirements of personnel in operational areas are however, made available on the basis of actual needs including special issues for combat purposes.

- iv. In the field of logistics, it is recognised that a set-up for high-tech information technology is very essential and has virtually become a sine quo non in investigations in highly complicated and complex crime situations in modern societies. The ensuing paragraph describes the situation in the Sri Lankan context.

Information and Technology

- 7. i. This division provides the expertise to other divisions both territorial and functional. It is also concerned with training (development of human resources) in this field.

Since 1988, a personnel information system has been developed and 60% is completed presently. In 1992, a crimes information system was contemplated. Daily situation reports are also obtainable now, in the next phase, perhaps traffic and still later narcotics may be included.

- ii. Computerisation has been delayed apparently through default on the part of a contract. The hardware is in place but the software has not been provided. It has been suggested that the Automated Fingerprints Identification System (AFIS) should be adopted. At present, in the Criminal Records office, there are manual arrangements like the card system, photo gallery, finger print slips and descriptions of articles connected with crime investigations etc. The suggested computerisation system will have both textual and image information that can be stored. The advantage in Electronic Technology would be its features of accuracy, speed, security, secrecy, easier coordination and tallying of information and continuity in the information gathering process. International firms like NEC, IBM (Morphose) and Printrack (USA) were suggested as suitable for the project with the necessary customisation to suit our local police needs.
- iii. The Committee is not technically competent to comment on this. But we have to observe that computerisation stands out as a crying need across the entire spectrum of substantive police duties as well as for the managerial functions (personnel, logistics, finance etc. of the Police.

Research and Development Division

- 8. In any organisation, Research and Development has to be accorded a position of prime importance. It should function as the brains trust of the organisation. There is a division entrusted with this function in the Police Department. The duties currently performed by this division are as follows:

- a. Preparation of IG's annual Administration report and drafting of letters and reports.

- b. Computerisation of drafted IG's Administration report.
- c. Compiling IG's Circulars annually and preparation of index from 1980 up to date.
- d.
 - i. Preparation of reports regarding the opening of new Police Divisions, Districts, Stations, Posts and Guard rooms.
 - ii. Grading and up-grading of Police Stations/Units.
 - iii. Transferring of Grama Niladhari Divisions and carving out Police Divisions and Districts.
 - iv. Preparation of grading list annually.
 - v. Preparation of Maps, Charts, Graphics etc. required by the Department as well as the Ministry of Defence.
 - vi. Maintenance of Geo-coded data bank.
 - vii. Maintaining a schedule of Grama Niladhari Divisions.
 - viii. Publishing grading of Police Stations, opening of Police Stations in PG II.
- e.
 - i. Collecting of Road Traffic Accidents on Police form 297 B from Police Stations Island wide.
 - ii. Checking and coding of Road Traffic Accident forms (Police 297 B) which are received from all Police Stations in the Island and forwarding same to the Computer Division for computerisation.
 - iii. Publishing 18 tables of Road Traffic Accidents in three languages in the PG II quarterly, half yearly and annually.
 - iv. Preparation of Island wide traffic offences on 12 c forms in respect of 35 Divisions and publishing in PG II quarterly.
 - v. Preparation of Grave Crime abstracts Island wide and publishing in PG II quarterly.
 - vi. Preparation of registers under 21 heads of Grave Crime.
 - vii. Maintenance of registers, disposal and distribution.

research done within the last one year

- i. Survey on dark figures in crime.
- ii. Simplification of Police forms.
- iii. Research on reducing time to entertain complaints by members of the public at Police Stations.
- iv. Research on reportable crime and grave crime.
- v. Survey on functions of police officers attached to police Headquarters Divisions.
- vi. Production of a Tele-drama on irregularities of Police officers performing functions which demand interaction with the public.

Form the above, it would appear that this division function mainly as the statistical branch of the Police Department. The Research done recently is on a selective basis, relating to ad hoc issues and does not demonstrate an integrated and well coordinated research programme to make the Police Service typically professional as is done in other countries. The preparation of rolling " corporate plans", each spanning a period of time and which addresses all aspects of Police work including elements for human resources development, acquisition of new skills and the adoption of new tools and technological innovations for speedier and more effective performance, new techniques and methodologies have not been

undertaken. Any structural changes that are considered necessary for better police administration should also be first researched by this division. The exercise would not be purely academic but would focus on the local crime and security scene, with projections providing for the changes that are likely to take place in the future. The subject areas for researching planning and programming would then be topical. Allowance should necessarily be made for adaptation of knowledge of systems and practices universally known so as to suit local conditions.

The division is presently organised in a skeletal form and has to be considerably fleshed out through the induction of talented and research-or oriented resource personnel. They could be further trained by securing places at seminars and workshops organised by international agencies here and abroad.

Welfare

9.
 - i. Representations were made that, under this heading, the greatest concern was that of housing for police personnel. In view of the acute shortage of departmental quarters, as made out to the Committee, not only is serious inconvenience caused to married officers in their having to maintain establishments, the heavy expenditure involved is unbearable.
 - ii. The following particulars illustrate the situation regarding accommodation for Police personnel.
 - a. Number of Police Personnel provided with Government quarters owed by the Police Department - 3128
 - b. Number of Police officers occupying houses where the rent is paid by the Department in full or a percentage is paid by the Department against the full rent paid to owner - 443
 - c. Number of Policemen provided with the bachelor quarters - 11461
 - d. Number of married quarters constructed within the last 10 years - 722
 - e. Number of S.M. barracks constructed within the last 10 years - 232

It will be seen that about 50% of regular officers have not been provided housing on Government account and that therefore, this should be done. However, the problem is of a such a magnitude that the scarce resources that are now made available for additional quarters will not make a dent on the problem. Realising the financial constraints inhibiting the construction of Police Quarters, it is essential that the priority areas where accommodation has to be provided, are carefully worked out to be implemented over a period of years.

- iii. The situation however, should not be regarded as hopeless. Every Government officer, after he marries and raises a family, looks to the day when he can have a house to which he eventually retires or where his family can stay for schooling of children etc. The Committee commands for the consideration of Government that the Police takes it upon themselves as an assignment to help the individual officer to obtain a loan for the purchase of land and the

building of a house. The Committee believes that if this is accepted as a part of the policy of the Police Force, it will contribute to improving the morale of the Police Service. We understand that one or two schemes had recently been implemented with success.

- iv. Another scheme to establish condominium type housing estates for police personnel has also been mooted. The sponsors are optimistic that the proposal would be acceptable and realisable. The intention is to invite an investor to build flats with all amenities in central locations, in the districts and for these to be taken over by the NHDA, which will in turn lease them on a rent/ lease purchase basis to Police officers. Some officers however, have expressed doubts whether the proposal will be attractive enough for investor and where the NHDA will have the financial resources to take over the building from the investors for lease to the officers. Also, the view has been expressed that these arrangement would not really assist in the resolution of the housing problem of Police officers because they are liable to be transferred to other districts /divisions after a short period of service in a station where the flat is constructed. It will not be available to his successor posted to this station because it is likely that his family will continue to occupy the flat.

medical facilities

- v. There is a Police hospital Colombo serving Police officers and their families. It was suggested that similar institutions be established in central places in the rest of the country. However, It does not appear to the Committee that this request could be seriously considered in the face of financial constraints. It could be expected that regular programmes would be implemented as a matter of course, of the provision of health facilities island wide by the Health Ministry to serve the general public as a whole, which would also benefit Police personnel and their families.

schooling

- vi. Representations were also made that special facilities should be afforded to Police personnel for the schooling of their children. It is understood that some consideration is being given in the admission of children of Police officers to leading schools as a general rule with priority being accorded to children of Police personnel who are serving in or had served in operational areas. The Committee is of the view that it would be difficult to extend further facilities to Police officers in this regard, without seriously affecting the arrangements made to serve the general school population.

compensation

- vii. The Committee was informed that there is undue delay in the making of payment to widows of Police officers who have lost their lives on duty and that there are delays of as much as four years. The department takes comfort in the thought that since the salary of the deceased officer is paid to the widow they could take their own time in finalising the compensation. This has affected the morale of the service and should be remedied. In view of the gravity of the complaint, the Committee obtained a special report from the Department on the matter. The position does not appear to be so grim as is evident from the following information supplied by the Police Department.

Payment of compensation in terms of P/A Circular No 21/88 to dependants of officers killed by terrorists

- (i) More than 2 years delay - Nil
- (ii) More than 1 year delay - 2 Cases

Payment of compensation in terms of the Police Compensation Regulations of 1964 to dependents of officers killed by terrorists

- (i) More than 2 years delay - 174
- (ii) More than 1 year delay - 52

Payment of compensation in terms of the Police Compensation Regulations of 1964 takes time as the papers have to be prepared by the respective SP. Division and thereafter sent to Head Quarters. From Head Quarters the papers are sent for approval to D/Pensions in the case of regulars and S/Defence in the case of reservists. After approval has been obtained, papers are sent to the Attorney-General and finally to the audit before payment is made. Another reason for the delay is that there are a number of cases where the audit has not approved payment as applications have not been made within a year in terms of the rules of the compensation scheme. This matter has been taken up with the Ministry of Defence and is being looked into. The committee does not see the need to refer every case to the Attorney-General unless a legal Principle is involved on which the Attorney-General has not ruled before.

Complaints against Police Officers

10.
 - i. There is a sub-unit under the Senior DIG/Administration that has been set up for the purpose of dealing with complaints against Police Officers. The head of the division is the Director/Disciplinary Inquiries.
 - ii. Whenever such complains are received, D/Disciplinary Inquiries registers them and sends them to the respective divisions to be inquired into. The respective DIGG supervising these divisions send them in turn to the S.PP (heads of division, functional or territorial) to make necessary inquiries. Every complaint against a police officer has as rule, to be inquired into by an ASP.

Disciplinary proceedings in the Police are pursued in accordance with the Police Ordinance (Section 55) Police Orders (Section 82) and the Establishments Code.

 - iii. If the preliminary investigations reveal a case to proceed to criminal action this is done, but any departmental inquiry which has been initiated, continues as advised in the Establishments Code.
 - iv. Apart from this unit, there is another unit directly under the IGP called the Special Investigations Unit. Whenever a complaint of a serious nature against Police Officers has to be conducted, the IGP in his discretion, refers those complaints direct to the SIU. The SIU reports direct to the IGP and where necessary, files complaints against Police Officers, who are found to have committed criminal offences.
 - v. The Police Department states that complaints are dealt with promptly and are treated seriously. But it was pointed out that reports called from the Ministry regarding complaints against Police Officers are unduly delayed by the Police Department. The reasons given for this delay are that:

- a) it takes a considerable length of time to receive these reports from the divisions ;
 - b) there is a shortage of staff and other facilities in the Disciplinary Inquiries Unit.
- vi. Another drawback highlighted was that the department does not have a mechanism to keep proper track of all the complaints that have been made against the Police officers. Since some complaints are referred to the SIU and only the balance referred to the Disciplinary Unit, there is no central point at which the monitoring of such complaints is being done. It was therefore, proposed that a "cell" be established directly under the IGP. Even the progress of the cases referred to the SIU by IGP will be monitored by this "cell" purely for effective follow up. It can however, be housed in the Discipline and Conduct Division.
- vii. However, although this procedure will accelerate the disposal of complaints against Police Officers, it was felt that there would be many instances when the exact situation pertaining to a complaint is not disclosed in the report. Often allegations are made that Police officers attempt to cover up or fabricate evidence so as to exonerate their colleagues in the service. The present practice is for senior Police officers to inquire into complaints to ascertain whether there is a prima facie case. It is at this preliminary inquiry that senior officers could exculpate the accused officers. However, at a formal inquiry, where charges are framed against an officer, there is a panel inquiry chaired by an ASP. A member of the public also serves in this panel.

In this situation, it is our view that all complaints made by the public against Police officers should be referred to a panel even at the preliminary investigation stage. We of course, Visualise that a member of the public may be reluctant to serve on the panel since he is likely to be called up at short notice, at all times of the day and night. But the suggestion should be given a trial to see how it would work in practice.

Police Reserve

11. i. The Police Reserve has been established in terms of Section 24 (1) of the Police Ordinance and the amending Act of 1974. The SIPR has been created to assist the Regular Police whenever it is called up but when mobilised, its members perform the same duties as ordinary regular police offices As a matter of Policy, they tend to be assigned duties of a less responsible degree. Today, because of the security situation they are predominantly used in a para-military role.
- a. There are 28,527 reservists who have been mobilised. The majority of them have been mobilised after 1989. Only a handful of them have regular employment and have been released to the reserve. About 400 of them are over 50 years of age.
 - b. 13,362 of the reservists are in platoons in operational areas and elsewhere and the balance are working in the non-operational areas.
 - c. At present some of them are absorbed into the regular service: those with the required educational qualifications after 4 years of aggregate mobilised service, and those with lesser educational qualifications after 8 years.

- d. Among the reservists there are about 8449 officers under 50 years of age, who have the requisite educational qualifications to be absorbed as PCC and SII. of them, 467 are working in the operational areas and 3842 in the non-operational areas.
 - e. There is a commitment on the part of Government to absorb into the regular service those reservists who are qualified and otherwise eligible. The Committee is of the view that the Police service should ordinarily be manned only by regulars and that the reservists should be mobilised for the ad hoc assignments as the need arises.
- ii. The Committee is of the view that the 8449 reservists who are educationally qualified be absorbed into the regular service, and their posts in the reserve should be suppressed. Their seniority will be determined as of the date of appointment to the Regular Police though they would draw a salary above the initial of the grade/rank. No new reservists should be mobilised. Thus the overall cadre in the regulars and the reservists will not be increased.
 - iii. The 4609 in the operational areas have not received any training in police work. They are functioning as a para military force. The 3342 in the non-operational areas have received a superficial training of 1 - 2 months in police work. If they are absorbed into the regular force, it will be necessary to have a special programme of training to enable them to function as a regular police officers. The Director/Training has informed us that it should be possible to train this number for a six months period over 2 1/2 years. Special courses may be necessary, because many of them are at present military oriented and it will be difficult to bring about an attitudinal change.
 - iv. After the reservists with the required educational qualifications have been absorbed, there will be about 20,000 reservists with lesser educational qualifications but qualified for absorption by virtue of their having served in the reserve. The Committee believes that they too will be absorbed, in course of time, after those who are educationally qualified are absorbed and trained. If this happens however, the age structure would be disturbed and the quality of the Police will be affected, since new intakes will not be possible till the 20,000 are absorbed. Therefore, the Committee considers that it would not be prudent or practicable to absorb such large numbers. They could continue to remain mobilised for a further specified period or could be demobilised with some compensatory payments.

Part III

Police and Mediation

- 1.
 - i. Mediation is being practised on an increasing scale by Police officers as a preventive measure to avoid simple issues from escalating into serious crime. In fact, most OICC of Police stations set apart a single day in the week for this purpose.
 - ii. Some controversy has arisen amongst critics as to whether police officers should be appointed as mediators or not. These critics go further and state that conventional police action in criminal matters is to detect and bring offenders to books by the application of legal procedures as set out in the code of Criminal Procedure. They are of the view that the police by participating in a mediatory role could bring them into conflict with their role of prosecutor.

- iii. The Soertz Commission in 1947 (CSP VIII - 19) felt that the police could engage themselves in a far greater role in crime prevention. Section 56(a) of the Police ordinance states: "It shall be his duty to use his best endeavours and ability to prevent all crimes, offences and public nuisances".
- iv. However, the Police Commission headed by Justice Basnayake in 1978. was of the view that police should not entertain complaints in civil disputes, as they are outside the statutory duties entrusted to them. In such cases the Commission recommended that the complaint be referred to a Magistrate.
- v. Some are of the view that arrests of wrongdoers is one of a number of alternatives in crime management. They say that negotiation, conciliation or mediation are Visible options for Police to de-escalate a conflict. In this situation, the Police having recognised the conflict nature of the crime have to choose between formal and informal action. By informal action the police could play a great role in the prevention of crimes.
 In spite of the limitations imposed by statute on police functions, our investigations revealed that informal methods of conflict resolution had been practised to settle disputes between parties by the local Police.
 The local Police had been very successful in solving many disputes by informal mediation. Consent of the parties had been a pre-request before the local Police mediated in disputes. If the efforts made by the Police failed, the dispute was referred to the Mediation Board of the area.
 The local Police had on occasion, compounded offences in terms of Section 266 of the Criminal Procedure Code.
 Similar methods were practised in many other Police Divisions as in the Kegalle Division, be settling disputes by mediation.
- vi. It must however, be emphasised that the success in applying mediatory procedures in setting disputes by the local Police would be dependent on the confidence the public would have on the local Police in their area. The success of the Police in mediation would also be dependent on the special skill of the individual Police officer. His training and individual skill and an understanding to tackle problems between citizens is an essential requirement to be successful in the mediatory role.
 We recommend that selected Police officers be trained in the art of mediation and posted to every Police station. These Police officers should be assigned tasks other than law enforcement to avoid any conflict in their duties.
- vii. Settlement of disputes by conciliation was given legal recognition in Sri Lanka by the Conciliation Boards Act No. 10 of 1958.
 The Conciliation Boards Act No. 10 of 1958 was repealed in 1979 and the Mediation Boards Act No. 72 of 1988 took its place.

Intelligence

- 2. i. The gathering of intelligence is essential not only for the purpose of forestalling a breakdown in the maintaining of law and Order but also for the purpose of good governance. It is significant that "collecting and communicating intelligence affecting the public peace" was one of the duties of a Police officer listed in the Police Ordinance of 1866. Perhaps the rebellion of 1818 and 1848 were fresh in the minds of the Colonial

administrators, when they listed this item among the duties of a Police officer. If the Government had been sufficiently forewarned of the opposition to the new taxes imposed in the 1840's, the Rebellion of 1848 may have been averted.

- ii. Intelligence can be gathered by every Police officer, who keeps his eyes and ears open and has contacts with all strata of the people in the area. A Police officer should be aware of anything untoward or abnormal happening in his area which could be related to the security of the State or affect the public peace or could lead to the committing of a grave crime. It follows therefore, that every Police officer should be alive to this aspect of his duties and that all Police officers should be utilised for this purpose. The information should be gathered as part of the normal duties of a Police officer and every Police officer should be trained in the gathering of intelligence.
- iii. The Committee notes with satisfaction the decision that has been made to revive the Special Branch of the Police, which among its other functions would be mainly concerned with the gathering and evaluation of intelligence. This branch was set up in the CID in 1966 and was operational even in 1971 during the JVP insurgency, performing dual functions i. e. both gathering intelligence and conducting investigations. Later, it went through several vicissitudes as a result of the establishment at various stages, of the ISD and NIB. In 1986, it was discovered that there was no Special Branch as such, in the Police. The need for it was recognised and it was set up but along with the SCD. Counter Insurgency Units were set up in areas where subversive activities were virtually endemic. The expectation was that this branch would function with the resources of all Police officers in all parts of the island. This was necessary in the context that this statutory function was lost to the Police Department since about the early 1970s. The special Branch was also to serve in an investigative regarding subversive activity. This particular function had immediately before then, been performed by the SCD. At the same time, some investigation were also done by the CDB and the CID. Though the Special Branch was reconstituted about 3 years ago, it was not effectively operational for various reasons. A Director was appointed only in 1994 and some staff the NIB, SCD and DIBB were absorbed. The results achieved are meagre.
- iv. A suggestion was made that there be a Separate carder of Police Officers stationed in various parts of the island whose sole duty is the gathering of intelligence. This is an extension of the concept of district intelligence bureaux which however, at present, are set up at district offices. But they are in practice only listening posts. The gathering of intelligence can be effectively made only if is done in the course of normal Police duties. In other words, an intelligence Officer cannot function in isolation.
- v. The security of the State can be imperilled not only by internal developments but also by external factors. Often an external factor is involved in the security affecting a state. In certain types of crime, such as narcotics, there is almost always an international network involved. Therefore the gathering of intelligence on external factors is as vital for proper appreciation and assessment of new developments. In this context, the need exists for the setting up of an intelligence Coordinating Bureau in the Ministry, which would assess both internal and external intelligence in the light political and other developments in the world and particular in the region. In this body, the DIG/CID of the special branch and the Senior intelligence Officers of the three services should have a ex-officio position. A senior officer of the Foreign Ministry could also be a member to make his own contribution. This Bureau should be empowered to draw on the expertise of academics as occasion demands. The Committee was informed that there is such a unit already in existence viz., the NIB.

- vi. An idea was expressed that the Special Branch of the Police on its own could address this aspect of intelligence gathering and processing. This would prove difficult, not only, because the required number of specialist personnel would not be available in house in the Police Department, but specially because intelligence from overseas can only be obtained from corresponding institutions in other countries. For instance, the CIA or M15 or RAW or Mossad would relate to a parallel organisation in this country like the NIB and would release information only to it. In those countries, the corresponding organisations to the Special Branch would be the FBI or Special Branch UK or IB or Shinbeth.
- vii. A related concept was that an Intelligence Bureau at national level would not suffice but that the organisation should be structured with roots descending to the local level, so that it could gather intelligence from the remotest parts of the country at the grass roots level. This would however, be an unnecessary replication of the institution that performs this function at present i. e., the Police.
- viii. The Committee is therefore, inclined to the view that a central intelligence organisation should be in existence along with a fully operational Special Branch of the Police. Each of them should possess the capacity and competence and where necessary, the ability for "Penetration" for purposes of intelligence collection. The collation, analysis and other processing of intelligence can be done by each unit separately at its "respective" level. Each unit can have a registry of its own.

STF

- 3.
 - i. The STF was formed in March 1983 as a paramilitary organisation. Earlier attempts to establish such a type of unit had aborted. The Strike Force started in 1978 disintegrated by about 1980. The Police Combat Group which was mainly comprised of volunteers from among Police Officers, had by the end 1982 only about 80 members. It was subsequently disbanded.
 - ii. The STF was created with the intention of dealing with the situation in the North, where it was found difficult for the Police to attend to their normal duties of crime detection, control and direction of traffic, the security of the state and the institution of judicial proceeding "on account of terrorists operations and the lack of popular support". The need for "a new method of policing and securing Police stations" was required and therefore, para-military unit was raised for the purpose. Its functions were to guard Police Stations and "specialise in certain duties which are only concerned with counter terrorism". They would also provide the back-up security to Police Officers performing field duties in the North. Para Military Platoons were to be harnessed for flushing out operations, searches, , road blocks and patrolling.
 - iii. In 1984, the STF was placed directly under the Ministry of Defence with a DIG. "seconded for duties in connection with the STF and the Special Intelligence Unit". The intention was to increase the strength to 500 by 1985, Now however, the actual strength is 3399 against the sanctioned, cadre of 4200. They are deployed today almost wholly in the Eastern Province.
 STF personnel in the ranks are recruited initially, as Police Officers. They undergo the basic training course for 6 months in the appropriate rank, at the Sri Lanka Police College. Thereafter, they are sent on the STF Training School.

- iv. The training is entirely militaristic. All aspects to make an officer competent in soldering, is covered in the training programme which includes basic training, individual training, weapon training etc, and also collective training.

Training necessary for personnel to operate up to a platoon level in an infantry battalion is imparted to STF personnel. It was observed that this training is sufficiently intensive, covering areas like field craft, tactics, map-reading, compass-marching, proficiency in communications, and voice procedure etc.

- v. It was stated that comparable formation above platoon level like companies and battalions are not yet organised.
- vi. Originally STF personnel were drafted from the regular police. Attractive incentives were available for this to happen. Progressively, since the incentives were also given to other policemen, the attractiveness of service in the STF paled. The last two batches of recruits were entirely and directly from outside.
- vii. As stated earlier, the STF now operates mainly in the southern part of the Eastern Province. The turn around of personnel from the operational areas is very slow at present. This has resulted in boredom and frustration with some personnel serving as long as 8 years in these areas. The only remedy at the moment, appears to be to recruit more personnel, train them and deploy them in the operational areas so that those who are presently there, can revert to normal police duties. Fortunately, there appears to be sufficient cadre provision for this purpose. However, this process cannot be continued interminably.

In respect of the senior ranks like ASPP and above, even this arrangement would not be feasible and there are no personnel in the gazetted ranks of the regular force who can be deployed for this service with the STF in the operational area.
- viii. If this situation is not redressed, the morale, efficiency and effectiveness of the STF will inevitable decline, specially because the element in the hierarchy that has to provide leadership would not be available.
- ix. The absence of formations over a platoon level and also the relevant training, compels one to observe that in the matter of dominating and occupying large areas for any length of time, the STF would find it difficult to carry out their task effectively. Presently, the STF provides coverage for a very large area in the southern part of the Eastern Province. Because of the induction of the large numbers of LTTE cadres into the Eastern Province and their ability to bypass the areas dominated by the Army in the northern part of the Eastern Province and travel through the jungle areas to the very south, It is possible for them to infiltrate into the area dominated by the STF and mix with the local population and thereby diminish the efficacy of the presence of the STF.
- x. Also, the STF apparently has lost the psychological advantage they built up because of the reverses suffered in the past few weeks. The empathy of the local population with the militants appears to be in the process of being reinforced. This is made easy because some of the LTTE cadres are children of the local inhabitants.
- xi. The STF at its current strength levels, would have to be maintained for a considerable period of time in the future, performing the duties they are presently detailed for.
- xii. However, the future of the unit when normalcy returns, has to be

considered. The higher officers in the unit expressed the view that they could continue as a para-military organisation to assist the Police in their normal functions. Such organisation exist in the neighbouring sub continent. There however, the problems of security are different and it is doubtful whether a central para-military unit on a scale as presently organised would in fact, be required for security purposes in this country. The Field Force of the Police may, if strengthened, be sufficient to deal with the situations that are likely to arise. The duties would mainly relate to unlawful assemblies, illegal processes, strikes in large institutions, both public and private assemblies, illegal processions, strikes in large institutions both public and private and such like. Neither would operations on a military scale nor para-military formations be required or desirable in such situations, Incidents like high jacking of aircraft could have to be dealt with by elitist units specially trained to handle them.

- xiii. The STF as stated earlier, is virtually a military formation, now employed in a purely military role. The question arises whether Police officers enrolled in the Police Force, should be engaged in military duties. What has historically taken place in this country should not be regarded as a precedent. Where military intervention is required, it would appear that military organisations must be raised or strengthened, as the case may be, for such a purpose. A typically civil organisation like the Police should not be entrusted with military tasks.

Traffic Division

4. Traffic administration and road safety currently occupy a pre-eminent place in the whole array of functions of the police in any country. In Sri Lanka also, the Police has to play an increasingly important role today, in traffic management, control and enforcement of the laws relating to it. The current situation in this country has been well set out in a paper of the Police Department on the "Challenges and constraints in Traffic Management' dated 24 May 1995, which was made available to the Committee.

The Committee considered it useful to recount some of the ideas contained in it so that the present overall position regarding road transportation and road safety and the problems concerning them, can be understood in perspective.

The points made out in it are found in the ensuing paragraphs:

vehicle population

There has been a phenomenal increase in the volume of motorised traffic. Vehicles of every description hanging from heavy container transport vehicles, buses, trucks, vans, cars, three wheeler taxis, motor cycles through to mo-peds, increased from 176,792 in 1970 to 1, 162,313 in 1994.

road system

Sri Lanka had a road network covering even the more remote parts of the country. The system does not however, suit the needs of today. For instance in Colombo, vehicles passing through the city do not have the central business section as its destination. The absence of a ring road to bypass the city leads to a virtual strangulation of the flow of traffic at peak hours. This is true even of other major towns like Kandy and Galle.

road markings and furniture

From the point of view of traffic management, the deficiencies that could be identified are that there is a deplorable lack of road signs and markings, poor street lighting, badly sited crossings and bus halts, absence of off street parking facilities and sidewalks. The problems compounded by the inadequate maintenance of the roads, most of which have not been engineered to meet the demands of modern traffic.

conflict among road users

Quote begins : "There is a serious conflict of interest between the pedestrians, users of non-motorised vehicles and motorists. The present road system does not cater sufficiently to the safety needs of humbler users like pedestrians and pedal cyclists. Improvements to road surfaces have only given tempting opportunity for heedless motorists to drive at unconscionable high speeds, often resulting in serious accidents". Quote ends. This has to be corrected. Altogether, the objective should be to create a better road environment.

culture of road use

In this country, the introduction of modern technology has not been accompanied by transformation of the attitude and patterns of behaviour of road users. The crisis experienced today is influenced by this "cultural gap". There is a frantic scramble among road users, accompanied by lack of road discipline, consideration and road courtesy. Road ways are also used for non travel purposes. They are regarded as open places where anything is permissible. Traffic control and enforcement is regarded as an irritating interference of the freedom of the individual.

driving standards

Motorists do not have the proper skills to control modern vehicles. The standard and procedure for testing for issue of licences to drive/ride have to be made more stringent and otherwise improved.

pedestrians

Pedestrian behaviour is pathetic and has to be corrected. It does not seem that such behaviour is totally due to the lack of knowledge of road rules and regulations.

law enforcement

Traffic management has been given less and less attention in the last few years, specially due to the unsettled security situation in the country. A large number of traffic policemen are necessary in the absence of traffic signals etc. But they cannot be made available because of the priority accorded to other police functions.

low level of enforcement

In regard to other matters, it is expedient to quote verbatim from the Police Report referred to above. Quote begins: "The enforcement of Traffic Regulations presents many difficulties. Some regulations are virtually self-imposing, i.e. observing traffic lights, road signs and markings. But most other regulations require a considerable degree of physical presence of Enforcement Officers, if they are to be effective (to prevent) speeding, dangerous driving, Violation of road rules and driving under the influence of alcohol. Unfortunately the man-power resources and mobility available are not sufficient to meet the challenges. As result the probability of being detected is so small that traffic laws and regulations tend to have a negligible effect on the behaviour of road users. The result of

such low level of enforcement make road users feel (that it is) no longer necessary to observe regulations and they merely consider themselves 'unlucky' if they are detected. Ideally they should have the fear of being apprehended by law enforcement authorities to such levels that they fear to take the risks. Therefore, there is an urgent need for an adequate level of traffic law enforcement to improve road behaviour and to make our roads safe and pleasant to drive on.

road environment

Enforcement is also made doubly difficult due to the prevailing poor road environment. The present road environment virtually forces and encourages road users to break laws and regulations. Therefore, there is also an urgent need to improve the road environment and to have a proper physical road lay-out which is conducive to effective law enforcement.

Another matter of significance is that the law also does not apply equally to all road users. Pedestrians, pedal cyclists and riders of motorcycles form a large proportion of road users. It is the motor vehicle user who is most restricted by traffic laws whilst the pedal cyclists and pedestrians are governed very little by law. This tends to make the latter category although the most vulnerable, to adopt a "Couldn't Care Less" attitude. The road users knowledge of the law is poor and it has been stated that not only is he ignorant of the law but innocent of it as well. In such a situation the answer lies not only on a high level of enforcement but more on a National Traffic Education Programmes particularly to future road users at the school level, so that in the long run we will produce a generation of law-abiding citizens.

driver competence

No amount of good roads and better vehicles will make our roads safe and pleasant to drive unless those behind the wheel adopt a responsible attitude to the task of driving. For this there is the need for sound driver-training programmes developing requisite skills , gaining knowledge on road rules and cultivating road manners and courtesies besides being able to control and automobile. This should however, be backed-up with a higher standard of testing driver applicants and a rigid law enforcement policy.

personnel

If the Traffic Police is to meet the present law and order situation, our roads, its cadre and its resources should be enhanced and updated. The morale of the specialist Traffic policeman and the general purpose Patrolman should be improved. The Traffic Enforcement officers should be handpicked and should follow a comprehensive course in the field of traffic management. The average Traffic Policeman, if he is to be an ideal law Enforcement officer should be competent to ride and drive motor vehicles. He could then appreciate the problems of motorists and simultaneously make better judgements and decisions in the law enforcement field". Quote ends.

In brief, the Committee finds that the deficiencies and ills identified are :

Increasingly heavy traffic density,

Poor road engineering, obsolete and ill-designed road network,

Poor road markings and furniture,

Poor road maintenance,

Poor driving standards and skills and lack of courtesy,

II 1- disciplined, erratic and unpredictable pedestrian behaviour.

Inadequate staff for traffic duties.

Inadequate training and expertise in traffic management.

Insufficient equipment and vehicles for proper traffic control.

Infirmities or lacunae in the law and regulations.

The total cadre of the police Department is 30,000 but the strength of the Traffic Division is only 2,208. This is woefully inadequate. Traffic police officers should be deployed thickly if any impact is to be made in this situation of the burgeoning number of vehicles and the increasing incidence of traffic offences and accidents. For instance in Colombo there are only 436 Police personnel engaged in traffic duties whereas in a single day, the average number of vehicles entering the city from all directions is about 213,500. This number of Police officers is grossly insufficient.

In Kandy there are only 197 Police personnel engaged in traffic duty. In other towns the numbers are even less than half that.

It was stated that in point of fact, the strength in the traffic division has decreased over the years for want of housing and other causes. The strenuous and continuous nature of duties commencing at 0600 hours and extending to about 2000 hours daily, makes this division a very unattractive one to serve in. Unwanted personnel who cannot be accommodated elsewhere, are transferred to this division. They cannot therefore, be expected to be properly motivated. A package of incentives and working arrangements on a three shift basis, to minimise stress and ennui have been suggested.

Not only should the numbers in the Traffic Division be increased but improved mobility is required for control and management of traffic. There should be more mobile patrols. From static points, there should be back-up mobility to pursue and track down offenders if they do not comply with signals to stop when detected.

The most modern equipment should also be contained for use in this country too and the systems for control and management should be improved.

Traffic Police officers should be properly and more intensively trained. Everyone of them should be able to ride and drive.

They should serve in the division for a specified period of time for their specialised knowledge and training to be of any use to the department.

A holistic and integrated approach to the problem, with local authorities, the RDA, Courts and Schools, all having a stake in its resolution, is clearly evident. Meanwhile despite existing constraints and limitations, the Police should take the lead role. Whilst playing its own part, it should assiduously and relentlessly attempt to catalyse the other concerned agencies of Government and non-government organisations to make their own contribution to the effort. Traffic discipline is vital if the social and economic progress in the country is not to be retarded.

It is pertinent to observe that in traffic management, unlike in other branches of Police administration, the practices, systems and equipment used universally today, could be adopted directly with little or no modification for use in our country. The advance of technology in the field of motor vehicles and transportation systems mandates the modernisation of roadways and

equipment used for traffic management and the systems adopted for the purpose as otherwise, modern vehicles, will at great cost to the country, be severely under utilised. At the same time, driving skills have to be improved and road user behaviour patterns have to change.

Criminal investigation Division

functions 5.

The CID has been established as far back as 1903 as the specialised arm of the Police Department dealing with criminal investigations. Under the xiiith Amendment to the Constitution also, the CID is an agency that functions under the National Police. The offences which the National Police can investigate have been listed and do not require repetition here. Besides, the chief minister of a province can request that investigations be done by the CID the IGP too can direct the CID to undertake investigations in a Provincial Council area, if he is of the opinion that it is in the public interest, but he could do so in consultation with the Chief Minister and with the approval of the Attorney-General.

The Code of Criminal procedure Act No. 15 of 1979, has made provision under Section 125 (Chapter XI) for the I. G. P. to direct the C. I. D. to take over investigations into any offence.

In addition to the above, in January 1982, the I. G. P. issued directions for the C. I. D. to conduct all investigations into acts committed by terrorists.

C. I. D. Personnel are also called upon, depending on the circumstances, to provide additional security to H. E. the President and carry out surveillance.

Over the years, the functional responsibilities of the C.I. D. have increased, though resources available for such purposes have not grown in proportion to the increased volume of work.

CID complex

It was stated that the accommodation in the present C. I. D. office is insufficient. The building is shared by other branches of the Police to which the public have access. The C. I. D. must have more than an ordinary level of privacy to ensure confidentiality, as well as to be able to study and examine cases without disturbance. Investigations should be conducted in a "closed door" atmosphere and persons like informants must have an assurance of anonymity and security.

A suggestion was made that a separate complex should be constructed for the C. I. D. with facilities for physical training and training in the use of fire arms and with housing facilities for at least 50% of the staff. At present, the lack of housing has seriously affected the efficacy of the division even to a greater extent than in other divisions. Several man hours are lost in travelling to the place of work from home. Officers are not available at short notice.

Until this proposal for a separate building complex can be implemented, it was suggested that the entire building now used be allocated to the CID.

As for the other matters about which representations were made, the Committee for want of time, finds it convenient to interpose extracts (with essential corrections) from a written statement furnished to the Committee as late as 31.7.1995.

strength

Quote begins: "Several Senior Gazetted officers and Inspectors have been transferred out of the CID without replacements and this has created a vacuum affecting the work. There is an acute short fall of Inspectors with sufficient experience which requires to be filled urgently.

selection of officers

The selection process for the CID has to be a one unique to the CID and not in terms of a generalised selection recommended to the Police Department. This has to be somewhat like a separate selection as done in the STF at present. The applicants to the Police Department, for selection on Recruit PCC and Probationary Sub-Inspectors should be given a option if selected, to join the CID. The selection should be done by a board consisting of the DIG/CID and Director/CID. The selection to the CID should be from those who have a flair for and knowledge to conduct investigations, with aptitude for Computer Science, Commerce, Accounts, Chemistry, Book-keeping etc.

In order to handle complex frauds and other investigations where assistance of the experts have to be sought, it may be necessary to consider enlisting persons such as Accountants, Scientists etc., at ASP level to the C. I. D. with a mandatory service in the C.I.D. for at least 5 years.

investigational aids

A vast variety of technically advanced equipment is available in the free market, and even criminals make use of these in committing crimes.

The non-availability of modern equipment has hampered the maintenance of up to date records, surveillance and the security of the building and personnel. It is necessary to acquire.

- (a) computer,
- (b) modern surveillance equipment
clandestine photographing, bugging etc.).
- (c) security equipment such as metal detectors etc.,
- (d) investigational aids.

records and computers

A wealth of information concerning previous cases handled by the CID is available with the Records Branch. This information has been recorded by adopting old methods. It is now necessary to feed all these into a computer. Installation of the computer has been delayed by Headquarters.

It is necessary to train staff in the use of computers and store information pertaining to criminal records on cases investigated by the CID as "classified" information which should not be accessible to other divisions of the Police Department.

communication equipment

Communication equipment of modern types is also necessary to be issued to the investigators and Scene of Crime Officers for speedy action, if the CID is to meet challenges of the criminals who are now using advanced and sophisticated methods in committing crimes.

funds for informants

Due to the non-availability of adequate funds, informants, cannot be paid reasonable amount for services rendered. A separate vote such as the SS vote of NIB, should be created to make payments to informants.

vehicles

The CID is assigned to inquire into cases covering the entire Island, but the fleet of vehicles available in running condition is only 14 in number. This is hardly adequate to meet the demand and also has resulted in delays in completing investigations as the investigators have to depend on public and private transport. Some of the vehicles of the fleet are those commonly used by Police and in such situations, at times, discreet surveillance is not possible by using these vehicles as they could be identified easily as Police vehicles.

The fleet of vehicles needs to be increased at least three fold for the present, fitted with communication equipment for easy contact ability.

interrogation room

This arm has been neglected due to lack of space available to the CID. Witnesses and suspects are questioned in the units themselves, which disturbs the minds of the investigators. This has also led to the breakdown in the efficiency in investigational styles, preventing the development of good investigators.

Similarly, having Scenes of Crime Officers too, is essential as they could be despatched to the scene immediately to facilitate the preservation of vital clues until the arrival of the Government Analyst and other experts. In minor cases, the Scene of Crime Officers could unearth satisfactorily whatever material is needed to draw conclusions.

training

The need for services of professional investigators is felt today more than ever before. Requests for the services of the CID to take over investigations are on a rising trend". Quote ends. Except for a familiarisation course of a short duration for new intakes from the field, it has not been possible for the CID to draw up better training and re-training programmes because of financial constraints. Investigators cannot cope with new crime trends and deal with complex cases such as Computer, Visa and Credit Card frauds etc. for want of adequate knowledge and training. Local training for this purpose is not deemed to be sufficient.

Overseas training is very necessary. Quote begins: " The only such overseas training programme that was operative in the past, namely, the Wakefield Course, is now offered to those in the field on the basis of selection open to all who are not dealing with criminal investigations. It is suggested that such overseas training programmes be granted to various categories of personnel in the CID to enhance their knowledge and also as an incentive to attract those in the field suitable to be absorbed into the CID. Training given abroad should be based on 3 categories viz: Senior Gazetted Officer, Inspectorate, PSS/ PCC and there should at least two training programmes arranged for each category, annually".

incentives

"Work in the CID involves a great amount of risk, specially in handling terrorist crimes and practically every investigation handled is of extensive nature needing long hours of arduous work.

Hence, enhancement of allowance to attract the right officer to the CID is a must as granted in other specialised division.

At present, the CID covers Island wide investigations and officers are afforded only 7 1/2 days subsistence. As a result of this, these officers have to return to office without completing their task or have to bear expenses out of their pocket. It is suggested that no Limit of paying subsistence should be imposed when officers are engaged on inquiries out of the Western province and unable to return to office on the same day and similarly when they attend Courts. It is also suggested to make provisions to pay fares incurred by travelling in private buses". Quote ends.

promotions

Representations were made that C.I.D officers must be given special consideration in the matter of promotions. The nature of their duties is such that they have to operate secretly and anonymously, shunning the limelight at all times. Neither their service record nor competence is therefore, generally known to the superior ranks who serve on Evaluation Boards or others like politicians who, it is alleged, are influenced by their colleagues in other branches when promotions are considered.

C.I.D officers request that their division be regarded as "closed" and that promotional avenues to all ranks be made available within the division itself.

welfare

It was pointed out that Welfare facilities must be improved to a considerable degree. The Committee generally accepts the reasonableness of this request.

amendment to laws

Certain amendments to existing legislation have been suggested. Quote:

- "(a) Extradition Treaties necessary to be signed to avoid difficulties in arranging extraditions.
- (b) Photographic evidence to be included as admissible under the Evidence Ordinance.
- (c) Offences relating to fraud.
The frauds that are investigated by the CID are of high value and magnitude and punishments to be proportionately enhanced for these offences.
- (d) Prevention of Terrorism Act- offence of robbery and retention of stolen property needs to be included as offences under Section 2 of the PTA and suitable punishment needs to be embodied.
- (e) Counterfeit Currency Bureau - by virtue of section 59 of the Monetary Law Act of Sri Lanka, the report under the signature of Governor/ Central Bank is conclusive evidence in regard to authenticity of Sri Lankan currency. This does not apply in respect of Counterfeit Foreign Currencies. It is suggested that Legislation is amended to receive the report under the signature of the Issuing Authority of such country as conclusive evidence when produced in court through Interpol ". Quote ends.

OBSERVATIONS

structure and cadre

The Committee finds that the structure of the division does not require very many changes. But specialist units have to be added on, in the light of the developing crime scene both locally and globally.

The number of officers have also, to be increased.

special training and expertise

Those inducted from the field have to be intensively trained. There is a need for a lateral intake from outside too, of high tec specialists in Forensic Science, Accountants and Professionals in similar disciplines with experience in the financial and related sectors, in order to improve the overall efficiency of the division.

There is a need for very specialised training in the investigation and pursuit of the complex and sophisticated type of crime now being committed. The division must have in- house, middle order specialists who could assist greatly by gathering clues at the scene of crime immediately after its occurrence. For this purpose, it was emphasised that SCOO (Scene of Crime Officers) with requisite training should be employed.

closed service

The division should virtually be a "closed service" with provision for personnel with the required attributes and aptitudes to be recruited to it. Prospects for career advancement and promotional avenues within the division should be available.

modernisation

It is apparent that modern systems and methodologies for investigation, interrogation, intelligence gathering etc, should be learnt and practised.

The required logistical support has to vehicles by way of providing suitable vehicles as well as the appropriate type of other up to date equipment.

future

All this virtually leads the Committee to the belief that it is reasonable to visualise a situation when a separate " Directive Service" as existing in developed countries would be cleared.

In that event, it will be logical to have a separate and complete complex for the service to function from.

Part IV

Particular Issues

extension of service

3. Representations were made to the Committee regarding extensions of service Briefly, the position taken was that the requirement and procedure for seeking extension led to a diminution of the quality of work, the independence of thought and action of serving officers, principally stemming from a sense of insecurity regarding continuation in service. It led to a consequential lowering of morale. The recommendation of the Subasinghe Commission the Basnayake Commission and the Administrative Reforms Committee were that extensions beyond 55 years now, (earlier it was 50 years for the police) should be automatic with only the stipulation that retirement should be compulsory at 60.

The Committee finds itself in agreement with this recommendation. It considers that it will prevent police officers attempting to canvass politicians or others in order to obtain their extensions. The elimination of the need to do so would help them to maintain their independence and impartiality when attending to their duties.

If these offices turn out to be inefficient or ineffective after 55 years of age, there are other established procedures to follow, by which they can be retired or their service terminated.

crime

2. In every police Station there is a Crime Branch. In the smaller stations this is comprised of only one or two officers. There are 21 types of grave crime. An OIC has to visit the scene of the crime so that he could plan out and direct investigations. The SP and the ASP monitor the progress of the cases. The ASP is informed within 24 hours. In practice, the IGP is also informed directly by the OIC, ASP or SP.

There are six categories of serious crime. The ASP of the district must visit the crime scene and prepare a Serious Crime Report and forward it to the SP who is expected to study this and give any further directions in writing. One copy is sent to the DIG Ranges. The IGP is also informed. All this takes place within 24 hours.

Despite these arrangements, crime is increasing inordinately. If the present instructions are followed stringently, the situation will improve. But at the moment the investigations are inadequate and poorly done. There is no proper direction. There is lack of knowledge and experience in regard to the pursuit of investigations. There is also lack of resources as well as commitment on the part of the police. The priority accorded to crime work is low.

A suggestion was that a Divisional Crime Detective Bureau be established in each SP's division. This unit will get involved with the cases which are beyond the competence of the officers in the Crimes Branch of the police Station. They will be specialised units with expertise and specialised knowledge about modern methods of crime detection and investigations.

The Committee found that in certain divisions this practice is already followed. At the moment however, there is a paucity of officers for deployment for crime work. All this would point to a need to create a special "Detective" division.

For preventive work, the methods now adopted are to have foot patrols in the rural areas. But they operate without communication equipment. This deficiency must be made good immediately. Perhaps also, bicycles could make their functioning more effective.

In metropolitan areas, mobile motor patrolling is being done. The coverage is however, not wide or intensive enough. There is also a system of inter station and mass patrolling.

Vigilante groups have been found to be not too useful in some areas but in others, they have been performing satisfactorily. Further efforts for their formation are being pursued. Perhaps smaller neighbourhood watch groups would be more effective.

"Sector" Policing does not appear to be uniformly adopted. Ground coverage through this system is recommended for improved preventive work.

Modern Electronic and Information Technology for crime prevention and detection could be used to a higher degree.

police and court work

3. One of the duties and functions of the Police enumerated in the police Ordinance Section 56 C is "to detect and bring offenders to justice".

There are two groups of officers who carry out these functions at every police station, the detective officers and the prosecuting officers. Statistics reveal that there has been a failure in many police stations in both these branches. The increase in the percentage of unsolved crime has steadily increased from 25% in 1970 to 58% in 1990.

In addition to this, there has been an alarming proportion of cases of crime which had been detected but the offenders have not been successfully prosecuted and have escaped punishment, leaving aside a small percentage of innocent persons too who were acquitted by the Courts.

Among the main causes of failure of these cases is the lack of trained personnel to handle these cases either from the time of detection or from the time the first complaint is made to the time the charges are framed and to the end of the prosecution case. There is also a dearth of trained police officers who could conduct prosecution in Courts. The first complaint is the foundation on which the entire case for the prosecution is built. If the foundation is weak there is every likelihood that the prosecution case would fail. A trained police officer would know what the law is and what facts are relevant to prove the charges against the offender. He must avoid all contradictions that may arise in the statement, gather all the information that is essential to the case and seek the advice of experts, visit the scene of the incident and arrange for identification parades where necessary. He must also seek the advice and guidance of counsel. Above all, he must be prompt and impartial in conducting investigations.

It has been a practice for the local Police to prosecute in minor cases, particularly in the Magistrates Courts. A frequent complaint by Magistrate is that the officer who is detailed to conduct prosecutions, lacks the knowledge and experience to conduct a prosecution.

The Committee is of the view that a trained police officer nor below the rank of an Inspector, who has a knowledge of the law and its procedures, should conduct prosecutions in a Magistrate's Court.

In Major criminal cases at present, the Attorney- General prosecutes. The role of the Attorney-General being quasi-judicial in criminal proceedings, the setting up of a separate department such as the Department of Director of public Prosecution had been recommended by the Criminal Courts Commission in 1950.

Again in 1970, the Basnayake Commission strongly recommended a department under the Director of Public Prosecutions to advise and assist the Police from the very outset and undertake all prosecutions in criminal cases. This commission further recommended that the Department of Public prosecutions must be under the general superintendence of the Attorney - General.

The Basnayake commission recommended that all criminal proceedings be instituted by a Government Department and should be handled by the Director of Public Prosecutions.

The Committee is in agreement with the recommendations of the Basnayake Commission that a Department of the Director of Public Prosecutions should exist to advise and assist the Police and other Government Departments in instituting criminal proceedings and take over the prosecutions, particularly in major criminal cases.

A department of the Director of Public Prosecutions was established under the Administration of justice Law no. 45 of 1973. It is regrettable that on the repeal of this Act by the Court of Criminal Procedure Act No. 15 of 1979, the Department of the Director of Public prosecutions was not re-established.

Police Reward Fund

4. By regulations made by the Minister of Defence under Section 73 of the Police Ordinance, a Policed Reward Fund has been set up in 1974.

Under the rules framed under these regulation a reward may be paid out of fund to a police Officer if he has-

- (a) done outstanding work in the detection of an offence while on beat patrol or special duty;
- (b) done outstanding service in the successful investigation of an offence, in obtaining information or the discovery of property leading to the successful investigation of an offence or to the arrest of an absconder;
- (c) shown bravery in effecting an arrest or in saving a person from being drowned;
- (d) done outstanding work in preventing a large civil disturbance or civil commotion;
- (e) done outstanding good work in extinguishing a fire;
- (f) shown outstanding work in the prevention of any serious offence by energetic action;
- (h) rendered successful first aid while on duty;
- (i) handled a police dog which has been used in or in connection with the successful investigation of an offence;
- (j) arrested any deserter or absentee belonging to any unit of the Army, Navy or Air Force of Sri Lanka under specially commendable circumstances;
- (k) arrested an illicit immigrant or a person who had overstayed the period of his visa;
- (l) detected dynamiting or poisoning of fish in the sea or in any water course;
- (m) deloused any bomb ; or
- (n) done any other outstanding work which in the opinion of the Inspector-general of Police merits a reward.

By rule No. 5 of these regulations , it is stipulated that no payment from the fund shall be made to a Police officer above the rank of Chief Inspector.

The Committee is of the opinion that retention of this award scheme is suitable as an incentive scheme for the lower ranks in the Police Service. The Committee noted that during the past turbulent period, where JVP activities were at their height, some reward money have been paid to Senior Gazetted officers for successful investigations and prevention of terrorist activities. Representations were made before the Committee that this practice of offering monetary incentives through the Reward fund to the Senior Gazetted Officers is deleterious to the service for the following reasons :-

- (a) SGOO play the role of managing the other ranks.
- (b) One of the main functions of the SGOO is to supervise the subordinate ranks and evaluate the performance of those subordinate officers. The reward money would be paid for exceptional service based on such evaluations and recommendations.

If the SGOO themselves vie for reward money, it would be difficult for the SGOO to perform those functions with the requisite detachment and fairness. It could even lead to a situation where a superior office would hope to obtain a reward for an exceptional act actually done by a subordinate. High ranking Police officers should conduct themselves as "officers and gentlemen". They should not, because of the position they hold, expect rewards for acts which are considered to be in the normal line of duty.

Assessment of Merit

5. Promotions to post below the rank of Inspectors are effected by holding examinations coupled with evaluation of services performed by the applicants. While promotions to the ranks of Chief Inspectors and ASPP are by an "interview before a Selection Board", promotions from SSP rank to the DIG rank is based solely on " exceptional merit". It was observed that there is general acceptance and contentment among Police Officers regarding promotions effected through examinations and objective evaluations. This is lacking in respect of the promotions effected

through interviews adopting merit as the sole criterion. A sense of disenchantment and indifference has pervaded all ranks of the Police Service due to alleged unfairness in granting these promotions.

Merit is a subjective element which cannot be concretely and precisely assessed. One single officer among a group of officers with considerable years of service, can recount the meritorious acts he has performed during his tenure of office. This places the interviewers in a difficult situation, whereby they have to assess his relative merits vis à vis others, without any rational scheme to do so. This position has resulted in the promotion of junior officers over and above those who are senior to them in service. These decisions to so promote the juniors, are open to adverse criticism by the seniors, who feel that they have been unfairly overlooked in these promotions.

In this situation, seniority would have to be given prime consideration. Where however, a junior is to be promoted over a senior of seniors, it is desirable that as full and comprehensive report as is possible, is prepared and submitted for consideration by the proposed Police Service Commission and its approval obtained.

Part V

Police Public Relations

1. The relations between the Police and the public cannot be viewed in isolation. The state of the society in which the Police function, the Government in office and the quality of the Police Force itself, are all factors that have to be taken into consideration. If the state of the society is violent and not normal, then one must necessarily expect the Police also to act, not as a normal Police Force should, but more inclined to resort to a greater degree of physical force than would be used in normal times. The concept of minimum force would then find no place.
2. The Government in office by its actions can have considerable impact on the behaviour of the Police. If the Government acts strictly in accordance with the law and observes the norms set out for the administration, in a civil and liberal manner, then that would be a great help for the Police to function with integrity and impartiality. But if the Government brings political influence and bias to bear on the investigations, appointments, promotions etc., then that would considerably weaken the effective functioning of the Police. The malaise that has manifested itself in recent years of public officers seeking to hang on to the coat tails of the politicians for their advancement in the service, instead of relying on their own intrinsic merits, efficiency and service, has affected the Police to a greater degree than the damage which has been caused to the public service in other spheres. It is with the Police that the MP interacts more than with any other public officer.

There are external factors which affect the Police. But of course, the Police service itself and its quality is the key factor. If the officers themselves are susceptible to corruption etc., then there cannot be a healthy relationship between the Police and the public. The Police would lose its credibility and the public would lose their confidence in it.

3. Today, society is far from normal. Everywhere there is a sense of insecurity and public buildings, particularly of the Police are protected often to the extent of being barricaded. All Police stations are cordoned off as security zones and are guarded, as if they are fortresses. A member of the public cannot enter a Police station with the same ease of mind as he would a Post Office, Railway Station or Divisional Secretary's office in the expectation that his matter will be fairly judged and expeditiously attended to. He first has to be security cleared and permitted to enter. This is an initial disadvantage in establishing a healthy relationship between the public and the Police. One cannot hope for a change in this attitude until the return of complete normalcy.

4. The Committee has commented on the need for a attitudinal change in the mind of the Police officer to restore a cordial, normal and natural relationship with the public. Having faced two insurgencies and terrorist activity, the mental attitude of the Police officer at present is understandably defensive and is not one that would be helpful and pleasing to a member of the public. The police College has a tremendous responsibility to gear its training to bring about this attitudinal change. A Police officer should be disciplined and strict but should have a pleasant disposition. He should not be overlay conscious of his power and authority to the extent of his being alienated from the community.
5. The expansion of the curriculum at the Training College to include Human Rights will also help the Police officer to function, and to be seen to function, as a normal human being. The Committee had read with interest an article in " India Today" commending the Police in Kerala for providing courses on Human Rights to all Police officers and the results of their efforts are being assessed. If all Police officers on recruitment and at the beginning of their careers are psychologically conditioned to be always mindful of human rights, the approach to his Police duties would be set in proper perspective and would prove to more humanitarian.
6. This is not to say that nothing should be done till the return of normalcy. For two decades after Independence, there was generally a healthy relationship between the Police and the public. The Police interacted with members of the Public when they were present at the divisional day of the DRO, where problems affecting the community at large were discussed and thrashed out. Then there were the Rural Development Societies in every Village, whose important meetings were attended by almost all the officers, including the Police. All these have now been lost, after these societies became politicized and went into abeyance.
7. The Committee was heartened to note that in some Police Districts a fresh start has been made to restore a healthy relationship between the Police and the Public. For instance, Police officers assist the schools in conducting their sports activities. This helps not only to break the barrier but also to create an image of a Police Officer as one who is not outside the pale of the normal structure of society.
8. In the Police Station itself, certain modifications can be made, which are minor and cosmetic, but which when added together can give a better image of the Police and dispel the forbidding aspect of a Police station of today. For instance, the nomenclature "charge room" could be changed to "Complaints". There could be a reception counter at which perhaps a female Police officer could attend to members of the public on their arrival at the Police Station. She could with normal courtesy, direct them to the appropriate branch where their statements could be recorded without delay. There appears to be no need for a central point at which statements are recorded depending on the sequence of the times of arrival of the individual complainants. The Committee was gratified to find that this change has been effected in some Police Stations already. In some stations there was also a separate section to deal with complaints from women staffed by women police officers. This has been welcomed by the public, as women can then freely and unabashedly divulge information of a delicate or sensitive nature which they would be reluctant to give a Policeman.

No one should be turned away on the pretext of the non-availability of transport or the absence of the OIC of the station or other officer to deal with the matter.

The room where statements are recorded could also be brightened up and made more pleasant and adequately furnished. In particular, the benches that are now the items of furniture generally available should be replaced by chairs. This would psychologically help to dispel the impression that members of the public who come to a Police station belong to a lower order of

society. All officers should be extremely courteous, specially to those who cannot be classified as criminals.

It should not be alleged that Police officers were rude or used insolent language, whatever be the strains and stresses of their duties.

Above all, the Police officers at all levels should not remain isolated but should establish a rapport with people of influence, such as the School Principle, the Religious Dignitary, Grama Niladari etc.,

9. It would appear that a two way approach is necessary, that is, there should be increased professionalism and competence on the part of Police officers and on the part of the public, the impression they have of Police, should be changed and be based on a proper understanding of the role of today's Police officers.

Part VI

Police Service Commission

1. All the officers, who appeared before us were agreed that undue pressures that were brought to bear in the matter of appointments, promotions, postings and even transfers, were one of the main reasons for the break down of discipline, loss of morale and the high incidence of corruption in the Police Service. These undue pressures were sometimes from within the service, and from friends of serving officers but mostly from politicians and those close to politicians. They cited several cases of officers, who attempted to be fair and act impartially according to the law, who at the instance of politicians, were removed overnight from their stations and posted elsewhere. They also cited instances of officers, who had a well known track record of corruption or inefficiency, being promoted over officers, who were conscientious, more efficient and reputed for their probity, such officers were held to ridicule by those, who had been able to supersede them by the exercise of the influence they were able to utilise for their self advancement.
2. This should not be taken as an indictment on the political system or the general conduct of Members of parliament. The Committee would like to hazard a sociological explanation for this phenomenon. The Police Force was set up by the British in Colonial times for the sole purpose of helping the administration to maintain, and enforce law and order, as suited the colonial rulers. Any sign of dissent or disaffection by a member of the public was to be dealt with severely and in summary fashion. Police officers, in such circumstances, little more than an enforcement arm of the Government. They had no interaction with the public nor were they expected to establish a rapport with the people at large, except perhaps for the limited purpose of gathering intelligence. They were seen and often considered as an institution hostile to the people. Their sole function was to safeguard the interests of the rulers.
3. After Independence in 1948 the Police Force came to be more known as the Police Service. But the change of nomenclature did little to change the role of the Police or the outlook or the attitude of the general public to the Service. The prime duty of the Police Service is to ensure the safety of the State and extend the protection of the law to all the inhabitants. But in this process, the Police Service saw their immediate role to be and this quit rightly to safeguard what they perceived to be the interests of the Government in office. But unfortunately, they identified the interests of the Government in office with the interests of the member of Parliament of the ruling party. With the frequent change of Government, he had to shift his "loyalty" to the new member, who was now a

part of the Government in office. Often, this would involve some cooling of relations or even estrangement from his erstwhile "patron". Thus, there is a close nexus between the Police officer and the Member of Parliament, often to the exclusion of the members of the public, the protection of whose interests is the prime responsibility of the Police.

4. The Member of Parliament, for his part, has a vital stake in the effective functioning of the police. He is elected by the people not only to represent them in parliament, but also to develop his constituency and to ensure that every arm of the Government functions effectively in his area. While he would have an interest in the proper functioning of all departments in his constituency, he would have the most intimate contact with the Police. It is most unfortunate for the law enforcing authority, that most constituents who fall on wrong side of the law, immediately look to their Member, if not to give them some "protection" at least to devise some means by which Police would help to mitigate the severity of the application of the law. The member, who is mindful of his position in the electorate, unfortunately does not ignore such request. Thus it will be seen that the relationship between the Police Officer and the Member of Parliament is a particularly sensitive one much more than that of other Government Officials.
5. Every Government is faced with this dilemma created by this sensitive relationship between the Police and the M.P. The Committee is of the view that it would greatly help the Government itself, in this situation, if a police Service Commission is established, as was first recommended by the Basnayake Commission in 1970, charged with the responsibility of making appointments, promotions, transfers etc, in the Police Service. On the one hand, the establishing of such a commission will give relief to the Government in dealing with the several complaints now made by M.P.P. On the other hand, it will go a long way to restore the moral and confidence in the police Service itself. Almost all the officers, who appeared before us were vehemently in support of the establishing of such a Commission.
6. The Commission should not confine itself to a "passive" role, as was the case with the P.S.C. in recent times. It should actively involve itself in laying down the principles that should be followed and in ensuring that these principles are scrupulously followed. The Committee visualises that the following matters should actively engage the attention of the Commission:-
 - (a) Schemes of recruitment and of promotion (both the original and the amendments that may become necessary from time to time).
 - (b) Appointments and promotions.
 - (c) A general scheme of transfers.
 - (d) The criteria to be followed in making appointments as O.I.C.C
 - (e) Disciplinary matters and appeals.
7. The commission should be required to submit an annual report to the president any lapse or failure on the part of an officer in carrying out its instructions.
8. The Member of Parliaments, for his part, as the watchdog of the people, could bring to the notice of the Ministry or the Commission any lapses on the part of the police Officers.

Part VII

Recommendations

Before we set down our recommendations, we consider it pertinent to make some general comments stemming from the discussions we had with the police Officers and others.

criticism accepted

The police Officers, who met the Committee, considered that much of the public criticism that is levelled against the police today, is not unfounded. They conceded that standards of performance and efficiency have fallen and that many officers do not perform their duties fairly and impartially, that officers, who are corrupt and whose numbers have been unfortunately increasing, have blackened the entire police force and that the image of the police has recently been tarnished and the confidence of the people in the Police eroded.

reasons

They have attributed this to a number of reasons

- (a) The period after 1970 has not been one of normalcy; there have been two insurgencies in the South, escalating terrorism in the North and thereafter, the ethnic conflicts; the police have often been the prime target in these upheavals. The mind-set of some officers, who have had to deal with this situation, have been transformed, so that their approach became more militaristic and scant respect was paid to the principle and concept of the use of "minimum force."
Even the normal courtesies and civilities shown by police officers in their dealings with the members of the public ceased to be observed.
- b) An officer joining the public service has an expectation that, if he carries out his duties diligently, he will in due course, earn his promotions to reach a rank commensurate with his seniority and merit; but in recent years, ostensibly on the ground of outstanding merit, junior officers have been promoted to the rank of Chief Inspector and above, over their seniors; some of the officers so promoted even had Court cases or Departmental charges pending against them; this has affected the morale of the entire service; a doubt has consequently been created in the minds of the rank and file whether diligent and honest service has its rewards; transfers also have often not been effected on a reasonable and equitable basis.
- c) There has been an increasing incidence of MPP interfering with the conduct of investigations; cases were cited of officers being transferred overnight, because they were conducting investigations fairly and impartially and the offender happened to be a supporter of the MP; moreover till recently, in the appointment of an OIC of a Police Station, the key post in the Police setup, a nomination was often made by the MP or at least he was consulted; thereafter, in the discharge of his duties the OIC was beholden to, and sometimes virtually became a hostage of, the MP.
- d) In recent years, Reserve Police Officers have been increasingly deployed on normal Police duties; some of these officers were not qualified and none of them had the required degree of training; the performance and efficiency of Police as a whole has been Police in normal Police work.

observation

The Committee would like to make the observation that this public criticism levelled against the Police should be considered in perspective. In all countries, even in the developed

countries, the Police are often the prime target of criticism. In Sri Lanka in recent years, there has been a perceptible decline in the performance and quality of the entire public service, and the Police should not be single out for criticism. It has also to be borne in mind that for the law enforcing authorities particularly, the years after 1970 have been traumatic, more demanding and posing problems of extreme complexity, which could not be resolved within the accepted parameters and procedures.

The Committee has to make the following recommendations which are grouped under each item in the Terms of Reference.

STRUCTURE AND COMPOSITION

X Ref.

Page	Part	Para
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1.

9	I	7&8
11	I	14(a)
15	I	15(b)
27	II	2(m)

There has been an inordinate increase in the number of DIGG both in the Ranges and in the functional Divisions in Colombo. Further appointments to the rank of DIGG should be suspended. When a vacancy in a post held by a DIG of a Range occurs, that Range. could be amalgamated with the adjoining Range. Whenever there is a vacancy of a post held by a DIG in a functional Division, alternate arrangements could be made without the vacancy having to be filled.

2.

14	I	14(g)
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A study should be undertaken to identify the regions, each of which would constitute a Range that would be in charge of a DIG. It occurred to the Committee that, while there would be a DIG in the Northern Province and a DIG in the Eastern Province, in the rest of the Island, there might be 4 regions - one to cover the dry zone, one to cover the area inhabited by the estate population , one to cover the South and the fourth to cover the coastal belt and the metropolitan area.

3.

15	I	15(a&b)
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There has been an inordinate increase in the number of functional divisions from 5 in 1970 to 39 today. These 39 divisions have been grouped under 20 DIGG. who now in turn report to 7 Senior DIGG. Not only is the interposing of the 20 DIGG superfluous, but the number of functional units themselves can be rationalised on a needs basis. There has been an undue fragmentation of the functional units.

Until a study is completed, where there is a vacancy in a post held by any of the 20 DIGG, this vacancy need not be filled.

4.

18 I 16(h)

At present, there is a common cadre for SPP and ASPP, so that by mere efflux ion of time, an ASP is promoted to the rank of a SP, and thereafter, to SSP. As there is an excess in the numbers of SSPP and SPP, a separate cadre for them and a separate cadre for ASPP should be worked out. A study for this purpose should be undertaken and completed as a matter of urgency, so that the cadre for both ranks is based on a needs basis.

5.

10 I 13

16 I 16(a&b)

The Committee does not see the need for an increase in the total strength of Regulars and Reservists. Further, the cadre requirements of the Ranges particularly at each police Station, and those of the functional divisions have been last worked out in 1981. Over the years, the priorities have changed but the strength has not been re-deployed in relation to the changes that have taken place. For instance, there should be more emphasis and therefore, more personnel deployed, in divisions such as security. crime and traffic and criminal investigation.

Only the cadre for security has been reviewed periodically and updated especially in the recent past.

6.

17 I 16(c)

The requirements in the territorial divisions can be assessed on the data available in the geo-coded Data Bank, while the needs in the functional divisions can be determined more precisely on the basis of the present requirements, with projections for the immediate future.

7.

18 I 16 (f).

The vacancies in the Regular Police in the other ranks and Inspectorate should be filled by absorbing from among the Reservists those who have the requisite educational qualifications.

8.

8 I 9

As regards the 20,000 Reservists who will not be absorbed on the above basis, the Committee recommends that they should if feasible, be demobilised with a suitably worked out compensation package.

If this is not possible, in view of the policy commitment already made, there would be no alternative but to continue them to be mobilised till they reach the age of retirement.

9.

5 I 6

17 I 16(d)

The grading of Police Station has been subject to the criticism that in the recent past in many instances, the grading has been done on the grounds of expediency to suit individual officers of through intervention by interested politicians. The existing criteria for the grading of police Stations should be strictly adhered to with no deviation whatsoever, to accommodate the desires of either police officers or politicians.

A regarding of all Police Stations and comparable units in the functional divisions should be undertaken.

RECRUITMENT & TRAINING

10.

22 II 2(a)

The present procedures for recruitment have transparency and are satisfactory, However, a greater measure of objectivity can be achieved if the interview is structured.

The marking could be :

Sports and Cadetting	- 20
Extra Curricular activities	- 20
Community Service	- 20
Interests	- 20
Personality	- 20

11.

23 II 2(b)

Recruitment should be effected regularly on an annual basis in order to maintain an equable age difference among the Officers.

12.

24 II 2(e)

The present age limit for recruitment as a Police Constable should be reduced from 32 to 25 years.

13.

25 II 2(g&h)

A police Constable, before confirmation, should be required to pass the GCE (O) Level (lower paper) in the second National language, Inducements should be given for the study of English and English should be part of the regular curriculum at the police College. A PC should be required to pass a paper in English of a sufficient standard before being promoted as a Sergeant.

14.

74 IV 5

In the most important appointment of an Officer to be in charge of a police Station, the selection should be done by a group of DIGG, who, while taking seniority into consideration, would minutely examine the record and performance of the Officer throughout his career, to assess his capability. The Officer selected should be given a short period of training on his new responsibilities as Officer in Charge of a Police Station.

15.

27 II 2(1)

In the appointing of ASPP, the requirement that 25% of the vacancies should be filled by direct recruitment has been in abeyance since 1987. Had this been observed, 95 direct recruit SPP would have been appointed. This deficiency should be made up within a period of, say, 3 -5 years.

In the case of a direct recruit to the rank of ASP, the officer should before confirmation, be required to have a pass in English at A Level and at least, a pass at O Level in the second language.

16.

i.
27 II 3(i)
Recognition should be given and priority accorded to the all important subject of training which is sadly neglected today.

ii.
-----do-----
The staff to be in charge of training should be carefully selected. They should themselves be trained to function as effective Teachers.

iii.
30 II 4(a,b,c)
They should serve in the Training College for reasonably long periods of time. Those who have received specialised training abroad or locally should not be posted to other divisions or ranges immediately after such training.

iv.
31 11 4(d)
In order to attract the best talent, a package of incentives including allowances, should be devised to compensate for the loss of fringe benefits that their colleges enjoy when functioning elsewhere.
Due recognition for service at the police College should be given when Considering promotions.

v.
31. 11. 4(e)
The curriculum has to be recast and expanded, not only to cover the subject areas that have become more relevant today and help the Officers to Function more professionally, but also to bring about the attitudinal changes that are necessary on the part of a Police Officer.

Vi.
32 II 4(f)
Modern methods of teaching and modern techniques should be adopted, and upto date equipment provided at the Police College.

Vii
32 II 4(g)
A procedure for the review and evaluation of the effectiveness of the training must be undertaken from time to time. At the same time, the training content must be under constant review in the light of research which should be done by the Police College itself.

viii.
-----do-----

There should also be a follow up to assess and evaluate the effectiveness of the training imparted to officers of various ranks.

17.

28 II 3(iii)

Refresher Courses to " re-educate " Officers of all ranks and which will help the Officers to deal with changing situations should be conducted at periodic intervals, as done by SLIDA.

18.

32 i.
II 4(h)

The police Higher Training Institute should be strengthened and it should address itself urgently to achieving the stated objectives of high standards of vigilance, control and detection of crime etc.

ii.
-----do-----

While conducting their own research and planning for this purpose, they should also keep abreast of the advances made in other countries in these fields.

iii.
-----do-----

At the same time they should be carrying out a continuous review of their programmes and evaluation of those police Officers who have undergone training in the Institute.

iv.
29 II 3(iv)
32 II 4(h)

The function of conducting departmental examination should preferably, be assigned to a unit or sub - unit which is separate from the PHTI.

PROMOTIONS AND TRANSFERS

19.

74 IV 5

The most sensitive area in sustaining the morale of the police force is a system of promotions that is clearly laid down and observed both in the letter and in the spirit.

The Committee appreciates the need to take into consideration both seniority and merit in the making of promotions, particularly in the higher ranks.

It gave the most anxious consideration to the desirability of laying down some criteria for the evaluation of merit, which would be as objective as possible.

While track record, performance and outstanding achievements should all be taken into consideration, seniority should be given its due value. Therefore, the Committee has come to the conclusion that the best course would be that when a junior Officer is to be promoted over a senior on the grounds of the factors stated above, the IGP himself should make a full report to the police Service Commission, setting out the grounds for overlooking a senior Officer.

20.

25 II 2(i)

26

In the process of promoting Constables to the rank of Sergeants, all Constables who have qualified for promotion through the examination and cleared the other steps but have not been promoted for want of cadre, should be promoted, before the process of holding a fresh examination is recommenced.

21.

23 II 2(d)

24

The Committee recommends that the IGP obtains the concurrence of the police Commission before granting any "special promotions"

22.

33 II 5(i&ii)

The scheme of transfers that was in operation prior to 1987 should be fully revived.

23.

33 i
II 5(iii)

An Officer on enlistment, should serve minimum period of say, 10 years in several DIGG's Ranges, to gain a diversity of experience which is essential for the effective functioning of a Police officer.

34 ii.
II 5(iv)

In the matter of postings, an officer should not be given more than 2 postings in his career in one SP's Division. The period of posting could be a maximum of 3 years each, but in the case of other ranks, this could be extended to 5 years.

24.

34 II 5(iv)

An officer should not serve as an officer in Charge in a particular Police Station for more than 3 years.

25.

34 II 5(v)

Representations were made that an Officer should not serve in his "home station". Given the difficulties of housing, schooling etc., the Committee is of the view that this is not feasible. The best rule that the Committee was able to formulate was that in the case of Officers in Charge of Police Stations, including Sectional Heads, the IGP should not post him to a Station where there is likely to be a conflict of interest.

SCOPE AND FUNCTIONS AND MEASURES "TO SECURE MAXIMUM EFFICIENCY"

26.

3,4 I 3

47 III 1(i)

The Committee is of the view that the functions of a Police Officer as set out in the Police Ordinance sufficiently cover what is required of a Police Officer, notwithstanding the several changes that have taken place today.

Recognition should however, be given to, and greater emphasis laid, on the essential role of a Police officer to mediate in minor civil disputes. This will go a long way to preventing a breach of the peace and help in the wider area of maintaining law and order. Specially selected Police officers should be trained in the art of mediation and posted to Police Stations.

27.

69 i.
IV 2

The Police should systemise its scheme of "Sector" patrols to cover the whole Island, both urban and rural.

ii.
-----do-----

For foot patrols to be effective and for back up when necessary, they should have a communication rear link with the Police Station. They should therefore, be provided with walkie-talkies with adequate range.

iii.
-----do-----

At the same time, the formulation of Vigilante Groups and Neighbourhood Watch Committees could be undertaken uniformly across the length and breadth of the country.

iv.
-----do-----

The DCDBB must be fully activised and made to function effectively in all the divisions in the Ranges.

28.

59 III 4
60

i.
-----do-----

Traffic management should be improved not only by providing more personnel to the division but also by intensifying the specialised training that its cadres should receive.

ii.
-----do-----

Traffic duty personnel should remain in the division for a reasonable length of time.

iii.
-----do-----

Because of the hazardous and arduous nature of their duties, they should be given incentives.

iv.
-----do-----
There should be more mobile patrols. At static checkpoints appropriate communication equipment should be made available.

v.
-----do-----
Other modern equipment that is used universally should also be made available to the divisions.

vi.
-----do-----
A total and integrated approach to the traffic problems in the country should be designed with the Traffic Police playing the lead role and acting as a catalyst in the area of traffic management and control.

vii.
-----do-----
Driving standards should be improved and the testing for competence made more rigorous.

viii.
-----do-----
Pedestrian behaviour should be corrected through education and other methods NGOO also, could be associated in this exercise.

29.

71 IV 3
i. To arrest the increasing crime trends through Court action,among other measures, the Committee recommends that a trained Police Officer not below the rank of Inspector with a requisite knowledge of the law and its procedures should conduct prosecutions in Court.

ii.
-----do-----
A department of Public Prosecutions should be created to advise and assist the police in instituting criminal proceedings.

30.

In regard to the Criminal Investigation Division, a number of measures are recommended.

66, III 5
67
i. In the light of the evolving crime scene, more specialised units in the division should be created, especially, to deal with economic and white-collar crime.

ii.
-----do-----

More specialised training for the investigation and prosecution of the complex and sophisticated type of crime now committed should be given to officers of the division. Training programmes for this purpose should be organised by the division itself.

iii.

-----do-----

Induction from the general Police to the CID should be done after careful assessment of the aptitudes, attributes and abilities of officers.

iv.

-----do-----

To allow for the recruitment of competent professionals like Accountants, Financial Experts, Forensic Scientists etc. required in the Division, lateral entry at appropriate points with suitable salary scales should be provided for.

v.

-----do-----

Also, middle order specialist officers like Scene of Crime Officers, should be employed in - house in the division.

vi.

-----do-----

The suggestion that the division should form a "closed Service" should be given serious consideration. Till then promotional avenues within the division should be provided along with other measures for career advancement.

vii.

-----do-----

A package of incentives, should be formulated so that competent officers can be drafted in and retained in the division.

viii.

-----do-----

The most up to date systems and methodologies of interrogation, investigation and intelligence analysis should be adopted and total logistical support for this purpose should be provided.

ix.

-----do-----

Serious consideration should be given to the formation of a typical "Detective Service"

31.

i.

35 II

6(ii)

In the field of logistics, special care should be taken to make optimal use of the scarce resources that are provided. Only the proper type of vehicles and other equipment of the required quality standards should be procured. Waste and misuse should on no account be tolerated. A rational distribution should be made of the available vehicles and equipment on an actual needs basis.

35 ii.
 II 6(iv)
 The computer and other electronic equipment required in the Information Technology Division should be provided as matter of urgency.

32.
38 II 8
 The Research and Development Division should be strengthened and revamped to play the role expected of and organisation such as this. Coordinated and integrated research programmes should be undertaken and carried on a continuous basis. Such programmes should be monitored for progress, periodically reviewed and evaluated.

33.
49 i.
 III 2(iii)
 The special branch that was recently resuscitated should be speedily developed into a fully fledged organisation.

50 ii.
 III 2(v)
 A national organisation for Intelligence to deal with all aspects of it is already in existence i. e. the NIB. There should be linkages and cross fertilisation between such a unit and the special branch. The special branch should also function as the feeder unit for processing grass roots intelligence which would be of value to the NIB.

51 iii.
 III 2(viii)
 Each of these two organisations should have its own "registries."

34.
55 i.
 III 3(xiii)
 The need for continuing the STF when normalcy returns, must be examined. Such large numbers would not be required for the "strike forces" of a normal Police service to deal with situations of strike of civil disorder.

 ii.
-----do-----
 The Committee considers that is not proper or necessary for the Police to be assigned a military role in any situation.

35.

The other measures necessary to secure the maximum efficiency of the Police Force have been set out in the recommendations made on the several issues listed in the Terms of Reference.

The Committee feels that these measures taken collectively, should secure the desired objectives.

RELATIONS WITH THE PUBLIC

36.

75, i.
76 v 3,4&5

The Committee sees no prospect of restoring harmonious relations to an ideal level between the Police and the public, until the situation in the country is normalised.

Notwithstanding this constraint, the greatest emphasis should be placed in the curriculum of the Police College to establish proper attitudes in the performance of their duties in relation to the public.

ii.
-----do-----

In the case of Serving Officers, the Police College will have to work out special programmes to bring about a radical transformation in their mindset and attitudes towards the public.

37.

76, v 6&7
77

More importantly, it is only when a Police Officer acts fairly, impartially and promptly, and is perceived to be doing so, that a harmonious relationship can be established between the Police and the public. This will also help the members of the public to form an appreciation of the heavy responsibility and the strains and stresses cast on a Police officer to day in the performance of his duties. This will enhance the image of the Police officer in the eyes of the public.

38.

77 V 7

In the Ranges, the Police should take an active interest to enlisting the co-operation of the general public. The entire community will then have a participatory role with the Police in the maintenance of law and order. A step towards this direction can be taken, if the senior Officers establish contact and liaison not only with ht public officers of the area, but more with other personalities like the principals of schools, religious dignitaries and persons of influence in the village.

39.

32 II 4(e)
75 V 2
80 VI 4

A correct and healthy relationship between the Police and the Member of parliament of the area is an essential requirement for the bettering of Police public relations. Emphasis should be laid in the curriculum of the Police College to educate the officer on the correct role and responsibilities of a MP towards his constituency and how the Officer should interact with the MP., so that both the Officer and the MP can appreciate each other's role and work in a harmonious way in the interests of the public. This is a subject that should be included in the "re-educating" of serving officers.

40.

i.
77, V 8

78

There should be a ' Reception' counter at the Police Station, preferably staffed by a WPO, who can receive members of the public and direct them to the appropriate officer.

ii.

-----do-----

Special attention should be paid to the need for recording complaints as expeditiously as possible, with understanding and courtesy. The recording of complaints should be decentralised among the various branches of the Police Station. Where the complainant is a woman, a WPO will be better equipped to record her complaint.

iii.

-----do-----

To deal with complaints of offences against women and perhaps children, a separate branch should be created in a Police station staffed by Women Police Officers.

iv.

-----do-----

The caption " Charge Room' displayed so prominently in a Police Station should be changed to "Complaints".

v.

-----do-----

The benches in the Police Station should be replaced with chairs and the whole Police Station refurbished to give a brighter look with curtaining etc.

41.

78 V 8

A Police Officer, while being conscious of his power and authority, should be mindful of his general demeanour. He should particularly be careful about the use of language and the manner of speech. Harsh words and foul language within the hearing of ordinary citizens should at all costs, be avoided.

POLICE SERVICE COMMISSION

42.

i.

80 VI 5

81

The Committee recommends the setting up of a Police Service Commission. It should be appointed by the Constitutional Committee of Parliament.

ii

-----do-----

Among its members there should be senior serving or retired administrators, judicial officers, police administrators and academicians in sociology.

iii.

81 VI 6

This Commission should play a positive role and actively involve itself in laying down principles that should be followed in the matter of recruitment and promotions. It should

also ensure that these principles are adhered to. Among other matters, it should give its attention to schemes of recruitment and promotion, appointments, a general scheme of transfers, the criteria to be followed in making appointments as OIC, and disciplinary matters.

- 81 iv.
VI 7
- The commission should be required to submit an Annual Report to Parliament and report to The president any lapses or failure on the part of an Officer to carry out its instructions.

CHANGES IN LEGISLATION

43.

- 80 i
VI 5
- An amendment to the Constitution should be made to give effect to the proposal to create a Police Service Commission.

- 65 ii.
III 5
- Amendments suggested by the CID, in respect of certain provisions in some laws should be studied.

- 59 iii.
III 4
- Similarly, suggestions made by the Traffic Division to amend some of the provisions of the Motor Traffic Act and Regulations should be examined.

MISCELLANEDUS

44. Housing :

- 39, 11 9(i-iv)
40

The question of accommodation is of the greatest concern both to the Officers and the Administration. Both for morale and more for the need to safeguard an officer's impartiality and independence, he should either have accommodation provided by the Government or a house of his own.

The IGP should work out a priority list, where Government should undertake the construction of quarters, so that the limited financial provision is used to the optimum.

At the same time, he could also actively assist the Police Officers to purchase land and build houses in the locality which they intend to reside in, on their retirement.

45. Complaints

- 42- II 10(i-vii)
44

The expeditious and prompt disposal of complaints against Police Officers made by members of the public, will go a long way to restore the confidence of the public in the Police. The Committee recommends that a "cell" be established to monitor the progress in the disposal of complaints. It should report directly to the IGP, though it could be sited in the Discipline and Conduct Division.

In many cases, the inquiry becomes unfruitful, as the preliminary inquiry has been either delayed or not been properly done. According to the present Departmental Orders, a Panel of Inquiry begins to function only at the stage of the formal inquiry and after charges have been framed. Even at this stage, the Committee has been informed that there is some difficulty in securing the attendance of members of the public to serve on the Panel. Notwithstanding this difficulty, the Committee recommends that as an experiment, Panels be also constituted for the preliminary inquiries.

However, it is important that a gazetted Officer ensures that the statements of all witnesses are recorded promptly and adequately, so that an assessment can be made of the genuineness of the complaint and the need to proceed to a formal inquiry, where necessary.

46. Compensation

41 II 9 (vii)

The dependants of Officers killed should be paid their compensation due to them, under the Police Compensation Regulations, expeditiously.

47. Rewards

73 IV 4

The committee recommends that rewards should not be paid to gazetted officers.

48. Extensions

68 IV 3

Where it is decided not to grant an extension to an officer beyond 55 years, the IGP should make out a case to the Police Commission for such refusal.

49. Roistering for duty at Police Station.

In the interests of maintaining morale and efficiency, Duty Rosters for Police Officers at police Station should be carefully drawn up and approved by the OIC himself. A fair and equitable assignment of duty should be made without causing undue stress or imposing hardship, on a few of the officers, whilst others continue to perform more comfortable and less onerous tasks.

Acknowledgements.

In conclusion, the committee wishes to thank the IGP and his officials for the assistance they have given us. We would like to make particular mention of SSP Mr. S. K. Shanker, and SP Mr. R. K. Dharmaratne, who acted as liaison officers between the Police and the Committee. Our thanks are also due to the Police Officers in the Ranges and the Police College and the STF Training School which we visited.

The committee wishes to express its appreciation of the fact that the Hon. Lakshman Jayakody, M. P., Minister of Cultural and Religious Affairs, found time, despite his heavy schedule of official engagements, to discuss matters relating to the Police, with it.

The Professionals and academics who volunteered to discuss the various issues with it, also deserve our special thanks.

The Committee wishes to acknowledge the contribution and assistance given to it by the Additional Secretary Mr. R. A. A. Ranaweera (who was also the Secretary to the Committee) and the Senior Assistant Secretary of the Ministry of Defence. Mr. K. W. Perera.

Finally and most importantly, the committee has to thank Miss. M. J. Jayawardhana, who almost single handedly, prepared the script that ran into nearly a hundred pages. But for her enthusiasm and willingness, the report may not have seen the light of day .

ANNEXURE "A"

YEAR

1995

POPULATION

17,865,000

GRAVE CRIMES

52,344

MINOR OFFENCES

-

TERRITORIAL RANGES

19

TERRITORIAL DEVISIONS

35

RERRITORIAL DISTRICTS

132

FUNCTIONAL DEVESIONS

39

NO: OF POLICE STATIONS WITH GRADINGS

A1 - 81

A2 - 43

A3 - 39

'B' - 75

'C' - 81

'D' - 03

REGULAR SANCTIONED STRENGTH

IG 01

SNR. DIGG 05

DIGG 31

SN.DIGG 12

SSPP)

SPP)445

WSP)

ASSP)

D/MUSIC 01

SN. ASPP 129

CII 285

SN.CII	75	
W/CII	01	
IPP)	
SII)	3448
SN.SII	383	
IPP Long Servi.	10	
SI. Long Ser.	70	
W/PP)	42
W/SII)	
W/SI Band	03	
W/ IP Long Ser.		05
W/SII Ling. Ser.		05
IP W.U)	10
SI W.U)	
IP Band)	04
SI Band)	
IP H.B)	
SI HB)	02
IP Radio		01
SI Radio		14
SI Mech.		09
SI Transpor		10
SMM	111	
SMM Mech.	02	
SMM Transport		20
SMM Band	03	
PSS	4119	
SN. PSS	700	
PSS Long Ser.	850	
PSS Mech.	56	
PSDD	264	
PSD Long. Ser	50	
PCC	23766	
PCC Mech.	273	
PCC Band	170	
PCC Radio	50	
PCDD	1712	
W/PSS	85	
Sn.W/Pss	100	
W/PSS Long.Ser.		10
W.PSS Band	10	
W/PCC	971	
W/PCC Band	30	
TOTAL		38420

REGULAR STRENGTH

ACTUAL STRENGTH

01

05

31

11

102
139
01
102
01
204
59
289
03
606
2211
-
-
61
04
33
01
-
-
-
-
-
04
-
-
-
-
09
20
71
-
17
01
4520
-
696
41
249
-
17988
220
61
60
1451
179
-
06
05
799
01

30236

RESERVISTS MOBILISED STENGTH

R/SPP	17
R/SPP	13
R/ASPP	20
R/CII	45
R/IPP	183
R/SII	1869
R/SMM	14
R/PSS	23758
R/PSDD	33
R/PCDD	151
R/WASPP	01
R/WIPP	10
R/WSII	91
R/WPSS	277
R/WPCC	1640
TOTAL	28599

No. of SGOO	51
No. of Inspector	2198
No : of other ranks	26350

Jaffna & Vauniya Division
Aunuradhapura Division
Batticooa & Ampara Division
Polonnuruwa Division
Kndy Division Kennals Division
Gampoli & Nwara Eliya Division
Trincomolee Division
Kantale Division
Mabale Division
Kurunegala Division Nickowertiya Division
Kuliyapitiya Division
Chilow Division
Gampola, Negambo & Kalaniya Division
Colombo North, South, Central Division
CFIB CDB Col., Traffic & Mounted Division
(City Traffic, Emergencece CIB)
Mt. Lavinia, Nugegoda & Parliament Division
Kalutara & Panadura Division
Kegalle Division
Ratnapura Division
Badula & Monaragala Division
Tangalle * Matara Division
Galle & Elpitiya Division
Prime Minister's Security Division
President's Security Division
Ex-President's Security Division

Minister's Security Division