

Report of the Police Commission 1946

This commission was chaired by Justice Francis J. Soertsz. The other two commissioners were P. Saravana Muttu and H. Sri Nissanka

An annexure contains a letter written by Sir W. Ivor Jennings to the
commission

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REPORT OF THE POLICE COMMISSION.

CHAPTER I.

Introduction.

YOUR EXCELLENCY,

BY your letter No. 37 dated January 26, 1946, you were pleased to issue to us a commission calling upon us to inquire into, and report upon the organisation, administration and discipline of the Police Force, and to make recommendations as to the ways and means of enhancing the efficiency of the Force and securing a greater measure of public co-operation and confidence and, in particular, recommendations relating to-

- (a) the composition of the Force the conditions of service other than basic rates of pay, and the selection of officers for promotion and transfer;
- (b) the procedure for the investigation of complaints made by the public against the Force;
- (c) the powers and duties of the Police, especially in relation to the preliminary investigation of offences, the arrest and custody of accused or suspected persons, and the institution of prosecutions in Court and the expeditious conduct thereof; and

(d) any amendments of the Police Ordinance and of other existing legislation which may be necessary for giving effect to the recommendations of the Commission on the matters aforesaid or for securing the objects or purposes of such recommendations.

We were required to transmit to Your Excellency a report on these matters as early as possible. Your Excellency also required and directed all public officers and other persons to whom we may apply for assistance or information for the purposes of the inquiry to render such assistance or furnish all such information as may properly be rendered or furnished in that behalf.

Unfortunately, we were not able to begin our sittings till two months later owing to the difficulty experienced by the Ministry of Home Affairs in providing us with the necessary staff. We began our sittings on March 26, 1946, in Colombo, and we visited the eight other capital provincial towns in the island in the following order: — Kurunegala, Ratnapura, Badulla, Batticaloa, Galle, Anuradhapura, Jaffna and Kandy, and we took evidence in each of those towns.

We held 52 meetings in the course of which we examined some 185 witnesses who were kind enough to come forward to assist us with their views, suggestions and recommendations. We left it open to these witnesses to decide whether they would give their evidence in public or in camera, because we desired to cause them the least possible anxiety, for we felt that that would be the best way of securing their candid and unreserved views on the matters referred to us for investigation and report. The majority of these witnesses chose to give their evidence entirely in public; of the rest, some put their views to us and made their recommendations partly in public and partly in camera, a few preferred to give their evidence entirely in camera.

We have thus been able to secure a large volume of evidence and an almost embarrassing variety of views. The typescript of the notes taken by the stenographers at all the meetings we held runs into 2,240 pages. In addition to this mass of oral evidence, there was a large volume of documents tendered to us in the course of the inquiry, and there were also memoranda submitted to us on behalf of several associations and by individuals, among the former being memoranda submitted by the Sergeants' and Constables' Association, the Inspectors' Association, and by a group said to comprise "...a considerable body of Ceylonese police officers of various ranks. The document they tendered bore the title "A critical examination and suggestions for the re-organisation and improvement of the Police Force". Representatives of these bodies appeared before us and spoke in explanation and in amplification of the contents of the documents they submitted to us. We concluded our sittings in Kandy on July 11, 1946, but were not able to address ourselves to the preparation of our report because the two stenographers given to us were unable, despite their best endeavours and long hours of work, to complete the transcription of their notes till about August 10, 1946.

Thereafter the Secretary to the Commission had to peruse the transcription of the notes of evidence taken in order to prepare a summary of the evidence, and we were only able to get our copies of the transcript of the evidence and of the summary made by the Secretary by the middle of September. And then, before our report could be begun, we had to refresh our memory by going over nearly all this mass of oral and documentary evidence, and to do that we had only the hours of leisure that our ordinary duties allowed us. We therefore venture to hope that Your Excellency will ill excuse the delay that there has been in our submitting this report to Your Excellency.

It would be useful to sketch briefly the events that preceded the issue of the Commission to us, for such a sketch would afford some explanation of the dissatisfaction there has been on the part of the public with the Police Force as it exists to-day. Perhaps within the last 50 years it was

during the Dowbiggin period -that the Ceylon Police, generally speaking, enjoyed its highest reputation, and it would most probably have gone from strength to strength as a Police Force but for the unfortunate Riots. They served to disturb the sense of proportion of that otherwise robust-minded Inspector-General, and obsessed him with what might be described as a Riot complex. From that time on the Force which had been gradually emancipating itself from its undoubtedly military origin in this Island and from, its military traditions, began to go back to them. Parades and drills with band accompaniments, rifle practices route marches, bayonet charges, and similar military- exercises of which there was so much complaint made to us in the course of our inquiry, occupied most of the time of the members of the Force. Lapses and defaults on the part of the men in respect of these matters were punished with fatigues, penalty drills, confinement to barracks, and similar army punishments. The Force was fast falling away from Blackstone's conception of what a Police Force should be: ~ Legal custodians appointed to preserve the peace, to keep watch and ward in the districts, and to bring criminals to justice. They were shaped and trained mainly to meet the emergency of riots. This would not have mattered very much if it was only a brief episode in the history of the Force, but Inspector - General Dowbiggin continued in the office of Inspector - General of Police for more than 20 years after the Riots, and the materialization of the Police went on much to the distaste, and even to the perturbation of the public. But in those days there was very little the public could do to alter that state of things, and so they endured what they thought could not be cured. It must, however, be admitted that despite this military bent, a considerable work of a truly police character was done in his time, and a number of very efficient Ceylonese officers adorned the force in those days.

In due course Inspector-General Dowbiggin retired. He was succeeded by Inspector-General Banks. His was a short-life, and so far as police matters were concerned, by no means a gay one. His term of office was almost fully occupied with carrying the Bracegirdle Baby. When he had done that he went away unwept, unhonoured and unsung. Police stock now stood quite low. Then came the Japanese air raid and the economic upheaval that followed. People scattered far and wide. Crime went up by leaps and bounds. The Police, unable to cope with all the additional work thrown upon them, suffered a further loss of reputation and prestige.

Temporary Constables were enlisted in an effort to meet the new situation, but these men appeared to have been enlisted without sufficient scrutiny, and many undesirables crept into the Force, and by their dishonest methods effectively lowered the tone of the Force which for some time had been losing its tone. Now, everybody began to look for the god who, according to dramatic conventions, came down in his car to extricate people who had got themselves into difficult positions, and to provide a happy ending to a menacing catastrophe. Col. Halland arrived on December 21, 1942, and assumed duties on January 5, 1943. He came with a great reputation and considerable Indian experience. He set to work very hard indeed and succeeded in obtaining from the Government with wizard-like ease, most of the things that Inspector-General Dowbiggin had been vainly asking for four years. To him is due the credit for obtaining for the Force rates of pay and other conditions of service without which a decent reorganization of the Force would hardly have been possible. But, unfortunately, he appears to have been, temperamentally, unfitted for the work he had come to do. He was a man of strong likes and dislikes. While he endeared himself to some, he antagonized the majority.

Here is a description we had of him from a senior European Superintendent of Police. It is typical of the views of many other officers. His critical capacity was excellent, but as an administrator he was quite hopeless. His first thing was to introduce a racial aspect into a lot of his appointments. He ignored the claims of the senior Ceylonese officers in service and appointed European officers over them which caused considerable discontent. He quarreled with senior officers who were prepared to assist and advise him. I do not say the fault was only on his side. I

do not think so. But he antagonized them all.... Having failed to get on with the senior officers, Col. Halland asked for four experts to be sent out from the London Metropolitan Police. It is quite true that experts would be extremely useful, but he did not get them. He got three officers who were Metropolitan policemen who had been to Hendon College, and when they arrived they had an average of 9 to 10 years' service between them. One of them was unable to stand the pace out here. He was very frank. He said it was absurd sending him out to try and show people who have been in the Eastern Police Force their job. He cracked under the strain. Neither of the other two officers can have any pretence to being an expert.

I was in Col. Halland's office when he received a cable from England giving news of the appointment of these police officers. He threw himself back in his chair and said he had been torpedoed.

We have had an opportunity of perusing the correspondence that passed between Col. Halland and the, Secretary of State for the Colonies in regard to the kind of men that Col. Halland and the minister for Home Affairs were seeking from the United Kingdom in order to help in the reorganization of the Force. They were in search of highly qualified and well-experienced men from the United Kingdom who would in due course be able to fill the posts of Inspector General and Deputy Inspectors General. But the war was on and in those days such men were hard to find. The Secretary of State for the Colonies could offer only junior men of purely British experience, and that was a qualification that appeared to have been insisted upon by the local authorities. Col. Halland in a mood of pessimism that suggested that half a loaf was better than no bread advised the Committee for Home Affairs to accept the offer by the Secretary of State for the Colonies, and three Contract officers came out. This is what the senior Superintendent from whom we have already quoted said in regard to the two of them who are still here. Then the other was Mr. ... who, after leaving the University and spending four years as a schoolmaster, joined the Metropolitan Police, went to Hendon and, I believe, was a Sub divisional Inspector in charge of a station. The other was Mr. who had been at Harrow and went straight to Hendon and started as a Constable. He had done a certain amount of work in Scotland Yard. I tried to find out from friends of mine in the Yard whether they knew anything about him, and they did not remember. That may be merely because their information was out of date. But none of these officers had any pretence to being an expert. I think they themselves will admit that.

It is unfortunate that the Inspector-General (*i.e.*, Lieut. -Col. Bacon) has come to depend entirely on these two officers for their advice, while the Contract officers themselves, having no local experience of any kind, fall back for assistance upon Ceylonese officers of their choice, and this has led to a spirit of rivalry between Ceylonese officers themselves. The result has been a most unhappy spirit in the Force which we feel the Contract officers have to a certain extent encouraged. They collated to the C. I. D. a lot of the most go-ahead and efficient officers and bled the outstations of efficient officers in charge and brought them to the C. I. D. in Colombo. That is why I say it is dangerous having an expert who has to make his reputation. I do feel that this situation should never be allowed to arise again. They have been pushed as it were into the arms of Inspectors and Sub-Inspectors who have now got their own Associations sponsored by these gentlemen. Their Association is a very good thing they must have some method of putting forward their grievances. But it should stop there. There has been considerable trouble and friction merely because two of these people were sent out here by the Colonial Office as experts who were not experts. Besides you cannot be an expert in administration in a strange country without experience of the people. You know nothing about the outstations, the languages, caste questions, and things like that! These two contract officers were appointed by the Secretary of State for the Colonies on a four-year agreement.

One of them arrived in the Island in September, 1943, and assumed duties. The other arrived in the Island and assumed duties on December 11, 1943. The present Inspector-General himself was appointed by the Secretary of State, also on a four-year agreement, as a Superintendent of Police, Grade I., on October 21, 1943. He arrived on November 5, 1943, and assumed duties as Acting Deputy Inspector General of Police. In December, 1943, he became Deputy Inspector General of Police (Criminal Investigation Department), and a few weeks later was appointed Deputy Inspector-General of Police (Administration). On May 14, 1944, he acted as Inspector-General of Police till he was appointed Inspector-General of Police on February 8, 1945. In the course of his evidence the Inspector General told us that his appointment caused much disappointment to senior officers who had been in the Force for many years and who therefore thought that the Inspector General should be chosen from among them.

When Lieut. -Col. Bacon took over the duties of Inspector-General of Police the task that confronted him was almost of a Herculean nature, and from the impression we formed of him in the course of our many contacts with him during the inquiry, he would very probably have succeeded in cleansing the Augean Stables to some extent at least if he had the co-operation of the whole Force. But he did not receive the assistance of the senior offices in the Force who resented his appointment. Perhaps a tactful approach on his part might have won them over, but the evidence shows that he preferred to join forces with the two other Contract officers who had come out at about the same time as he came out, and the result was that this helped to stiffen the opposition on the part of the senior gazetted officers, both European and Ceylonese, and so there came into existence two groups in the Force, the "Old Brigade " and the "New Brigade ". There was documentary evidence made available to us from which it would appear that the Inspector-General tried very hard indeed to have the two Contract officers promoted over the heads of very Senior officers in the Force to fill the posts of the two Deputy Inspectors-General, and this again was a source of much discontent and dissatisfaction in the Force.

The evidence also showed that from about the time of Col. Halland's arrival there was a great lack of discipline in the Force, one might even say a spirit of rebellion and this appears to have been encouraged by the way in which Col. Halland and the new Contract officers put themselves above all other authority in the country. This is what a Deputy Inspector-General said to us in the course of his evidence: "If a man (*i.e.*, a policeman) is convicted in Court, Col. Halland would not accept it. He would not punish him. Even if a Constable was convicted in Court, Col. Halland would not dismiss him. We always dismiss a man if he has been convicted in Court. If the Court finds against him, the Police authorities always abide by the decision of the Court. Col. Halland, however, did not take any notice of any finding by the Courts".

Numerous instances were cited to us in support of this statement. This unfortunate disregard of the rules of law and order on which British Society is supposed to be based must affect the prestige and the morale of a Force such as one expects the Police Force to be. We were told that one of the two Contract Officers was also disposed in that way, and we were given an instance in which he secured the reinstatement of a Police Sergeant who had been convicted of an assault on a member of the public in the Kalutara Police Station by the Kalutara Magistrate. The Sergeant appealed to the Supreme Court but his conviction was affirmed. Presently this Contract officer, not satisfied with the decision of the Magistrate's Court and of the Supreme Court, proceeded to hold an inquiry of his own. It was said that the Sergeant was one of his men. At the inquiry which was held in violation of the most elementary rules of criminal procedure, two British Servicemen came forward as witnesses to say that at the time that this Sergeant is alleged to have committed an assault upon a member of the public in the Kalutara Police Station he was actually in their company a good distance away. And upon this evidence the reinstatement of the Sergeant was secured. It is most surprising that if the Sergeant had been in such good company at the time he is

said to have attacked a man in the Police Station premises he should not have called that evidence in the Court below or even named these men as witnesses. It seems quite clear that the evidence led at this inquiry was evidence of a thoroughly unreliable character. We were also told that the Inspector-General and these Contract officers had a way of pushing men who stood by them for promotion over the heads of seniors.

We were given an instance of a man who had been promoted over 70 others who were ahead of him. We were also given an instance in which the Inspector-General himself had strongly recommended for promotion over more senior officers an Assistant Superintendent of Police who, in the opinion of the Supreme Court, had committed perjury in the course of giving evidence in the Matara Police Station killing case. This Assistant Superintendent of Police also had a record of assaults committed by him in Police Station premises, but of course these charges, such of them as came into Court, failed for lack of witnesses to support the complainants' allegations of assault. When the Inspector-General appeared before us we put this instance to him. His reply was that he was not aware of that past record of the Assistant Superintendent of Police in question. We do not consider this a very satisfactory explanation because it was the duty of the Inspector General of Police, before he recommended the man for promotion over the heads of more senior officers, to have acquainted himself thoroughly with the antecedents of the officer he was recommending

One of the Ceylonese officers who appeared before us explained that this attempt to have that Assistant Superintendent of Police preferred was probably due to the fact that he possessed what was possibly considered a favourable complexion. He adduced the instance of another officer who, lacking in a singular degree that protective colouring, was begun to be harassed in the time of Col. Halland, in the view that he had been responsible for photographing and circulating among the members of the 'force copies of a letter written by a former Superintendent of Police who had left the Island, to a friend in the force in the Island in terms that were far from complimentary to Col. Halland. We were given instances to show that this officer was still being treated unfairly. There were several other instances adduced to us to show how officers who kept on the good side of the new arrivals received favourable treatment, while those who showed any spirit of independence were being dealt with unfairly.

When we came to begin our inquiry we had some inkling of all this, and it was not without a sense of apprehension that we commenced our sitting. Besides, we had good reason to believe that we might not be able to secure all the assistance that Your Excellency had bespoken for us, and we felt that without that assistance we could hardly hope to discharge the onerous duties entrusted to us with satisfaction to Your Excellency, to the public or to ourselves. We had been told that the Inspector-General himself had done his best to prevent, or at least to delay, the appointment of a Commission, and the auspice matter which we were due to begin did not seem too favourable. When the Inspector -General appeared before us we told him what we had heard, and he said that that was perfectly true, and he explained that he was averse to the appointment of a Commission because he was apprehensive that the Commission would draw publicity to the Department and that would cause a falling-off- in the work of the Department, and he felt that in any commission there is bound to be a great deal of mud thrown and that a certain amount of that mud would stick, and that was not going to do the Department any good. Although we must say that we were not immersion by this explanation of the Inspector General and although in our view his attitude was the. attitude of the ostrich in moments of peril, we quite understood his difficulty and were even able to sympathize with him to some extent for after all, it is a human weakness to desire to postpone the evil day and, so far as the Head of a Department is concerned, he would naturally wish that any flood that should be coming would come after his tune.

But the true reason of the Inspector-General's aversion to a Commission soon became apparent to us, and that was that he desired to delay the Commission till the new Contract officers could be got into the posts of Deputy Inspectors-General as he was hoping to get them. As we listened to him and the other gazetted officers who came before us, it became more and more evident that a deplorable lack of *esprit de corps* had crept into the Force. The Force had broken up and gone into two camps. There was an "Old Brigade" and a "New Brigade". And there was bitter antagonism between these two groups, each vigilant to put itself in as good a light as possible and to find fault with, to criticize and blame the other. The consequence as one would have expected, was that the other ranks were not slow to go and fish in these troubled waters. They ranged themselves on this side or on that, and the interest of the public fell between the two. The Inspector General himself more or less admitted all this. He said: "A split in the Force dates from the time of Col. Halland's arrival. At that time the then Inspector General of Police and the senior officers of the Force had made up their minds that the new Inspector-General of Police should be chosen from among them. I have no doubt at all that from that date those men deliberately misled him. For instance, when he was called upon to put up a number of men for promotion. Quite a number of men were put forward by the officers referred to. If Col. Halland had known the characters of those men he would not have for a moment thought of promoting them. They were dishonest men and they were deliberately put forward". We pointed out to the Inspector-General that some of the senior officers referred to by him as the men who had deliberately misled Col. Halland had told us quite a different story and had complained that they had not been consulted at all. His rejoinder was that "...that was not so, and that Col. Halland himself told him how the promotions were made. We told him that many instances had been adduced to us of undeserved promotions, and he agreed that in several of those cases the criticism was just but in regard to others he said that they had been put forward to us in that way because there is enmity and jealousy within the Force".

It is clear, therefore, from the evidence of the Inspector General himself that there was a split in the ranks of the Police Force and that there was enmity and jealousy between groups of men within the force. It is true that the Inspector-General sought to attribute this state of things to the bad advice given to Col. Halland by designing officers already in the Force and the consequent bad promotions that were made by Col. Halland. On the other hand, the quotations we have made from the evidence of other members of the Force show that the split, the enmity, the jealousy within the Force were all due to the fact that the new officers who joined the force between 1943 and 1945 were seeking to fill the higher posts in the Department regardless of the claims of much senior men. We are inclined to agree with the latter view.

In our opinion, any attempt to reorganize the Police Force while this state of things continues would be a sheer waste of time. The antagonism presently prevailing must be put an end to. And we think that the opportunity for that will soon arise. The Inspector-General told us that the contracts of these Contract officers were due to terminate in the course of 1947, and that, as far as he knew, those officers did not desire a renewal of their contracts. Our recommendation is that, on the termination of the current contracts, two senior well-qualified and really experienced men such as were in the contemplation of Col. Halland and the Committee of Home Affairs be called in, one to be at the head of the Police Training School and the other in charge of the Criminal Investigation Department. It is our opinion that the future of the Force depends to a large extent on the Police Training School and the Criminal Investigation Department, and every endeavour we think should be made to put both these institutions on a very sound footing

CHAPTER II.

Composition of the Force, the Conditions of Service other than Basic Rates of Pay, and the Selection of Officers for Promotion and Transfer.

(See paragraph 1 (Q) of the Commission.)

STRENGTH OF THE FORCE.

First of all in regard to the question of the desirable strength of the Force, we should wish to say that our recommendations are made in view of the unusual conditions obtaining to-day in consequence of the grave social and economic disturbance created by the war, and also in view of the extent of the policed area of the Island and in view of the Headmen System as it is now in operation. We will presently deal with matters pertaining to the questions whether or not the whole Island should be policed and how that should be done and of the continuance or abolition of the Headmen System. We should also wish to say that we have made our recommendations with due regard to their probable financial implications, for there would hardly be any point gained in attempting to create a Force that the resources of the country would not be able to support. But at the same time, even at the risk of sounding platitudinous, we would venture to say that a good and efficient Police Force is one of the prime needs of every decent society and that, reasonably speaking, money should not be spared in an endeavour to secure such a Force.

The Inspector General of Police said that the Police Stations now in existence were, generally speaking, below efficiency strength and that in order to bring them up to that strength he required a Force of 5,550 men. The present Force consists of 4,844 men. The strength he asked for is slightly larger than that Col. Halland had asked for. There were other suggestions made to us in regard to the desirable numerical strength of the Force. The Sergeants' and Constables' Association expressed the view that there should be an over-all strength of 7,000: the Inspectors' Association asked for 10,000. The present Principal of the Police Training School said that in his view there should be a strength four times as large as the existing strength, that is to say, roughly 200,000. Members of the public who spoke on this question suggested Forces ranging from 6,000 to 10,000. After careful consideration of all the evidence led on the point during our inquiry, and in view of the financial implications of the question, we are of opinion that for a reasonably efficient policing of the area of the Island presently policed, a strength of 6,000 is an immediate necessity. This strength is only 450 in excess of the strength proposed by the Inspector-General of Police. We recommend this addition as immediately desirable because in our view resources now available for filling gaps that are constantly occurring in the Force, especially among the lower ranks, owing to sickness and similar causes, are extremely niggardly, and also because we are satisfied that certain parts of the principal towns in the Island in which criminal activity is very rife are not sufficiently policed. In regard to the allocation of this Force of 6,000, the Inspector General proposed 85 gazetted officers, 433 Inspectors, 752 Sergeants, and 4,280 Constables thus making up the 5,550 he asked for. It is of course for him to allocate the additional men we recommend to the different ranks as he thinks fit, but we would strongly express our view to be that in addition to the Superintendents of Police he counted on, there should be a separate Superintendent of Police in charge of the North-Central Province.

We consider the present system of the Superintendent of Police for the Eastern province overlooking the North-Central Province as well is most unsatisfactory. Quite apart from the distance he has to travel in the course of superintending these two Provinces, there is the more important fact to take into account that the North-central Province has come into much prominence in recent years. It is no longer the remote and half-alive place it used to be. The restoration of its celebrated temples, the more effective organization of its religious ceremonies,

facilities of transport that now exist attract many more devout Buddhists to the sacred places than was the case in past years, and with these devotees there goes the inevitable *profane vulgus* made up of traders, food purveyors, pick-pockets, thieves and such like. Moreover, the large agricultural and industrial enterprises now in operation in that Province have attracted to it a more or less permanent population of men and women from various parts of the Island, a good many of them honestly in search of employment, but not a few, absconders looking for fresh woods and pastures new. Crime has gone up and continues to mount in that Province, and very vigilant action is necessary, and that in our opinion calls for at least one resident gazetted office. If the Inspector-General's proposal of 85 gazetted officers was so nicely calculated in proportion to the 5,550 strength that he had asked for as not to permit of this additional appointment of a separate Superintendent for the North-Central Province, one of the 450 additional men recommended by us can be set apart for that office. The remaining 449 could be disposed of by increasing the strength of Inspectors to 500, and by employing the others in the rank of Constables. We are definitely of the opinion that the Inspectors are the real backbone of the Police force and that a strength of 500 of them is not too great for the needs of the Island.

We are in agreement with the Inspector-General of Police that three Deputy Inspectors General are desirable. The office now held by the Inspector-General of Police should, in our opinion, be filled for some time to come by a police officer of standing and experience from the United Kingdom, that is, if Lieut.-Col. Bacon retires from office next year as he declared he intended doing. If Lieut.-Col. Bacon retires, and a really first-class man cannot be secured from the United Kingdom, we would suggest that a senior Civil Servant be appointed Inspector General of Police. But, for the present, in the event of the retirement of Inspector-General Bacon, every endeavour should be made to secure the services of an experienced man with Police qualifications under whose guidance one of the three Deputy Inspectors General should be able to qualify for the next vacancy in the post of Inspector-General. This is a matter of the highest importance and we would suggest that a salary sufficiently attractive to a first-class man be fixed. So far as the two Contract officers now with us are concerned, their contracts too are due to terminate in a short time and, as we have already said, we recommend that on their termination the services of two first-rate men with mature experience be secured, one as Head of the Criminal Investigation Department, and the other as the Principal of the Police Training School. Here again the salaries attached to these posts should be calculated to attract well-qualified men.

In regard to the Deputy Inspector-General of Police, as we have already observed, we agree with the Inspector-General and make that recommendation. One of the posts, viz., the one in charge of administration, should, in our opinion, be filled by a member of the Civil Service of some seniority and of satisfactory experience in Government administration. We deem such an appointment desirable for several reasons and particularly because the appointment of a non-policeman Deputy Inspector-General would introduce a non-professional point of view and such a point of view has often proved to be one of great assistance in a highly specialized department-like the Police Force. The two other posts of Deputy Inspectors-General should be filled from within the Force. We would, however, point out that these appointments should not be made on the grounds of seniority alone. Greater regard should be paid to the suitability of the officers in respect of character and personal habits. We were given instances, fortunately not many, of senior officers whose habits were inconsistent with the duties of an office that may call for action at any time of the day or night.

To sum up on this question, our recommendation is that the strength of the Police Force be raised immediately to 6,000 men made up of 1 Inspector-General of Police, 3 Deputy Inspectors-General, 82 other gazetted officers, 500 Inspectors, 752 Sergeants, and 4,662 Constables.

RECRUITMENT

If the conditions of service are improved on the lines we suggest in this Report or on similar lines, a definitely better class of recruits will be attracted to the Force and that is the strongest ground of hope for a better and more efficient Force in the future. It is a common but fallacious assumption that anything standing over five foot six and measuring more than 36 inches around the chest will serve for a policeman once it is thrust into boots and a uniform and is given a baton and a whistle, and past enlistments have, generally taken place on those lines. But, in truth, as was observed by an Assistant Chief Constable of Birmingham: "The Police profession is one whose members can never flatter themselves that they have nothing more to learn". A policeman has to deal with every class of society and comes into contact with human nature in all its aspects. He usually has to act alone in dealing with every sort of contingency without the advice of a more experienced comrade, and without being able to refer to any book or other authority for guidance. Men who can be depended upon to develop into policemen of that type are not to be found on the highways and byways. They must be carefully sought after. Not only should their educational qualifications, with due regard to the educational standards of the country, be adequate, but also their character should be exemplary, for only such men can resist the many temptations to which policemen are daily exposed. Such men alone can walk the straight and narrow path of the Police profession.

During the inquiry, we were told that in the course of the enlistment of temporary constables some criminals contrived to be admitted on the strength of glowing testimonials that they were able to produce. It is common knowledge that there is a good-natured inclination on the part of not a few public men in this country to give testimonials. It is, therefore, absolutely necessary that the selecting body should not be content with written testimonials, but should address themselves meticulously to the investigation of the character of the applicants, that is to say, their family, their school career, their disposition, their tastes, their habits and similar matters and, whenever they are in doubt in regard to these matters, they should reject the applicant, just as today applicants who fall short of the required physical measurements are rejected, without compunction. We would recommend the adoption of the suggestion made by Dr. Jennings that the Selection Board be required to call for confidential reports from the University or College or School of the candidates whom they are disposed to view favourably. We do not of course, mean that physical fitness should not be insisted upon. Quite the contrary. *Mens sana in corpore sano*. But what we desire to invite attention to is that, generally speaking, in the past athletics was made a fetish, and a good cricketer or a stout centre-forward was able easily to dispose of an Honours Graduate. That brings us to the question of educational qualifications. On this point there was a variety of views. We are satisfied that the present qualification of 7th Standard in English, Sinhalese or Tamil for enlistment as a Constable, is too low, having regard to the great progress the country has made in the matter of education. We would recommend the Junior School Certificate in any of the three languages as the minimum qualification for enlistment as a Constable, preference being given to those with higher educational qualifications, where in other respects the candidates are equal.

Here arises the question of recruitment to the ranks of Sub-Inspectors and of Assistant Superintendents. At present there is a certain proportion of direct recruitment to both these ranks. There were witnesses who spoke strongly against direct recruitment to either of these ranks, but the weight of opinion, with which our opinion coincides, is that, undoubtedly, there should be direct recruitment to the rank of Sub-Inspectors for some time to come at least. Having regard to the educational qualifications and antecedents of the men who, in past years, enlisted as Constables and then rose to be Sergeants, we are not at all satisfied that that the Inspectorate can

be staffed exclusively by promotion from among the Sergeants. Their opinion of themselves as corrupt and dishonest, as declared publicly by them, even if one views that declaration as exaggeration with an ulterior motive, is to a great extent well supported, and we are quite unable to recommend the discontinuance of direct recruitment to the Sub-Inspectorate. No doubt there are and have been brilliant exceptions, but, on the whole, the day is still distant when the Inspectorate can depend entirely on promotions for filling their ranks.

In regard to the proportion between direct recruitment and promotion to the Inspectorate, various suggestions were made. The majority was in favour of an equal division. Others, including the Acting Attorney general were of the view that ninety per cent should be direct recruits and only ten percent be reserved for promotion. In our opinion, a fair proportion would be two-thirds direct recruits and only ten percent reserved for promotion. The minimum educational qualification for a candidate for enlistment to Sub Inspectors should be the Higher School Certificate or the University Entrance Examination. We would suggest that the age limits be between 20 and 25. What we have said in regard to character in the case of Constables applies with equal force in this instance as well. The question of direct recruitment to the rank of Assistant Superintendents of Police is a little more difficult. Generally speaking, these direct recruits have not been outstanding successes. Indeed, it would not be too much to say that the majority have been failures, but we are inclined to the view that that has been due to the system of selection that had been in vogue. But, to our mind, the greater objection to direct recruitment to gazetted rank is the objection advanced by the Inspectors that direct recruitment to the gazetted ranks made the chances of Inspectors rising to those ranks extremely slender. We have given that matter the consideration it deserves and we have come to the conclusion that for the next five or ten years it is desirable to have direct recruitment to those ranks for several reasons. To mention one reason that appears to us to be a good one, by direct recruitment and by insisting on a high educational qualification, young men of scientific and technical aptitude for some of the specialized spheres of Police work can be more readily secured than by means of promotion from the Inspectorate. We would, however, restrict the proportion of direct recruits to gazetted rank to one-fourth leaving three-fourths open for promotion.

In regard to educational qualification, we would recommend an Honours degree of a British university or of the University of Ceylon. The mode of recruitment in the past has not been at all satisfactory. We would strongly recommend a selection panel of seven from whom as occasion arises a Board of three be constituted. For the panel we would recommend the Inspector-General of Police or a Deputy Inspector-General nominated by him, the vice-chancellor of the University of Ceylon, two College Principals, a retired member of the Civil Service, a retired Judicial Officer, and a senior Medical Officer. This panel will function in cases of direct recruitment to all ranks.

TRAINING

When suitable men have been recruited, there arises the question of adequate instruction for the purpose of making them the well-instructed men that modern conditions require them to be and more than that for the purposes of making, them tactful, patient and polite men in their dealings with the public. In these respects, the Police of today, taking them by and large, are sadly lacking.

This is what an acknowledged authority on Police matters, C. H. Moriarty, O.B.E., L.L.B., has to say in regard to Police training: "The recruits' training should include attention to his body as well as to his mind. He should be well drilled, he should regularly perform gymnastic exercises, and he should be taught how to swim and rescue persons from drowning. Drill improves his

carriage and teaches him the advantages of disciplined and concerted action. Discipline, the highest degree must exist in a Police Force, that discipline which connotes order, regularity and efficient obedience. A policeman usually works alone and in public. His responsibility is great and he must be a highly disciplined man. Gymnastics is an important item in his training. Ju jitsu and boxing will give that self-restraint and confidence which will enable a policeman to deal competently with awkward situations".

The course of training should be conducted with a view to both physical and intellectual culture. One Training School with accommodation for about five hundred should suffice. If a first class officer with experience of Police Training cannot be secured from the United Kingdom to be at the head of the School, we would recommend that an officer of the Ceylon Police Force of not less than fifteen years' experience and possessing good academic qualifications be selected by a Board of Selection appointed by the Inspector-General of Police. Lecturers should be specialists chosen from among Police officers and from the public with due regard to their academic qualifications. We would commend for serious consideration the question of employing lawyer- and doctor-lecturers for legal and medical subjects.

In regard to the physical branch of instruction, it should include drills, gymnastics, marching, rifle drills and practice, all in moderation, and should include First-aid and Ambulance Training. On the intellectual side, the training should include Criminal Law and procedure, rules of evidence, the relevant Ordinances dealing with Police powers and duties and practice in the conduct of cases: the art of taking down statements and making reports; reading aloud, taking down to dictation with due regard to correct spelling; the geography of the country; the topography of the principal towns; arithmetic; modern methods of detection in broad outline; some reading as literature of any subject the recruit may be interested in like history or civics or politics: reading or writing an additional language, English, Sinhalese or Tamil. We have only attempted a sketch of a curriculum with a view to conveying some idea of the kind of instruction we have in mind. It would be for the Principal and lecturers in the Police Training School to fill in the details and to arrange for visiting lecturers on subjects that would be of use and interest to all policemen. We advocate a course of at least a year's duration. At the end of the training, the recruit assumes the position of a probationary Constable for eighteen months. We deprecate a longer probation than that. At the end of that period, he is either confirmed or rejected. In regard to recruited Sub-Inspectors, we would recommend a similar course of training *mutatis mutandis*. In their case too we recommend a probationary period of eighteen months.

Probationary Assistant Superintendent recruits who will be Honours Graduates should during their period of probation which we would fix at two years, be required to learn at least one additional language and, for the rest, should be attached to a Provincial or District Headquarters station to enable them to take charge of a Station or district at the end of their probation. It must, however, be always borne in mind by every policeman of whatever rank that, as we have already observed, the "Police profession is one whose members can never flatter themselves that they have nothing more to learn" and to enable them to continue their studies, every station. With due regard to its size and importance, should have a library containing not only books but also magazines and copies of the daily local newspapers.

DESIGNATION.

Perhaps at this stage we may deal briefly with the question of the designation that should be given to this body of men. There was strong opposition to the present designation "The Ceylon Police Force", chiefly on the ground that this designation served to emphasize the military aspect

which they complained the Ceylon Police had come to assume, particularly after the 1915 Riots. They contended and with that contention we are in agreement, that the Police is an essentially civilian body. This was observed by the Commissioners appointed in the year 1929 to report on the General Powers and Duties of the Police in England and Wales: "The police force of this country have never been recognized, either in law or by tradition, as a Force distinct from the general body of citizens. Despite the imposition of many extraneous duties on the police by legislation or administrative action, the principle remains that the policeman is, in the view of the common law, only a person paid to perform as a matter of duty acts which if he were so minded, he might have done voluntarily. Indeed a policeman possesses few powers not enjoyed by the ordinary citizen, and public opinion expressed in Parliament and elsewhere has shown great jealousy of any attempt to give increased authority to the police.

This attitude is due, we believe, not to any distrust of the Police as a body but to an instinctive feeling that, as a matter of principle, they should have as few powers as possible which are not possessed by the ordinary citizen and that their authority should rest on the broad basis and active co-operation of all law-abiding people.

At the same time it must be realized that there are certain duties of a special nature which, if they are to be entrusted to the police and adequately performed by them, require the grant of special powers. It is true that in Ceylon the first Police Force established was as really military Force rendered necessary by the conditions obtaining at that time. But those conditions have long since ceased to operate, and we agree that as much as possible should be done to, alter the military complexion that is still visible in the police Force and to make it assume as civilian an appearance as possible. But of course a change of name alone would hardly achieve that. The name may change but the thing may still remain the same, and that is what we should wish to prevent.

However, after careful consideration of the submissions made to us in this respect. We would adopt the suggestion put forward by the Government Agent of the Northern Province and recommend that the "Ceylon Police Force" be given the name "Ceylon Police Service". By way of corollary, we would add that the designation "Commissioner of Police" be substituted for that of "Inspector General of Police", and "Deputy Commissioners" for "Deputy Inspectors-General". We would also recommend the substitution of the description "Provincial Inspectors" for "Superintendents of Police" and "District Inspectors" for "Assistant Superintendents of Police". The other ranks retaining the names "Inspectors", "Sub-Inspectors", "Sergeant" and "Constables".

UNIFORMS.

It would be convenient to deal here with the matter of Police Dress, a matter upon which we were addressed with an enthusiasm that seemed worthy of a better cause.

Brass buttons were exaggerated to an extent that seemed to suggest that a great deal of the inefficiency and discontent of the Police Force was due to the time and labour now expended on what was very picturesquely described as "spit and polish". We are, however, prepared to recommend that gunmetal buttons or chromium buttons be substituted for the present brass buttons. This was more or less the general desire on the part of the members of the Force who appeared before us, and we think that that desire can be gratified without in any way reducing the quality of Police Dress. There were similar matters brought up for decision in the course of the inquiry, but it is quite impossible for us to go into these questions with all the punctiliousness that appeared to be expected of us. What we could say is that that branch of the Police Force, which is

now known as "Uniformed Police" should have a distinctive dress designed to disclose their identity and at the same time designed, as submitted by the Police Sergeants' and Constables' Association, "with due regard and consideration to the comfort and free movement of the wearer and suitable to a tropical country like Ceylon". Members of the Force serving in the Harbour area and Up-country stations should, in addition, be provided with warm underwear and warm overcoats.

The blue serge uniform now not so much in evidence but still re-appearing on certain occasions, and the heavy leather boots that ponderously tramp up and down the streets, should, in our opinion, be consigned to the limbo of forgotten things. We do, however, agree with the view expressed by some of the senior officers that boots suit the case of men who have to walk a great deal in the course of their work on beat and during patrol, but rubber-soled boots should, we think, do better than the heavy boots now issued to Constables and Sergeants. Puttees were condemned in no uncertain voice, and it was said the varicose veins that appear to afflict so many otherwise deserving men of the Police Force were due to them.

We see no reason why the suggestion made by the men themselves be not adopted, and khaki stockings substituted for these puttees. Speaking of khaki, there was a great deal of opposition to it on the ground, that again, that it was the material used for military dress, and it was submitted to us that for the reason it should be given up and a more civilian colour adopted. We feel, however, that this is carrying the anti-military campaign to preposterous lengths. We think that khaki can hardly be improved upon in respect of Police attire, having regard to climatic and other conditions in this country. There was a great demand for bush shirts and we are inclined to agree that they should be adopted as largely as possible in substitution for coats in the course of the performance of the ordinary duties that devolve upon the members of the Force, coats being used on ceremonial or other important occasions.

As for headgear, solar khaki-coloured pith hats or helmets would perhaps be better than the slouch hats of today. At any rate that was the popular view, and we see no objection to it. Perhaps it would be just as well if straps, badges and other similar embellishments of a military character were discarded. There is no need for Crowns and Stars and Sam-Browne belts. Suitable letters put upon the shoulder straps to indicate the different ranks ought to suffice. For the rest, the question of dress is one for the Inspector General and his men to get together and decide upon after full discussion. But we should wish to assert that, although the dress of the members of the Force should be adopted so as to produce the desired psychological effect on the wearer, ultimately what matters is the man within the dress. The dress is the "leather and prunello", the man's the man for that.

HOUSING.

The question of Housing, however, is on a very different plane. It is an urgent matter and calls for immediate attention. The more we went over and inspected the quarters provided for married Constables and Sergeants, the more we wondered how the authorities concerned could expect men and women of this station in life to live in quarters such as we saw, or how people, however unfortunate could agree to live in them.

The Harbour Police quarters, the Maradana Police quarters, the Police quarters in Kandy, in Galle and in Jaffna, to mention only a few, are sordid beyond description. They should have been closed down years ago. Indeed, we were told that they had been condemned years ago. But due to sheer indifference and apathy on the part of the authorities, these buildings are still used to house

the families of Constables and Sergeants. We are quite convinced that these housing conditions could not but have deterred many a man with a sense of self-respect from seeking enlistment in the Police Force. There does not seem to be any decent excuse for this state of things having been tolerated for so long a time. There are grounds available for the construction of buildings better suited for human habitation. The Harbour Police grounds, the grounds at Maradana Headquarters, the grounds around the Police grounds, the grounds at Maradana Headquarters, the grounds around the Police Training School are quite adequate for the construction of flats like those that have now come up in Parsons road and in San Sebastian without undue encroachment on the spaces necessary for recreation grounds. Flats on a smaller scale are urgently required in Galle, Kandy and Jaffna, and there too, suitable ground is available.

We do most earnestly recommend to the authorities that a plan be laid down forthwith for the construction of suitable Police quarters and that the execution of it be spread over a period of five years. When the important towns have been dealt with the work of providing similar quarters for married men in other towns for the island should be taken up. We think it undesirable that Police quarters and Police Stations should be privately owned as some of them are at present. While we are on this subject, we should wish to say a word or two about complaints that were made to us by some of the men that there were gazetted officers who were addicted to unseasonable visits of inspection to the married quarters. The Acting District Judge of Colombo who gave evidence before us supported these complaints. He said that he had good reason to believe that things were not as they should be in this respect. The implication of these complaints is of course that these visits are undertaken in the absence of the men and more for the purpose of inspecting the female inmates than for inspecting the quarters themselves. It may however be an instance of what not infrequently happens. One suspects a thing, and then one goes on to convince oneself that it must be so, and then one declares that it is so.

However, we are of the opinion that a system which can even give occasion for such suspicion and gossip ought to be discontinued, if that can reasonably be done. We think it can be done. Tours of inspection should be notified. If this were done, it would satisfy the men themselves, not a few of whom are Muslims and Hindus, and, what is equally, if not more, important, it would not expose inspecting officers to these and other charges brought against them by dissatisfied and disgruntled subordinates, and that would certainly be conducive to a better morale in the Force. Then there is the question, also much discussed in the course of the inquiry, namely, whether single men should be required to live in barracks and married men in quarters provided for them where such quarters are available, or whether they should be allowed to live where they would. The chief grounds of complaint was that the present system of segregating the Police in quarters of their own tended to make them regard themselves as a "caste apart" and that has resulted in a lack of co-operation between the police and the public. It may be that this so-called segregation has, in some small degree, added to the aloofness on the part of duties that the Police are called upon to perform makes certain aloofness on their part necessary or, at least, desirable. But, of course, it should be a friendly aloofness.

To sum up, our views is that in places where reasonably adequate Police accommodation is available, married men should be required, except for good reason, to avail themselves of it, but where there is no such accommodation, they should be allowed to find their quarters within a reasonably convenient distance of their stations and should be given a rent allowance. In regard to single men, we agree with the majority of the Police witnesses that they should be required to live in barracks so that they may be at hand in case of any emergency, but we suggest that everything possible should be done to promote good relations between the Police in any area and the people in the neighbourhood. By way of suggestion, we would indicate cricket, football, volleyball matches and social gatherings from time to time. These, we think, are the best measures for

securing the co-operation that is so desirable between the public and the Police. Similar measures appear to have been taken and found very successful in the Kegalle District when the Assistant Superintendent of Police in charge of that District and a few public-spirited men and women conducted a Rural Reconstruction campaign. We have seen the reports of the work done in the course of this campaign and, in our opinion, the results obtained were excellent. But on the departure of that Assistant Superintendent of Police and some of the other interested persons, the campaign was more or less abandoned. This would not have happened if the Police authorities had instructed the succeeding Assistant Superintendent of Police to continue the campaign. The difficulty appears to have been that the vested interests and caste prejudices came in the end to interfere with the progress of the work, and the Police took up a passive attitude

. That was, in our opinion, unfortunate, because we think Rural Reconstruction carried out by responsible persons on sound principles will go a long way to reduce crime and litigation and the Police should enthusiastically associate themselves with work of that kind.

POLICE STATION BUILDINGS.

The topic of housing with which we have been dealing leads conveniently to the allied question of Police Station buildings. There was widespread dissatisfaction with the present buildings, both on the part of the Police and on the part of the public. We have inspected many of these buildings and we are of the opinion that in many cases they are inadequate in respect of accommodation, and in all cases inadequate in respect of the matter of privacy where, for obvious reasons, privacy is necessary or, to say the least, desirable. No thought appears to have been taken for the comfort or the convenience of the public who have to report to these stations. There are no Waiting Rooms, and the various persons who go there on different matters have to sit huddled together on a bench or two in one hall, and those who arrive after the sitting accommodation has been filled are left to stand and shuffle about as best they can. The impression created is that the Police attitude is that members of the public should be quite content that they are even allowed to come into these sacred precincts. We have seen respectable people treated in this manner; the only exception that the Police, as a rule, appear to be able to make to-day is when some person of consequence in the eye of the Police comes to a Police Station. This is by no means as it should be. In every station there should be waiting accommodation adequate to the size and importance of that station. Another grave defect is that, as a rule, there is an open Charge Room. Every one in the room can hear what charge or complaint or statement is made by everyone else. The reason for this is that the Charge Room, the Waiting Room and the Police Inspector's Room are just in one open hall. We recommend that this defect be remedied without delay. In our opinion, the Charge Room should be a room apart and so situated that any person who desires to make a statement may be able to do so privately. We also consider that the location of the lock-ups in these Police Stations is very unsatisfactory. Anyone entering the station has a full view of the lock-ups and of the occupants of them. Lock-ups, in our opinion, should have a certain remoteness from the public parts of the stations and a certain privacy. Another point brought to our attention was that the sleeping arrangement for those who have to spend the night in these cells is very elementary and inadequate. We consider that accommodation more conducive to the possibility of sleep for those whose consciences have not "murdered sleep" should be provided. Another feature that came under our observation in the course of our inspection of Police Stations is that in nearly all the stations we visited there was what is called the Strong Box occupying a great deal of space which could have been much more profitably used. We suggest that cupboards be built into walls.

To sum up, we would recommend in this respect that there should be in every station a Waiting Room, a Charge Room, an Inspector's Room, and that Lock-ups should be situated in such a way as not to be too easily visible to people coming to the stations, and that better sleeping accommodation should be made available to persons who have to spend the night in these station lock-ups. We see from correspondence that passed between the Inspector General of Police and the Minister for Home Affairs that it was feared that post-war rebuilding schemes had assumed such proportions that the Public Works Department would

hardly be able to take up Police buildings for a long time. We agree with the Inspector General; if that is the true position, private contractors should be called in. The matter is urgent. We do not think that employing private contractors will result in greater expenditure. Indeed, we are inclined to think it may result in a saving of money.

HOURS OF WORK.

Other matters of importance relating to the welfare of the Force to which our attention was specially called have to be dealt with now. On a careful consideration of all the evidence before us, we are satisfied, in regard to these matters, that the dissatisfaction that exists is well-grounded, especially so far as the non-gazetted ranks are concerned, and we propose to confine ourselves to their case. The duties that a Police Force are called upon to perform are such that it is impossible to limit their working day, as can be and is done in most other Departments, to a definite hour for the commencement of the day's work and a definite hour for its termination, but we are of the opinion that the principle of an eight-hour working day should be adopted and adhered to as far as possible. It will hardly be possible to enforce this principle rigidly in respect of each day, but work can be so arranged as to produce the result that a man is not called upon to work more than 240 hours a month subject, of course, to such leave as he may take. Measures should also be adopted to ensure that a man who has been on night duty should not have work beginning on the morning of the next day. We were told that it happens, not infrequently, that a man who has been on duty all night has to attend the Courts the next morning and has to be in attendance there, perhaps, the whole of that day. This is, of course, undesirable for several reasons and should be prevented as far as possible.

LEAVE.

In regard to leave, we are disposed to accede to the request made on behalf of the Inspectors that they should be placed on the same footing as the Sergeants and Constables. To day they are in a much worse position. We would recommend that they be declared entitled to forty-two days' ordinary leave and forty-two days' sick leave in addition to the eleven days lieu leave and the fourteen days' casual leave now permissible. Sick leave should be made available only in genuine case of illness. When we were considering this matter, complaint was made to us that no concessions were made to men who desired to resort to Ayurvedic treatment and that certificates from Ayurvedic physicians were not accepted in support of applications for sick leave. These are definite hardships from which these men should be relieved. They should be free to live or die in the way they like. We believe that the matter of certificates from Ayurvedic physicians is under consideration by Government in respect of all Departments, and we would only say that our view is that there should be no objection to certificates from registered Ayurvedic physicians. We would also recommend that the forty-two days' ordinary leave should not be made available in one spell except in exceptional cases, and that the maximum ordinary leave should, as a rule, be limited to a fortnight. We view with favour the request made of us that Sergeants and Constables should be allowed to take out of this leave, one day in every fortnight and Inspectors two consecutive days in every month. There appeared to be some dissatisfaction on the part of the men because no opportunity was afforded them to attend Church Services on Sundays, and we would commend to the authorities their request for better treatment in that respect. Similar opportunity should be afforded to Buddhist, Muslim and Hindu members of the Force on such days as are ordained and set apart by the clergy of those Faiths as days on which attendance in the temples and mosques is desirable.

POLICE HOSPITALS.

Then there is also the question of separate hospitals for the Police. We were given to understand that there was opposition to it in certain quarters, but we think that it is very desirable indeed that the Police should have their own hospitals. It would certainly help to relieve the congestion that is notoriously prevalent in the General Civil Hospitals in all parts of the Island. We do not understand on what grounds this objection to separate hospitals for the Police is based, but here again the view appeared to be entertained that this practice of separate hospitals for the Police tended to make them regard themselves as a caste apart, a kind

of ruling passion strong in death. We do not think that there is much substance in this. We agree with the representation made to us by the Inspector-General that hospital accommodation for the members of the Police Force is far from adequate to-day, but we fear that the Inspector-General must derive such comfort as he can from the fact that that is the plight of all ranks of Society in these days when people count themselves fortunate if they can find accommodation under beds.

PROMOTIONS.

We now come to deal with the questions of promotions and transfers, both of them prolific sources of misgiving and discontent within the Force. It will be remembered that the Inspector General sought to account for the demoralization of the Force from the time of Col. Halland's arrival by suggesting that it resulted from the promotion of men who did not deserve promotion. We have already expressed our view to be that, although bad promotions had a degenerating influence on the Force, the main cause of dissension and demoralization was the split in the Force that followed upon the arrival of the Contract officers and the manner in which they set to work. However, the Inspector General's view is significant. It shows how important it is that promotions would be made on just and sound principles. We have given instances of attempts made in recent years to promote favourites and to deal harshly with those who did not subscribe whole-heartedly to the views of the new Contract officers and their entourage. The obvious remedy is to abandon the system of promotions that has prevailed in the past. That system was for the Inspector-General to make the promotion on the recommendation of a Superintendent or Assistant Superintendent of Police. This system led to the promotion of favourites and, in some instances, even to bribery and corruption. We recommend that a Board of five with a quorum of not less than three be appointed to consider and decide upon promotions. We would suggest that the Inspector-General be the Chairman of the Board and that the other members of the Board be a senior Ceylonese Superintendent, a District Judge or retired District Judge, a senior member or retired member of the Civil Service or a law officer or retired law officer, and a member selected from the General Public. We would recommend that it should be open to Constables of five years' standing, inclusive of the period of probation, to sit for an examination to be held annually for qualifying for the rank of Sergeant, provided he is recommended as a fit and proper person by two officers of the rank of Inspector or of a higher rank under whom he has worked. Likewise, in the case of Sergeants of not less than eight years' standing in the rank of Sergeant, with a view to promotion to the Inspectorate, and in the case of Inspectors who desire promotion to gazetted rank. The examinations should aim at testing the candidate's efficiency and fitness for the rank into which he seeks promotion. Those who pass these examinations should be put on a Waiting List and come up for consideration by the Promotions Board when vacancies occur. At present, promotions are on purely a time scale and that, in our view, is unsatisfactory. A passage from the evidence of Assistant Superintendent F. J. M de Saram will serve to make the point clear. He said: "I would like to place before you a few figures which I have. In the Constabulary of to-day's strength (i.e., the strength as on April 30, 1945) we have 2,915 men and 596 Sergeants, so that, roughly, only one in every five Constables can ever hope to be a Sergeant. Then with regard to the Inspectorate, there are 365 in all and, at the same time, there were in the officer Cadre 72, so that out of these 365 Inspectors only 45 could hope for promotion, and that only if they got the benefit of all ranks". In other words, a Sub-Inspector can attain gazetted rank in 16 1/2 years if he gets the benefit of all ranks. If he does not get that benefit, he may have to serve for as long as 24 1/2 years before he can qualify for promotion. The position of men trying to work their way up from the lowest rung of the ladder is almost hopeless at present, and the Inspector-General's "Constable-Inspector-General" only a vain dream. In reality, their plight is comparable to the plight of Virgil's uninterred spirits on the banks of the Styx:

*"Stabant arants primi transmittere currsum
Tendebantque manus ripae ulterioris amore."*

But, the present conditions of service, like Charon in the classical instance, kept them at a distance.

We would command to the consideration of the authorities that those Constables, Sergeants, and Inspectors, who have sat for their examinations and qualified for promotion be given a special allowance pending promotion.

TRANSFERS.

In regard to transfers, the position to-day appears to be even worse than that of promotions. The system of transfers in operation now not only in the Police department but in all Government Departments, including the Judicial Service Department, lends itself to much abuse. It lends itself to favouritism, nepotism and corruption. A propitious approach to the officer in charge of initiating transfers works wonders. Men are sent scurrying hither and thither regardless of the duration of their sojourn in any particular station, regardless of whether they can find accommodation in their new stations or not, in a word, regardless of nearly everything but personal considerations. In the Police Department things appear to be as bad as they can be. There are various kinds of transfers. There are transfers from the Head Office, generally initiated by a clerk in charge of that subject; there are transfers from one station to another in the same district; transfers from one station to any other station in the Island. It is a common experience in the Assize Courts to find a member of the Force coming, say to the Assize Court in Kandy, from Jaffna or Hambantota or Batticaloa, to give evidence in a case in which he had made investigations when he was stationed in Dandagamuwa or Hatton or in Kandy. This has caused much inconvenience and has even interfered with a proper and expeditious trial in several instances. We agree that, except for health reasons, transfers should be few and far between. The minimum tour of service, except in malarial stations, should be five years, it being left open to a man to choose to continue at his station, should be five years, it being left open to a man to choose to continue at his station, unless the interests of the Force and of the public require a transfer to be made. It is of the first importance that a man should serve as long as possible in a station with which he has familiarized himself, again unless, of course, he had familiarized himself in an unsatisfactory manner. We would recommend that transfers also be dealt with by a Board similar to the Promotions Board and that the officer proposed to be transferred, or seeking a transfer, be given an opportunity of supporting his application or his opposition in writing. But we wish to make it clear that what we have said on this subject does not apply to emergency transfers of a temporary nature rendered necessary by the exigencies of the service. Such transfers may be effected as they have been in the past.

PENSIONS.

We were also addressed very strongly in regard to the question of Pensions, and we were asked to recommend that, in view of the strenuous work that members of the Police Force had to perform, often under adverse conditions, they be given the privilege of retiring at the age of 45 or, at least, at the age of 50, on the maximum pension, and that the duration of service required for qualifying for such pension be reduced in their case. It was submitted to us that after 45 or 50 years of age an Inspector, Sergeant or Constable has very little useful work left in him and that he only serves thereafter to shut out a recruit. We would say that we find ourselves in sympathy with these views, but the question of providing a special Pension Scheme for the members of the Police Force is a large question, and we hardly think that it is within the purview of our Commission. But even if it is, we do not consider ourselves sufficiently competent or instructed to submit a separate Pension Scheme for the Police Force. All we can say is that it appears to us to deserve the sympathetic attention of the Government. We do, however, recommend that it should be open to members of the Police Force to retire at the age of 50 on the pension they have earned but that, so far as compulsory retirement goes, we would recommend that the present practices be continued, that is to say, if a member of the Force desires to continue till the age of 55, he should be free to do so, unless of course, for good reason, the Government thinks fit to discontinue his services.

ALLOWANCES.

We will now proceed to deal with the questions of allowances and rewards. There appears to be a great deal of dissatisfaction among members of the Uniformed Police Force at the special allowances, which are paid to officers and men who form part of the Criminal Investigation Department. It has been urged by members of the Department that these allowances are paid to them to reimburse them for out-of-pocket expenses incurred by them in the detection of crime. It is said that they often have to pay informants who otherwise would give them no information and that the nature of their work entails a considerable amount of

travelling which has to be paid for out of their own pockets. As against this, members of the Uniformed Police contend that they have often to incur similar expenditure in the course of their work in the Provinces but that they get no allowances for it. We are of the view that such discrimination between members of these two branches of the Police Force is unsatisfactory and tends to result in a cleavage between the two branches. We realize that it will often be necessary for the members of the Criminal Investigation Department to incur such expenses as they have detailed to us more often than members of the Uniformed Force in the Provinces, but we feel that some different method should be adopted to compensate them for the financial loss incurred by them in the course of their duties. It would be more satisfactory if they were paid their actual out-of-pocket expenses on production by them of reasonable proof that the expenses were incurred. The objection to this was that there was so much red tape in the Department that there is considerable delay in getting payment for any expenses incurred. If that is so, we would suggest that there should be at the disposal of every officer in charge of a Station a fund from which he can, at his discretion, make such payments both to the members of the Criminal Investigation Department and members of the uniformed Force if they are satisfied that the expenses were actually incurred. We are of opinion further that the travelling allowance paid to members of the Force at present is inadequate, considering the nature of the work that they are called upon to do. We recommend a revision of these allowances and payment on a more generous scale.

The other allowance we would recommend is Language Allowance to be paid to members of the Force who, in addition to their own language, make themselves proficient in either of the other two languages. Such an allowance would be an inducement to members of the Force to acquaint themselves or to make themselves proficient in all the three languages which are spoken in this country, and this would add considerably to the efficiency for the Force and to a wider co-operation between members of the Force and the general public.

With regard to the claim for such other allowances, we see no reason why Police Officers should be treated differently from the other officers of the Public Service.

REWARDS.

With regard to rewards, the Reward Fund operates under the Informants Rewards Ordinance, Chapter 21, of the Ceylon Legislative Enactments. Section 2 of that Ordinance gives power to a Court before which an offender is convicted of an offence enumerated in the Schedule thereto do direct, in respect of any fine that may be imposed for such offence, that any share not exceeding one half shall be awarded to the informer: and Section 3 provides that "all such awards made to a Headman shall be paid into the General Fund for the reward of such Headmen to be regulated in such manner as the Governor shall from time to time direct". Rewards paid to members of the Police Force under this Ordinance as well as rewards paid by private individuals are distributed in terms of Departmental Order No. 112. Such rewards go into the Fund called the Police Reward Fund out of which payments are made to members of the Force who have done good work. There is, in our view, no justification for the payment of monetary rewards to Police Officers for the performance of what is after all their duty. There appears, moreover, no principle on which such rewards are paid, and the payment would depend to a very large extent on the individuality of the person who has done the work and the officer who recommends the payment. With the payment of an adequate salary and adequate allowances, such as we have suggested, the necessity, if there was any, for the payment of monetary rewards will disappear and efficiency can be rewarded in some other way, as for example, by an entry in the personal file of the officer concerned. The Police Reward Fund, if it should continue to exist, can be made use of for other purposes involving social welfare and benefit to members of all ranks of the Police Force. The system of rewards is, moreover, open to another objection, namely, that it tends to abuse and also to encourage Police Officers to secure conviction at any cost, because, as Mr. Obeyesekere, retired Assistant Superintendent of Police, pointed out, no reward is given for work however excellent if it is not crowned with a conviction.

DISCIPLINE.

There was loud and persistent complaint about parades, kit inspections, fatigues guards of honour, and similar military practices which, it was submitted to us occupied a great deal of the time that might more profitably be employed in the service of the public. We are satisfied upon the evidence that these things have been overdone. As we have already observed, they began in the time of Inspector General Dowbiggin, and having grown to be a tradition in the Force, still continue to be honoured in the observance. We agree that a certain number of parades, physical drills and gymnastic exercises are very necessary; also rifle drills so long as the Police are armed with rifles; but we are unable to hold with kit inspections and fatigues as they are carried out to-day. They are archaic practices quite unknown to the modern British Police, and there is no good that we can see as likely to result from them. The objects they have in view can be secured by simpler modern methods. We would recommend the discontinuance of frequent kit inspections and suggest that other measures be adopted for ensuring the care and maintenance of kit issued to the men. While we are on this subject, we should wish to say a word of two on the representation made to us that it is undesirable that members of the Police Force should be employed by gazetted officers as their orderlies and chauffeurs. We agree that it is undesirable to employ people in that way against their will, but, to judge from what we have been told by some of the orderlies whom we had occasion to question, they appeared to be glad to be so employed. From several points of view it is a measure of prudence from senior Police Officers to have the services of members of the Force on whose discretion and loyalty they can rely when they are engaged on their official duties but we would repeat that men should not be compelled to discharge such duties if their preference is for purely police duties.

DISCIPLINE CODE.

Perhaps at this stage it would be convenient to consider the question of a Discipline Code for the Police Force. Today, there is such a multitude of rules, regulations, standing orders, departmental orders, a good many of them conflicting with one another that every matter of importance to the men in respect of their work and conduct is involved in doubt and uncertainty. We would quote from Lord Lee of Farnham's weighty words on this subject. He said: "It would be a wholly mistaken policy to endeavour to limit by hard and fast regulations the exercise by Constables of the individual discretion vested in them. Rules should aim primarily at indicating the general principles which would guide a Constable in his work rather than at laying down precise instructions with regard to every detail of his duties."

We would recommend the appointment of a body of senior officers to draft Rules on the lines of the Discipline Code made in England under Section 4 of the Police Act, 1919, which is annexed as appendix I.

We are not in favour of continuing the system of the award of *Blackmarks*. There appears to be no principle in the way blackmarks are awarded. It would appear to depend on the caprice of particular officer.

MOBILITY.

There is next the important question of mobility. In these days of scientific and mechanical progress, the efficiency of a body of 6,000 men can be raised to a higher power by given them mobility and telephonic and wireless contacts as far as possible. In this respect, Ceylon has been very deficient, and even if we were able to blunder along in the past with man power alone, any attempt to go along in that way to-day would be disastrous. A great number of the serious crimes that are being committed to-day, almost every day, are committed by gangs of criminals, travelling in motor vehicles and covering great distances in the course of a day or night, and if the Police are going to be asked to deal with and circumvent these gangs, they must be given quick transport themselves. But what do we find? All the transport that appears to be available to them at present consists of, comparatively speaking, a few cars, more often than not laid up for repairs in some workshop, a few "Jeeps" that have come into view in recent months, and some push bicycles, the

majority of them, in the last stages of dissolution. It is an alarming state of things, and quite frankly, it is surprising that, in the present state of their mobility, or rather immobility, they have been able to do as much as they have done. There are some stations that have not even a serviceable bicycle, and the consequence is that investigations into crimes cannot be conducted with that dispatch that a satisfactory administration of justice demands. We submit, most earnestly, that this is a matter that calls for immediate attention and for complete reorganisation in order to make the Force thoroughly mobile. In the Colombo Police Division there are 13 stations, and in respect of these we would recommend 13 vans of 15 cwt., 13 motor cycles, 13 cars, 4 divisional crime cars and 4 traffic cars. Then there are 10 Provincial Headquarters units for which we recommend ten 30-cwt. vans, ten 15-cwt. Vans, ten patrol cars and ten crime cars. There are also 34 District Headquarters units which require thirty-four 15-cwt. Vans, thirty-four patrol cars and thirty-four crime cars. In addition to these there are 34 Headquarters units for which we think 34 crime cars and 34 motor cycles will be adequate. The other stations comprise 30 large outstation units, 30 medium ones and 110 small ones. For these we would suggest 30 motor cars for the first group, 30 motor cycles for the second group and 110 motor cycles for the third group. In addition, we recommend that each station should be supplied with pedal cycles in the proportion of one to every three men or fraction of three. In the present state of things, there are no facilities for the removal of seriously injured persons from the scene of an offence to the nearest dispensary or hospital, and several lives are lost annually in consequence of this drawback. If motor transport, such as we recommend, is available, no further provision by way of ambulance transport need be made in that respect. One or other of the different kinds of motor vehicles referred to can be used for the purpose, having regard to the particular needs of the injured parties awaiting removal.

Other matters which require, and which we understand are receiving attention, is the matter of radio communications as well as that of a more satisfactory telephone system for the Police.

FIREARMS.

Another much discussed question was that of arms and weapons. There was a sharp conflict of views in regard to the question whether firearms should be maintained at stations, and if it is thought desirable that they should be maintained, whether they should be rifles or shotguns. There was a similar conflict of views about the carrying of arms and weapons by different ranks in the Force when they are out on duty. After a careful consideration of all the opinions put before us, the conclusion to which we have come is that stations should continue to be armed. The time is hardly opportune for departing from that practice. It is common knowledge that a great number of military firearms and other weapons and ammunition have, in various ways, fallen into the hands of civilians, and the fact that stations are known to be armed is, perhaps, the main reason for these arms and weapons remaining, for the greater part, underground. It would, we think, be a wise measure to adopt to issue a proclamation calling upon all persons in possession of military weapons and other unlicensed firearms to surrender them, on the assurance that no questions will be asked and no penalties imposed in respect of their possession and also declaring in peremptory terms that after the expiry of the period fixed in the proclamation, persons found in possession thereof will render themselves liable to severe punishments. The next question is whether the firearms maintained at stations should be rifles or shotguns. Here again, after careful consideration, we are of the opinion that, although to the uninitiated rifles sound more formidable than shotguns, in reality, should occasion arise-*absit omen*-for the use of firearms, shotguns are likely to do more harm indiscriminately in a crowd than rifles. Having regard to their past record in this respect, we think that the Police can be depended upon not to use firearms except in an emergency that clearly demands their use. The question whether members of the Police Force should carry arms when they are out on duty is a question of some little difficulty. There have, recently, been one or two instances in which Policemen lost their lives because they were unarmed while out on patrol. The Inspector General does not appear to be in favour of the Police carrying arms, as a rule. His view appears to be that if Policemen are known to be armed, then in a sudden encounter between the Police and criminals, the criminals are likely to forestall the Police and fire first. There is much to be said for this view. Besides, if Policemen on patrol are going to be armed, the firearms they would carry would be revolvers or automatic pistols, but it is well known that both these are very difficult to fire with accurately, and we do not see that much good will result from burdening Policemen with them. It would, of course, be impracticable for them, on their usual round of duties to carry rifles or shotguns. On the whole, we agree

with the Inspector General and we recommend that the present system in regard to firearms is continued, but of course when the Police are out on dangerous raids or in pursuit of dangerous criminals, they should be required to go properly armed.

It follows that, if the Police are to continue to be on the armed footing on which they have so far been, drills with firearms and firing practice are both necessary, but we venture to think that, in the past, these have been overdone, with the result that excesses that, one would have thought, would have been resorted to with interest by members of the Force have come to be regarded with great distaste. Before we leave this subject, we should wish to say that, on several occasions, there would be no need for carrying firearms if modern devices, such as tear gas, so commonly used in other parts of the world, be adopted here. There were a few witnesses who suggested that lathies would replace batons, but we do not agree with that view.

GOVERNMENT ANALYST'S DEPARTMENT.

A matter that calls for the urgent attention of the authorities is the Government Analyst's Department. Great assistance has been given to the Police Force in the detection of serious crime by this Department, and it is agreed that there is complete co-operation between the two departments and it is of the first importance that this Department should be put upon the highest possible level of efficiency. But the Government Analyst complains that his Department is understaffed, a complaint which we are satisfied is well founded. The analyst's Department is understaffed; a complaint which we are satisfied is well founded. The analyst's Department consists at present of the Government Analyst himself, two senior Analysts, five assistants and three temporary assistants. The system of temporary appointments is unsatisfactory, and we would recommend that an adequate staff of permanent assistants be immediately appointed in consultation with the Government Analyst. The laboratory, generally speaking, is sufficiently equipped. But it is necessary that the Government Analyst or an assistant should, in a large number of cases, be at the scene of crime as quickly as possible. Number of instances were cited in which valuable evidence was irretrievably lost because of the delay experienced by the Government Analyst in arriving at the scene of offence.

We recommend that a mobile van or two be placed at the disposal of the Government Analyst fully equipped with all modern apparatus necessary for his work.

We would also in this connection point out the necessity for a *Morgue*, one or two. The evidence indicates that a thousand cubic feet is quite sufficient and would cost about Rs. 1,500.

PRINTING PRESS.

The Inspector-General invited our attention to the desirability, if not necessity, of the Police Department being equipped with a Printing Press for the printing of all matters that require to be printed in the course of the administration of that Department. To-day all that printing falls upon the Government Printing Office which, as we know, is taxed to its utmost capacity and, consequently, finds it difficult, if not impossible, to turn out Police printing work as expeditiously as the urgent needs of that Department demand. We were told that the establishment of such a Press would cost forty to fifty thousand rupees and we are satisfied that the benefits and advantages that will result from such a Press will more than compensate the Government and the public.

INSPECTION OF POLICE STATIONS.

There is the question of Inspection of Police Stations by gazetted officers --- which we had overlooked to deal with in a more appropriate context, but lest we forget again, we would recommend that Inspection by gazetted officers of Police Stations should be carried out without prior notice and that such inspections should be more frequent. It seems desirable that gazetted officers should also pay more frequent visits to village areas to enable them to study conditions first hand in each area. It would also appear that the presence of these officers has a tendency to keep down crime.

ASSOCIATIONS.

We have, in passing, already referred to Police Associations. In the very recent past two Associations have been formed within the Force. The Inspectors' Association and the Sergeants' and Constables' Association. The objects of the former, according to its Chairman who gave evidence, are to promote mutual respect and goodwill among its members and encourage loyalty and co-operation in the best interests of the public and to take such steps as are incidental or conducive to the attainment of the above objects. According to the evidence, all the Inspectors and Sub-Inspectors of the Force are nominally members of this Association, but it would appear that the views in their memorandum are not the views of the Inspectors as a body. If the Association confines itself solely to the objects referred to, it may serve an excellent purpose and no objection can be raised to its continuance. It would appear, however, from the evidence, that this Association and the other Association, namely, the Sergeants' and Constables' Association, are already showing unhealthy tendencies. There has already been a clash between the Chairman of the Inspectors' Association, although not in that capacity, and the Inspector General of Police, with regard to the election of a Committee of the Ceylon Police Library. Moreover, the time seems to be inopportune for breaking up the Force into various bodies, for the evidence given before us, as we have already observed, indicates that there are dissensions in the ranks of the Force which are likely to be accentuated by the formation of Associations of this nature. There is an even greater objection to the Sergeants' and Constables' Association. It does not appear to be in the interests of discipline that Sergeants and Constables should be members of the same Association. It is the duty of a Sergeant to supervise his Constables and find out how they are performing their duties had to correct or report any Constable who is found either inefficient or dishonest. It will not be possible for him to perform these duties impartially if he and the men supervised by him were members of the same association, particularly where the office bearers of that association might happen to be Constables. There is a further danger that these associations might be made use of for political purposes and that outside influence might be brought to bear on them by persons who seek to make use of them for their own ends. There does not seem to be at the moment any need for such Associations and, presumably, the Inspector General will agree with this view, although he might have held a different view earlier.

UNPOLICED AREAS.

We have now to discuss the questions of Unpoliced Areas and the Headmen System. We have given these questions very careful consideration, for it is clear that the welfare of the majority of the inhabitants of this country and the reputation of the country itself depend, to a large extent, on a satisfactory solution of the problems involved in these questions. It is a disquieting thought that the greater part of the country is unpoliced and that the majority of its inhabitants have to depend for their protection on headmen not, too carefully, selected and not, at all, trained. It was the general view of those who came before us, both officials and others, that the whole Island should be policed. We are in complete agreement with that view and we recommend that a five-to ten-year plan be adopted for policing the country according to the needs of the different areas and the financial support available. The greater portion of the crimes of violence like murder, attempt to commit murder, rape, that are tried in the Assize Courts come from these unpoliced areas, and the inhabitants of the more prosperous parts of these areas are the easy victims of gangs of armed burglars who go about without let or hindrance. The people living in these areas are very badly served indeed. In the course of his evidence the Inspector General of Police made an observation which was pregnant with meaning. He said: "We invariably find that when we do open a new station, crime figures go up. The first year in a new Police Station we nearly always have a higher rate of crime than we did before". We do not regard this as an example of bad logic on the part of the Inspector-General-- *post hoc ergo propter hoc argument*-- but as indicating that the establishment of Police Stations in these areas enables the inhabitants to bring before the authorities grievances and complaints which, in the absence of Police Stations, they had been compelled to suffer in silence. There was no convenient alternative. It is hardly to be expected of them that, living under the most adverse conditions imaginable, little food, dire disease, no necucak assurance to transport, they will feel disposed to travel miles and miles over roadless country in order to report to the nearest Headman wrongs done to them by their neighbours, with little hope of obtaining redress. Such of them as undeterred by these adverse circumstances succeed in reaching the

nearest Headman more often than not receive a cold reception, for imagine the difficulties and hardships in which the Headman will be involved if he sets out to investigate. But, assume a persistent complainant and a dutiful Headman, they find themselves faced at once with the necessity of having to neglect their daily occupations and going, day after day, with their witnesses, to some distant Court-house to have their complaint entertained and investigated. How much easier to put it all down to Karma or to take the law into their hands according to the dispositions, of the parties concerned. The policing of the entire Island is a truly urgent need. We do, however, appreciate the view expressed by the Inspector-General that the unpoliced areas should be taken up for policing only after the stations in existence over the policed area are brought up to efficient strength, and the policing should go hand in hand with a scheme for opening up the country and making these remote parts reasonably accessible. Col. Halland had submitted a scheme for the opening of 53 new Police Stations all over the Island and we think that this should be done in the course of the next ten years. But, in view of the fact that the stations suggested by Col. Halland were suggested under war conditions when military camps sprung up in the most remote parts of the Island, we feel that the location of the new stations will have to be reconsidered under present-day conditions. That is a matter which should be decided upon by the Inspector General in consultations with the Government Agents and the Assistant Government Agents of the different Provinces and Districts and with the Superintendents and Assistant Superintendents of Police. They would, of course, in arriving at their decision in regard to the establishment of new stations, see that no stations are established in a manner that would be isolate them. We make this observation because we think that the station proposed at Bibile affords an instance of this undesirable isolation. The nearest station to it at one end would be Passara and at the other end Batticaloa, and situated that in that way, it would hardly serve the purpose that every Police Station should serve. If Bibile is to be a police station, there should be a link between it and Passara, say, at Lunugala. The Provinces that appear to us to be urgently in need of Police Stations are Uva, the Eastern Province and the North-Central Province. The North-Western Province, having regard to the criminal propensities of its inhabitants or of strangers resorting to it for various reasons, requires to be provided with more police stations; also the North-Central Province, as we have already observed, should have a Superintendent or Assistant Superintendents of its own. It is our view that when new stations are established they should be adequately staffed, having regard to the prevalence of diseases such as malaria in the area in which those stations are opened, for we have been given instances where Police Stations have had their activities paralyzed by more than half the staff being stricken with illness. The average strength of each station should, in our view, be from ten to twelve men. Our recommendation therefore, in regard to the composition of the Police Force is that there should be in the already policed area a total strength of 6,000 and that this number should be used to increase a strength of ten to twelve men in respect of every Police Station already established, and that in respect of every new station that is opened, it should be staffed similarly with due regard to the conditions obtaining in a particular area.

HEADMEN SYSTEM.

The next question then is whether the Headmen System should be continued or discontinued. A great variety of answers were given by the witnesses who appeared before us to this question. We have considered all those views but we think that it would be a mistake to abolish a system which has prevailed for so long a time and which appears to be suited to the genius of the people and the conditions under which they live. We are satisfied that the Headmen System can be made a very strong support to the regular Police Force by certain improvements being effected in regard to the selection of Headmen and their training. At present, they are selected by the Government Agent or the Assistant Government Agent, and are really more Revenue officers than Police officers, although, so far as designation is concerned, they are variously called Police officers, Police Headmen, Police Vidanges, or Village Headmen. During the recent war years when multifarious Revenue duties devolved upon these men, it was hardly possible for them to devote attention to the Police work that they were expected to perform, and being under the Government

Agent, they were more inclined to perform their Revenue rather than their Police duties. We were told, however, that in normal times it would be possible for these men to perform both Police and Revenue duties. We do not feel too confident that this will be so. We should wish to see two classes of Headmen, one performing only Police duties and the other only Revenue duties. But if in any particular area the Inspector-General, in consultation with the Revenue officers and his Superintendents and the Government Agent or the Assistant Government Agent, provided, however, that so far as Police duties are concerned the man appointed should be under the control of the Police. In places where these dual functions cannot be discharged satisfactorily by one man, there should be one officer performing exclusively Police functions and another doing Revenue work. The former would be entirely under the control of the regular Police officer and the other under the control of the Government Agent or the Assistant Government Agent. But we prefer to have separate officers even in places where Revenue and Police duties can be performed by one officer, because it is undesirable in more ways than one to have the same man serving two masters. If this recommendation of ours is adopted, that is to say, if men are selected to perform only Police duties, although the ultimate selection is left in the hands of the Inspector-General of Police, on the advice of his Superintendents and Assistant Superintendents and Inspector, he should call for applications and consider the merits of the different candidates in consultations with such persons as the Chairmen and members of the different Village Committees, taking into account the views of the villagers themselves assembled on the occasions that arise for making selections. These Headmen should be adequately paid and given a six months' course of training in Police duties. We are satisfied that there is good material available now for making a really good Headmen System. Nearly every one of the younger headmen who came before us impressed us favourably.

CHAPTER III.

Procedure for the Investigation of Complaints made by the Public against the Police.

The second question we have been asked particularly to consider and report upon is the question of "the procedure for the investigation of complaints made by the Public against the Force". There has been much dissatisfaction on the part of the public in regard to the manner in which these investigations have, heretofore, been conducted, and that dissatisfaction was reflected in the evidence given by many witnesses on this point. The implication of the evidence was that the Police had a giant's strength and were using it like a giant. The question is not as easy to answer as one would at first suppose. On the one hand, one has to guard oneself against the encouragement of false, trivial, and frivolous complaints, which are not infrequent. The Policemen's duties, however honestly performed, are liable to incur for him the displeasure of one side or the other to a dispute and expose him to complaints of all kinds. Petition-drawers are a permanent feature of the landscape of this country, and can be seen under nearly every tree on Courthouse premises and at the entrances to nearly every Post Office and Kachcheri. They are a shrewdly observant tribe and are adepts in the art of persuading people that they have grievances of which they themselves had been strangely unconscious, and in a few moments these people are found putting their signatures, crosses or thumb-impressions to petitions varying in length according to the resources of the petitioner, seeking relief from the misdeeds or misdemeanours of Policemen, and protesting fervently that for such and further relief "an in duty bound they shall ever pray". But, on the other hand, there are many genuine complaints, and the refusal or failure to entertain and investigate such complaints satisfactorily has, to a great extent, shaken the confidence of the public. It is, therefore, of the utmost importance that the investigation of genuine complaints against the Force should be put upon as sound a footing as possible. But the difficulty lies in separating the chaff from the grain. That difficulty is not as great in cases in which the complainant makes his complaint in person, but complaints made in writing are the difficult ones. A good many of these complaints are made anonymously or pseudonymously. Our view is that all anonymous petitions should be ignored. In regard to petitions purporting to bear the names of the petitioners, if they appear to be of a substantial nature, the petitioner should be required to attend at the nearest Police Stations and to acknowledge the authorship and the contents of the petition and nothing more at that stage. In cases in which that has been done the petition and nothing more at that stage. In cases in which that has been done, the petition should be sent by the officer in charge of the Police Stations to the Inspector-General of Police or to a deputy nominated by him. The Inspector General or the deputy will then take action for the investigation of complaints that have been made by the petitioners in person and of complaints made in writing and verified in the manner already indicated. The view of the majority of the witnesses who

appeared before us was that an investigation by the Police exclusively is undesirable. But there were some witnesses who were of the opinion that investigation by non-Police persons would prejudice the prestige of the Police and would also tend to impair discipline. But the fact remains that however impartial the investigation made by a Police Officer, unsuccessful complainants will be left with a feeling that the result might well have been different if the investigations had been made by some independent person. It is a trite observation that trials of cases and investigations of this kind should not only be impartial but should also appear to be impartial. For that reason we would recommend that the Inspector-General or a Deputy Inspector-General, as the case may be, do appoint a Board to sit from time to time at stations where there are complaints awaiting investigation to consider and report upon them to the Inspector-General for action in cases in which action appears to be called for. The Board that occurs to us is a Board consisting of the Superintendent of the Province, the Assistant Superintendent of the District in which the Policeman complained against is stationed, and a prominent resident of the particular area. It would be convenient if every Police Station area had a panel of residents ready and willing to serve on the Board and one name drawn in sufficient time to enable or unwilling to take part, to enable some other resident to be chosen. We would also recommend that the Board do, in cases in which the complaints disclose matters more appropriate for being dealt with by courts of law, refer the complainant to Court, unless the complaint discloses a compoundable offence and the complainant and the party complained against are content to have the matter dealt with by the Board. When this matter is under consideration by the Board, they should bear in mind that Complaints of assaults and other offences that are alleged to have been committed on Police Station premises are, generally speaking, by their very nature, difficult for a complainant to establish by independent evidence in the manner in which a Court of law requires a case to be established. In the majority of instances of offences committed on station premises, the witnesses would be Policemen and, as a rule, it would be too much to expect them to testify against a brother policeman. Such cases would be better dealt with by the Board with a view to recommending disciplinary action. We make this observation because our experience has been that these investigations by Police Officers against Policemen are, in many instances, perfunctory. The usual formula appears to be that the complainant complains of an assault against a Police Constable-who denies it. The complaint has not been established. We think that the inclusion of an independent resident on the Board of Investigation will go a long way towards putting an end to that kind of investigation. For in that event, -if we may venture to put it in that way-the Police investigations will have to keep in view the higher in the Woodpile. Such an Investigating Board will serve to allay the misgivings of the Public in regard to the genuineness of investigations into complaints made against Policemen.

Another point on which we should wish to say a few words is in regard to the mode in which the complaint of a complainant who appears in person to make a complaint against a member of the Force should be recorded. But before doing that, we would point out that a member of the public who desires to make a complaint at a Police Station against a member of the Force should be allowed to be accompanied by a friend. And then, if the complainant or his friend is able to write in English, Sinhalese, or Tamil, either of them, according to their choice, should be permitted to write the complaint in the Information Book. The complaint should then be read over to them by an officer at the station who is conversant with the language in which the complaint has been recorded and both the complainant and his friend should be required to attest the complaint in some satisfactory manner. Where a complainant comes unaccompanied to make his complaint and is sufficiently literate, he should be allowed to write his complaint unless he prefers that his complaint should be taken in writing by the officer-in-charge. In such a case, there should be a note made to the effect that the complaint was taken down by the officer-in-charge at the request of the complainant, and the complainant should be required to put his signature to that note. It is only in cases in which a complainant is illiterate and is unaccompanied by a literate friend that his complaint should be taken down by the officer-in-charge. Complaints made in Sinhalese or Tamil and taken down, at the request of the complainant, in those languages would be translated without delay and entered in English in another book to be kept at every station so that visiting senior officers who can only read English may be able to read them. The implication of these recommendations is that in every Police Station there should be men who between them can read and write all three languages. The main objection to persons being allowed to write their complaints or statements was, as stated by the Inspector-General, that most persons would not be able to write down a statement or complaint bringing out the relevant facts and omitting irrelevant matters. There is some weight in that objection, but having regard to the general nature of complaints and statements, we do not think, that there is likely to be much difficulty on this score. At any rate, the person

concerned having chosen to write his own statement cannot complain if he has to stand or fall by it. We must say that our experience is that statements taken down by Police Officers are not models either of composition or relevancy.

CHAPTER IV.

The Powers and Duties of the Police especially in Relation to the Preliminary Investigation of Offices, the Arrest and Custody of accused and suspected Persons, the Institutions of Prosecutions in Court and the expeditious Conduct thereof.

DUTIES OF THE POLICE.

We shall deal first of all with the duties of the Police. These may be classified as duties relating to the *prevention* of crimes and offences; duties connected with the *investigation* of crimes and offences that have been committed; duties concerning the *detection* and *apprehension* of criminals and offenders; duties that have come to be imposed on the Police although they do not fall strictly within their true sphere of work. In regard to this last class of duties, we do not think much argument is required to support our recommendation that the Police should be relieved of them gradually. The policy in the past appears to have been to saddle the Police with duties that the authorities properly concerned with them have ignored or chosen to neglect. A few instances will suffice to support our recommendation. Under the Vaccination Ordinance now 60 years old, and enacted in days of prejudice and conservatism when vaccination was "caviar to the general", the medical authority was empowered to call upon the Police to accompany and assist vaccinators to deal with recalcitrance, but this practice has continued to this day when recalcitrancy of this kind hardly exists. It has become part of the vaccination ritual for the Police to be present while the vaccinators go about scratching people with their needles. Nor are these occasions few and far between. The Inspector General told us that since he has been in Ceylon (i.e., since September, 1943) twelve Constables have been employed three times a week continuously for vaccination work--- a great waste of Police manpower. We recommend that the Police be relieved of these duties without delay.

We would point out that, in estimating the strength of the Force, we ventured to assume that this recommendation of ours that the Police be freed from all non-Police duties would be adopted. If vaccinators should require assistance in any emergency in the future, that assistance should be provided by the Municipal and Sanitary authorities. The difficulty in the way of the Police to-day is that, if their assistance is called for, they have no choice in the matter. They must respond, for the law as it stands puts them under compulsion, and so far as the medical authority is concerned, he, naturally does not desire to take the responsibility of waiving the assistance that the law has provided him with. It has, in other words, become just a matter of red tape. We would suggest an amendment of the law in order to exempt the Police from these duties. Then there is the question of the Police being employed for guarding the prisoners in Mahara Jail, obviously work that should be performed by employees of the Prison Department. That work absorbs an Inspector, three Sergeants and thirty-five Constables. The ground upon which this practice is supported is that Mahara prison is a difficult one and that, as the Warders are not armed, armed Policemen are necessary. But the answer to that is obvious- "Arm the Warders" as is the practice in the United Kingdom. Similarly, during periods of strikes when Prison Labour is employed in the Harbour area, the Police are again called upon to supply the men to guard the prisoners so engaged. This prison labour in the Harbour was, we are told, adopted as an emergency measure in April, 1944, but the Inspector-General complains that what was contemplated as an emergency measure has come to stay and that that has resulted in a loss to him daily of two Inspectors and fourteen other ranks. Here again, it is for the Warders to form the necessary guard by being adequately armed. Other instances in which the Police are now engaged in strange work are in respect of the duties they are called upon to perform in the House of Detention and in the Home for Vagrants, essentially work for the Municipal and Urban authorities to attend to.

It was also submitted to us that the Police were not properly employed when they formed the Guard at the Government Treasury and at Kachcheries. Technically, that may be so, but we cannot see our way to recommend a discontinuance of that system, for we think it would be extremely difficult to find suitable substitutes for them.

But in regard to another matter connected with this subject, namely, the practice now obtaining in the Central Province for the Police to establish and maintain certain stations for the supervision and protection of the Planting interests in that Province, our opinion is that that system should be recast so as to serve the interests of the estates as well as those of the villages round about. These stations now function only for the estates in return for a contribution made by the estates towards the maintenance of those stations. As the law stands, proprietors of two-thirds of any Estate District may ask for a Police Station in the District, and the result has been that stations, like Dimbula, Lindula, Talawakelle, have sprung into existence in wasteful proximity to one another. After hearing the weighty reasons adduced to enable a discontinuance of this practice and a reorganization of the Police Stations in the Central Province. The Planters themselves, we understand, would welcome such a reorganization provided, of course, the re-arrangement of stations in the Province is accompanied by measures for equipping them with mobility that would enable them to get about more rapidly than they can do now. Recent events show that such mobility is urgently called for.

PREVENTION AND INVESTIGATION OF OFFENCES.

The proper duties of the police are multifarious and, as we have remarked, relate to the prevention of crimes, the preservation of peace, the investigation of crime and the detection, arrest and punishment of offenders. But many of the crimes of this country are non-preventable. They are committed on the spur of the moment. The prevention of such crimes must depend mainly upon measures adopted for the social, economic and educational uplift of the people. But we are now dealing with crimes of violence as well as other crimes and offences such as burglaries, high-way robberies, and a good many others that are planned and carried out, and these can be prevented by the adoption of proper measures. It is the experience of those who have worked in Courts of law that a fair proportion of crimes of violence that come up for investigation might have been prevented if the Police had received and inquired into complaints made by aggrieved parties a little more patiently than they have been disposed to do. The stumbling block has been section 71 of the Police Ordinance. It reads that:

"No Police officer shall receive any complaint of any petty offence or take into custody any person brought to him accused of any such petty offences as trespass, assault, quarrelling or the like; and it shall be lawful for any Police officer to refuse to receive or act upon any charge of an offence of a grave character, if he shall, on inquiry made of the complainant alone, see grounds for doubting its truth."

With a safety exit of this kind made available to them, it is not surprising that the Police readily turn a deaf ear to a good many complaints on the score of their triviality. But complaints that may seem trivial to the Police are of real importance to the aggrieved parties. "The toad beneath the harrow knows, exactly where each tooth-point goes; the butterfly upon the road, preaches contentment to the toad." Hence we have many instances in which parties, failing to obtain redress, decide to take the law into their hands and dire results from trivial causes flow. The latter part of section 71 verges on the absurd. It credits every Policeman with acute and penetrative powers of cross-examination, for it envisages a Policeman who, by a dexterous question or two put to the complainant alone, discovers foundations of disbelief or, at least, for doubt of the complainant's complaint. Great advocates lacking this art have been known to labour long and hard before they could so much as plant the seeds of doubt in the minds of a Jury. The only part of the section that we have been able to understand is that part which says that the Police shall not take into custody any person against whom a complaint of a petty offence has been made. That is as it should be. But we are definitely of the opinion that all complaints of any substantial nature should be received and some inquiry held. That will, on the one hand, serve to relieve the dangerous tension of the moment and, on the other hand, serve as the stitch in time that saves nine. In this connection we would strongly commend the suggestion made by Dr. Jennings that, as in England, there should be an *Inquiry Bureau* or Counter in every Police Station here to which residents may resort to make inquiries and to give information, inquiries may be, about little things like an absconding servant or a missing dog, and information, say, of a suspicious character loitering in the neighborhood or some neighbours' quarrel. Such contacts would not only promote the friendship and co-operation between the Police and the public so sadly lacking to-day by making the Police readily accessible, but will also enable the Police to come to know everything about everybody in that area. Section 57 of the Police Ordinance serves as a useful epitome of Police duties and obligations. It says that: -

"Every Police officer shall...be considered to be always on duty and shall have the power of Police Officer in every part of the Island. It shall be his duty –

- (a) to use his best endeavours and ability to prevent all crimes, offences and public nuisances;
- (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;
- (f) Promptly to obey and execute all orders and warrants lawfully issued and directed to him by any competent authority."

These duties can only be discharged by men who can count upon the good will and the co-operation of the law-abiding people of the neighbourhood and such goodwill will, have good reason for thinking, be forthcoming if on their side the Police make a tactful approach and show a neighbourly friendliness. Goodwill is like success. It cannot be commanded. It has to be deserved, and in order to deserve and obtain it, the Police must identify themselves much more than they have done in the past with the movements on foot in various parts of the country against crime, and for rural reconstruction. At the same time, the public should deal with the Police more fairly and sympathetically than they have been disposed to do. To day, the Police are always represented as wrong. Their good work is oft interred and all their faults are proclaimed from the housetops. For instance, in the course of the inquiry, when we were taking evidence about bribery and corruption in the Police Force, several witnesses pointed out very pertinently that bribery and corruption are rife in a higher degree in some other Government Departments and as rife in nearly all such departments, but that the general impression is that the Police are the worst offenders in this respect, and these witnesses said that this was due to the fact that, by reason of the nature of their work, the fierce light of publicity is constantly brought to bear upon it. We are inclined to agree with them and we do not think that, in this respect, the Police are as black as they are painted. But this was a digression intended to serve as a support for an appeal by us to the public for a more sympathetic attitude towards the Police and for more confidence in them. Sympathy and confidence are, nearly always, reciprocated. The evidence tended to show that there is already an improvement in this respect and that the Public are beginning to help the Police by adopting measures of self-help. We heard of residents of different parts of the city who have formed societies for the preservation of the peace and for the protection of their property by keeping watch and ward themselves, and the Inspector-General told us that he was giving these societies all the assistance he could, and he added that, in consequence, there were much fewer complaints of thefts from bungalows and of rowdies moving about to the annoyance of law-abiding people on the public thoroughfares and lands. Movements such as these in all parts of the country should be prompted and encouraged by the Police.

We suggest a *Propaganda Bureau* to help to put the Police in a fairer Position, in a better light. But propaganda, be it of a Goebelsian degree of intensity, will be of no avail without a tactful approach on the part of each and every member of the Force. We would suggest that the Police in every station should encourage and participate in anti-crime societies in their areas. We notice that good work is being done in this respect in the Southern Province, but the drawback is that it is dependent on the type of Superintendent or Assistant Superintendent in charge of a Province or District for the time being and is not adopted as a part of the policy of the Force.

It has been suggested that there should be some person who would do liaison work between the Police and the press and give more publicity to Police work. The suggestion seems to us an excellent one. We would therefore recommend the appointment of a senior officer of the Police Force not below the rank of Superintendent for this purpose. He would also require the assistance of two or three other Police Officers of lower ranks. He would be able in the course of his duties to popularize the Police Force in the schools and the villages so that in the course of time better-educated and more efficient type of persons might be attracted to the Force. We would also suggest that the propaganda officers should keep in constant touch with Schools and Colleges for the purpose of recruitment.

INSTITUTION OF CASES.

The next question we would take up for discussion is that of the institution of prosecutions in Courts and the expeditious conduct thereof. These are matters that have filled the public with grave concern and have been the cause of great anxiety to the honest litigant, the legal profession and to the Judiciary for many years, but never so much as to day, for never before has the state of things been so alarming. No doubt the great increase of crime, consequent on the abnormal social and economic conditions created by the war and the innumerable new offences brought into the Statute Book by an unending spate of emergency legislation, not too carefully conceived or drafted, were largely responsible for this, but there is every indication that, even after all these emergency measures will have ceased to operate, the crimes of normal times will be there, but in much greater numbers. It puzzled us very much to be told by the Inspector General and the two Contract officers that, according to their statistics, crime had decreased noticeably. And yet the Inspector General in his Administration Report expressed his concern at the increase of crime. The explanation of this inconsistency is that, as some witnesses pointed out, figures were conjured with and measures adopted to make crime appear less, when it was in reality more, in order to establish new standards of Police efficiency. We have examined this explanation and we are satisfied, on the evidence, that it is the true explanation of the inconsistency. We recommend that *Statistics* be maintained with a view to showing the real state of things, however bad it may be. It is almost certain that lawlessness of the war years will persist, unless strong counter-forces are brought into operation, for people have become accustomed to break the law and seem to enjoy doing so, while a large section of the public look on, if not in admiration, at least without condemnation or even disapproval as Dr. Ivor Jennings observed in the Memorandum he submitted to us, which we publish as Appendix II. "The so-called decent and respectable citizen sets the tone or ought to set the tone for the general population. In a law-abiding country he not only refrains from breaking laws but actively assists in their enforcement. In fact the social ostracism which is applied to the criminal is a far greater deterrent than anything that can be ordered by a Court. It does not much matter what the Judge says, but it does matter what the neighbours say. A criminal is a cad, a social pariah. The chief cause of the wave of lawlessness in the United States in the 'twenties was that it ceased to be bad form to break the laws; in fact it was bad form not to break the Voltstead Act. Some of my contemporaries went to American universities in 1926 carrying with them the Englishman's belief that they ought to obey the laws of the United States. They were distressed to find that they were regarded as 'stuck-up' Englishmen until they fell into the general practice of carrying a flask of contraband gin...If it is permissible to drink contraband liquor...it is equally permissible to wage gang warfare...it is permissible to buy black-market tyres, it is equally permissible to steal them. The only people in Ceylon who have any right to complain about the prevalence of crime are those who invariably obey the laws". It must be the experience of law-abiding citizens, if they would only avow it, that there is much sympathy with criminals and offenders on the part of not a few persons in this country regarded as persons of consequence according to the standards of these days. It is a menacing feature of the social life of the day. The tendency is to pamper the criminal and the offender, and to load the dice against the Police, the prosecuting authorities, and law-abiding citizens. We were told again and again of men of standing coming to interview Police Officers on behalf of rowdies and reconvicted criminals, and we were also told that if there was no ready response to these requests all sorts of false allegations were made and all sorts of questions asked in public. It is a feature reminiscent of the state of things during the last days of the Roman Republic as portrayed by Cicero in his famous orations. If we are seriously bent on seeing that history does not repeat itself, a complete change of heart is necessary. Again, as Dr. Jennings observes, all good citizens must regard breaches of the law as unpatriotic: we must not consider it clever to evade the laws by finding loopholes; we must see to it that laws are administered impartially without fear or favour, affection or ill-will; there must be no misplaced sympathy with the criminal, he must be ruthlessly tracked down and punished. In order to achieve all this, a strong public opinion is necessary, and that can be done by the co-operation of the Police with the Press, the Clergy, the Colleges and Schools, and with good citizens. And when the law is broken, there should be speedy action for bringing the law-breaker before the Courts and having him punished. Punishment made to fit the crime and following swiftly upon the breach of the law has a wholesomely deterrent effect. In that sense too, "*bis dat qui cito dat*". We are far from that ideal to-day. A simple case tried summarily in the Magistrate's Court is considered as having been quickly disposed of if it is concluded in three months; inquiries into non-summary cases are protracted to an inordinate degree, and it is very rarely that these cases come to a termination in a District Court or in an Assize Court within a year of the commission of the offence. By the time the offender comes to be punished, this offence is only a dim memory, and people have lost interest in the case. The psychological effect is disastrous. In regard to summary trials, the code of Criminal Procedure

is designed to give every assistance to Magistrates for the Speedy disposal of such cases, and the delays that now occur are due to nothing but indifference on the part of Magistrates or to their being too ready to accommodate parties and their pleaders by granting postponements. Section 188 of the Criminal Procedure Code makes provision for the trial to a conclusion of a case on the day on which the accused makes his first appearance, or, if for good reason (see section 289) (5) of the Criminal Procedure Code) a postponement is necessary, for the conclusion of the trial on the next date. But, the records of summary cases tell a different tale, a tale of adjournments and postponements on the flimsiest grounds and, not infrequently, on no grounds at all. We regret to say it, but it does appear to us that all this is due to a lack of responsibility on the part of some Magistrates. It is common knowledge that cases were tried and concluded with admirable expedition when the minor judiciary was, for the greater part, filled by Civil Servants, and although one naturally expected an improvement in this respect with professional judges on the Bench, one must confess that this expectation has not been fulfilled on the whole. This is a matter calling for serious and immediate attention, and we would recommend the re-introduction of the system of regular and frequent inspection of the records of Magistrate's Court cases by independent inspecting officers and not by any assistant of the Department of the Legal Secretary as is now being done at rare intervals. It is our experience that inspections by the latter have done more harm than good. The Courts Ordinance has made provision for the inspection of these Courts by Judges of the Supreme Court, but having regard to the volume of work that has devolved upon them in the course of the last ten years or so, they have not been able to find the time for this work. Inspecting officers should pay special attention to the records in non-summary cases to ensure that they are not being delayed without good cause. In this matter of delay in trying or inquiring into cases, we would point out that in recent years the Police themselves have been, to a great extent, to blame. It is quite a common practice for them to ask for adjournments on inadequate grounds. We would suggest that Magistrates would refuse these applications on the part of the Police even more sternly than other applications. With all the resources and facilities available to them they should be able to be ready to produce their evidence on the due date. In other words, sections 157 (1) and 289 (5) of the Criminal Procedure Code should be strictly enforced. Some cases fail, not seldom, in the Assize and District Courts owing to the fact that in the long interval that has elapsed between the inquiry and the trial, illiterate and unintelligent witnesses have forgotten all the details of the case and give their evidence in variance, in some respects, with their version in the Court below, and we know how easy it is to exaggerate the importance of these variations and to impress Juries with them. In other instances, in the long interval, parties have been reconciled, not infrequently through some payment made, and witnesses are then bought over and a true case collapses.

STATEMENT OF ACCUSED TO MAGISTRATES.

We should wish to say in this connection that we are strongly of the opinion that the amendment effected in the Criminal Procedure Code in 1938 was unfortunate. That amendment debar an accused person from making a statement and forbids the Magistrate to take it down on the occasion of the first appearance of the accused. It seems to us that this prejudices innocent parties who come before the Courts to answer a charge, by shutting their mouths, whereas if they are allowed to make a statement forthwith, they may well be able to establish their innocence. The amendment can only help the guilty who are given an opportunity to hear all the evidence for the prosecution and shape their defense accordingly. We may say that all the lawyers who come before us shared our view on this point and also all the judges but one. We would recommend that steps be taken to revert to the only practice of giving the accused an opportunity to make a statement on his first appearance if he chooses to do so. That can be done if section 156 is repealed and the terms of section 160 (1), (2) and (3) be put in its place and another sub-section added at sub-section (4) to the effect that it shall be the right of any accused person who has not availed himself of the opportunity given to him to make a statement on his first appearance and to make a statement at any later stage in the course of the inquiry or at the conclusion thereof, and it shall be the duty of the Magistrate to take down such statement in the manner provided by section 302. If this recommendation is adopted, we think it will also save much time by keeping out evidence which, under present conditions, the prosecution leads because it is not aware of what the defence of the accused is going to be.

POLICE LEGAL DEPARTMENT.

In regard to the actual conduct of trials and inquiries, there is no difficulty so far as the defense is concerned, for the accused is entitled to be represented by a pleader. The difficulty arises in respect of the case for the prosecution in which the Police and not the aggrieved party makes the charge. There are conflicting views, in regard to the right of the aggrieved party to be represented by his pleader. In several instances, this right has been challenged by the Police, although in the generality of cases the Police acquiesce in pleaders leading the evidence of the prosecution. We consider it desirable that this matter should be put upon a certain footing and provision made either for the Police to lead the evidence in such cases or for the evidence to be led by the pleader of the actually aggrieved parties if they have their pleaders. If it is decided by the Legislature that in such case the Police should lead the evidence, then, in our view, the Police Department should take adequate measures to see that a Police Officer who has been trained for the purpose should be attached to each Magistrate's Court to conduct cases of any importance at all. The prosecution of the smaller cases may be left as they stand now. The alternative is to have Police Proctors doing only Police work in each Magistrate's Court, but this alternative will necessitate a big vote. On the whole we are in favour of the first alternative, but we think it will be very useful for the Police to have a Legal Department of their own to advise them professionally, but not officially, on such matters as require professional advice or make such advice desirable. The only resort now available to the Police in this respect is to the Attorney-General, but that officer is so burdened with work that, except in exceptional cases, the Police do not go to him, or if they do, are unable to get their advice from him as expeditiously as may be desirable. It must be clearly understood that this Legal Department will be made up of private lawyers paid out of Police funds and having no official status at all. We are also of the opinion that delays in bringing cases to a conclusion can be reduced by the use of Magistrates of sections 152 and 166 of the Criminal Procedure Code. In regard to the Assize Courts, a great deal of the time of these Courts can be saved by some cases now committed to the Supreme Court according to some rule of thumb employed by the Crown, being sent up for trial to the District Court. *Exempli gratia*, a good number of the cases now labeled "attempt to murder" and committed to the Supreme Court end in convictions for grievous hurt and, as such, could have been disposed of in the District Court. There are, no doubt, proper cases of attempt to murder, but the complaint we make is that sufficient attention is not being paid at present to the question whether a case of grievous hurt should be put forward as such or as a case of attempt to murder, having regard to all the facts and circumstances of the case, and not merely because the doctor has said that the injured man's life was in danger for some hours. It will, we think, expedite the conduct of trials further if Bata is paid to witnesses in all cases, summary or non-summary. It does not seem fair to expect witness in summary cases to come to Court at their private expense and to spend, may be the whole day, may be several days, without any compensation or remuneration. It is surprising that witnesses have not shown greater reluctance than we are told they do, to come to Court to help in the administration of justice. But charity begins at home, and the great majority of the witnesses who testify in our Courts are daily labourers, and from an instinct of self-preservation, cast about for excuses for not attending Court, and thus delay the hearing of the case.

MEDICAL WITNESSES.

In dealing with matter of saving time, we think it would be relevant to draw attention to the wasteful manner in which medical men are brought into the Assize Courts day after day to repeat the evidence they had given in the Magistrate's Courts. In a good number of cases, not a further question is put to them. Most of the doctors who are brought into the Assize Courts in this way are government doctors in charge of hospitals, and the interests of their patients must necessarily be prejudiced by their absence from their stations. Chapter XXXVIII. of the Criminal Procedure Code makes provision for giving in evidence in any trial of the depositions of Government medical men, and we recommend that this chapter be invoked more frequently and that their attendance be required in the trial Court only on the special request of the accused or his pleader made to the Magistrate in the Court of Inquiry and if the Magistrate is satisfied that the request should be granted. So far as the Crown is concerned, the Attorney General's Department should examine the records of cases committed for trial to see whether in any particular case, the attendance of the medical officer in the Assize Court is necessary or desirable.

We think that witnesses for the defense, too, should be paid better if, in the opinion of the trial Judge, their coming in to Court served, or might have served a useful purpose. We would also recommend, as a time-saving device, provision to be made clearly in the Code of Criminal Procedure for making it permissible for the evidence of witnesses taken in Court in the absence of accused persons to be read over to them when they appear instead of its having to be recorded *de novo* as a recent judgment of the Supreme Court requires it to be.

We would also suggest that prosecuting authorities would consider whether, in any particular case, it is necessary to call as witnesses all the persons who witness some incident. This is what is generally done to day and involves much waste of time. We do not say that a hard and fast rule is possible in this direction, but that it is a matter that deserves careful attention.

DIRECT COMMITTALS.

We now come to a question of some importance, on which there was a diversity of views, namely, the question of Direct Committals. These direct committals were provided for by an amendment of the Criminal Procedure Code in the year 1938. Anterior to that year, the practice was for the Magistrate at the conclusion of the inquiry, to forward the record to the Attorney General for instructions. In many instances a great deal of time was lost by following this procedure, and so provision came to be made for the Magistrate to commit a case direct to the proper trial Court. But, as a matter of fact, the object that the amendment aimed at has not been realized more often than not. Section 165 (e) of the Criminal Procedure Code requires the Magistrate simultaneously with committing the accused for trial, "to forward to the Attorney-General a copy of the record of the inquiry certified under his hand". This provision has a double effect. The Magistrate conscious of the fact that the Attorney-General will cause the record of the proceedings to be scrutinized and will, if necessary, direct the taking of further evidence, does not, in many cases, examine the proceedings critically to assure himself that the case is quite ready for trial in the sense that all the relevant evidence to support the charge has been taken, and the Attorney-General finds, in many instances, that the record is incomplete, and gives directives to remedy that state of things, and in the end, instead of the trial being expedited by direct committal, it is delayed. The Acting Attorney-General, in the course of his evidence, said that, in his view, direct committals were a "hopeless failure", and he would know. In our view, the system of direct committal cannot have full operation so long as the Attorney-General has the powers given to him by Chapter XXXV of the Criminal Procedure code, and we would, therefore, recommend that this system be discontinued and the system that prevailed before 1938 be re-introduced. We regret to say that, having regard to the manner in which non-summary cases are dealt with by many Magistrates, it is necessary that the Attorney General should continue to have the reversionary and directing powers he has had in respect of these cases.

APPEAL BRIEFS.

Another cause of delay in the trial of non-summary cases has been the system now in force for the preparation of the typed copies of proceedings. As the Acting Attorney-General observed in the course of his evidence, "when the old system prevailed there were typists in the Attorney-General's Office or in the Supreme Court" for the preparation of these copies, and then "things went on smoothly. In order to save Rs. 1,000 or Rs. 2,000 they have gone and done this. What they are doing now is to utilize the clerks in the magistrates' Courts to attend to these matters outside their normal hours of work. And they get fees, not only official fees, but if a man wants a copy in a hurry, he has to pay for it. We ought to consider recommending a return to the old practice. Just now, as you know, in some of these cases, everything is ready except the brief. And the brief delays six months. Mr. R. L. Pereira has mentioned a case of 18 months' delay, a case in which he appeared. We are glad that the Acting Attorney General has called our attention to this scandalous state of things, which has been the experience of every Judge on the Bench of the Supreme Court. The new system resulted from some niggling economies, which were introduced about

seven or eight years ago. A couple of thousand rupees have, probably, been saved by the adoption of this new system, but at the cost of the great impairment of efficiency and of a deplorable delay in the trial of cases. We strongly recommend that the old system be re-introduced. We would invite attention to the fact adumbrated by the Acting Attornies. We would invite attention to the fact adumbrated by the Acting Attorney-General that, although the new system might have saved a couple of thousand rupees to the government, litigants have had to pay tens of thousands of rupees *unofficially* to the clerks in order to expedite the preparation of the copies.

CHAPTER V.

Amendments of the Police Ordinance and of other existing Legislation for Giving effect to the Recommendations of the Commission.

AMENDMENTS OF THE POLICE ORDINANCE.

The Police Ordinance was enacted in the year 1865 and has been amended over twenty-five times. There is a great deal of overlapping between its provisions and subsequent legislation, and we recommend a re-drafting of the whole Ordinance by the Legal Draftsman with due regard to the provisions of later legislation which have made many of the sections of the Police Ordinance unnecessary, and also with due regard to the needs and requirements of a society now eighty years older. We would however, point out that, if our recommendation in regard to the Policing of certain parts of the Central Province indifference to the requests of Proprietary planters is adopted, sections 11-19 of the Ordinance will get out.

Similarly, if our recommendation in regard to the designation to be given to Police officers is adopted, section 20 and 22 (1) will have to be amended, and if our recommendation that a Selection Board be appointed for the selection of sub-ordinate officers of the Force, section 22 (2) will have to be amended. Again, section 66 of the Police Ordinance will require amendment if the recommendation that persons taken into custody without a warrant for minor offences be given bail on the spot if bail is forthcoming in that way is adopted. In regard to section 69, we should wish to see it amended in order to empower Police Officers, without a warrant but on a written order from a gazetted officer not below the rank of a Superintendent of Police, to enter and inspect the so-called Social Clubs which have sprung up in all parts of the island.

The Inspectors' Association pointed out to us in the course of giving evidence before us that it would be desirable that the rule-making power presently vested by section 56 of the Police Ordinance in the Inspector General of Police should be divided among the Inspector General and others. They did not definitely put before us their recommendation in regard to who the other should be, but we would suggest that it would be desirable if with the Inspector-General there were associated for this purpose, the Attorney-General and the Deputy Inspector-General in charge of administration.

We would also suggest that measures be adopted under section 76 and 91 of the Police Ordinance to control and regulate the use of wireless sets and gramophones, which are assuming the proportions of a public nuisance. We wonder whether the authorities still consider that the test to determine whether music is a nuisance or not is whether it "is calculated to frighten horses". Should not the test be whether it causes annoyance to the neighbours? Section 91 will lose much of its force if Police horses are used to apply the test. No amount of music of any kind is likely to interfere with their imperturbability or to make them move a hair. This may appear a small pint, but it involves the comfort of many residents of towns and cities.

CONFESSIONS

A number of Police witnesses requested us to consider the amendment of sections 25 (1) and 26 (1) of the Evidence Ordinance in order to make confessions made to a Police Officer, or in the presence of a Police Officer, admissible. This request was, to a great extent, based on a matter of prestige. The witnesses who spoke on this point submitted that the innuendo of these sections is that Police Officers are dishonest and unreliable and not above fabricating confessions. We do not think it necessary to deal with that aspect of

the matter, We do not think it advisable to recommend that amendment or even the lesser amendment sought alternatively to make confessions made to Police Officers of the rank of Inspector or above admissible. Our view is that in cases in which there is independent evidence to support the charge, confessions are not necessary, and in cases in which confessions are the only evidence to support the charge, they are best shut out. As pointed out by the Colombo Magistrate, some guilty persons may go unpunished because confessions are shut out, as Lord Burkenhead observed, it is better to put up with that than to "abandon the safe anchorage of a dependable rule".

INFORMATION BOOK

Another matter of importance pressed upon our attention was in regard to the Police Information Book and its use in Courts. Section 122 (3) of the Criminal Procedure Code enacts that:

"No statement made by any person to a Police Officer or an inquirer in the course of any investigation under this Chapter shall be used otherwise than to prove that a witness made a different statement at a different time, or to refresh the memory of the person recording to it. But any Criminal Court may send for the statements recorded in a case under inquiry or trial in such Court and may use such statements or information not as evidence in the case, but to aid it in such inquiry or trial.

Neither the accused nor his agents shall be entitled to call for such statements, nor shall he or they be entitled to see them merely because they are referred to by the Court, but if they are used by the Police Officer or inquirer who made them to refresh his memory, or if the Court uses them for the purpose of contradicting such Police Officer or inquirer, the provisions of the Evidence Ordinance, section 161 or section 145, as the case may be, shall apply."

The general complaint in regard to this provision was that these statements were available to Crown Counsel and were almost invariably employed by him to contradict witnesses, but that they were not so available to the defence. In other words, that the defence was at an unfair and undesirable disadvantage. On the other hand, it was pointed out by the Attorney General and other law officers of the Crown and by Police Officers and others that if these statements were made available to the defence, serious abuses would result. We are satisfied that, in many instances, the defence is prejudiced by not being given an opportunity of examining statements made by witnesses who later come to testify in Court, and we agree that making those statements available to the defence whenever they are asked for will open the door to many abuses, and will interfere in many cases with the administration of justice. We are, however, of the opinion that these statements can be so made available to the defence as not to prejudice the administration of justice. Our recommendation is that the Crown should send two copies of extracts from the Information book under sealed cover to the Court of trial and that the presiding Judge should break the seals and open the cover when the trial begins and use it in the course of the trial, and upon application made by an accused person or his Counsel give one of the copies to him unless, for good reasons to be recorded by him, he considers that it should not be made available to the accused or his Counsel. We believe that such a course will, in several cases, result in a saving of time, for if Counsel were aware of the statement made by an accused person to the Police Officer or inquirer a great deal of cross-examination will be avoided. Nearly all the lawyers of the Unofficial Bar who appeared before us said they would be quite satisfied if these statements were given to them during the course of the trial.

The Inspector General drew our attention to certain amendments of the law, which he considered necessary and upon which, he said, the authorities had been addressed, but without result. We shall now deal with them.

MOTOR CAR ORDINANCE.

In virtue of section 64 of the Motor Car Ordinance, an applicant for a license obtains it on passing a test and paying a certain fee. There is no provision for the renewal of this license as there used to be under the earlier law. The certificate of competence once issued can be cancelled only by a Magistrate consequent on

disclosures made in some case in which the holder of the certificate comes to be charged with some motoring offence. The test is a very unsatisfactory one, and the difficult would be for anyone not to get through it. In view of the dangerous type of driving with which all of us are so familiar, we recommend an amendment of the law to make certificates of competence renewable once in two years at least. We would also recommend that the test for the issuing of certificates of competence be of a truly searching character and not the perfunctory tests of today. We regard this as an urgent need in the interest of the safety of the public.

Another amendment that is as urgently called for is in respect of section 111 of the Motor Ordinance. Under that section, it is only an officer of the rank of Inspector or Sub-Inspector that can stop buses to examine them for overloading. The reason given for this restriction was that "the temptation would be too great for the Constable" to stop buses in order to get a bribe. In our view this is absurd. So far as our observations go, the only effect of this restriction is to confer a monopoly in this respect on dishonest Inspectors or Sub-Inspectors. Half an hour's watching at the Borella Bus Stand, which is by the side of the Police Station, will show how scandalously the situation is exploited by those who now have the power to look into overloading. We suppose that Borella is not unique in this respect. Moreover, the present restriction practically connives at overloading. Inspectors and Sub-Inspectors are few and far between, whereas Constables are, or should be, almost ubiquitous and are in a better position to control this matter of overloading.

FIREARMS ORDINANCE.

We agree with the Inspector General that the licensing authority for firearms should be the Police and not the Government Agent. We understand that the Legal Secretary has been addressed by the Police on this question, but nothing, has been heard from him. If, for some good reason, the Legal Secretary is satisfied that, generally, the Government Agent be the licensing authority, we would suggest that he be the licensing authority for smooth bore firearms and the Police for all other firearms. Alternatively we suggest a licensing Board for firearms in each province consisting of the Government Agent or Assistant Government Agent, the Superintendent or Assistant Superintendent of Police and a private citizen duly nominated. This is a matter of importance for, as the Inspector General remarked "for the last three years literally thousands of these lethal weapons (i.e. revolvers, automatic pistols, &c.) have disappeared in this Island". We agree with the Inspector General that an amendment of the law is necessary to make the penalties for possessing unlicensed weapons much more severe than they are to day and for extending the punitive jurisdiction of Magistrates in this respect. We have already expressed the view that all attempts should be made to get at these unlicensed firearms as far as possible by a declaration that no questions will be asked and no prosecutions launched in respect of firearms surrendered within a set period but that, thereafter, the penalties for unlicensed firearms would be severe.

DANGEROUS KNIVES ORDINANCE.

An Ordinance of this kind properly conceived and relentlessly put into operation will, we have no doubt, be a great crime preventive. But as it stands now, and as it is worked now, it only provokes sarcastic laughter. The penalty is only one rupee. The Ordinance applies only to two provinces and three districts. We recommend that the Ordinance be made applicable to the whole Island, that the penalty be made really deterrent, and that the Penal Code too be amended to make the offences of housebreaking and house trespass while being armed with a knife more severely punishable than the ordinary cases of house trespass and housebreaking. We should also wish to suggest that the question be considered of the desirability of licensing village blacksmith shops, making it incumbent on the proprietor or proprietors to keep a record of knives made by them and to whom issued, and rendering these places liable to inspection by the Police.

REGISTRATION OF SERVANTS.

We agree with the Inspector General that the compulsory registration of servants will be another effective measure for crime prevention. There never was a time when registration of servants was more necessary than it is today and, strangely, there is a great indifference on the part of employers in this respect. As the Inspector-General pointed out, a satisfactory carrying out of this scheme of registration will involve a great deal of initial work, but once it is got into working order, it will be, comparatively, a simple scheme. The expedient of making registration optional would hardly be of any use.

CATTLE VOUCHERS.

We are of the opinion that the discontinuance of the cattle voucher system was an unfortunate experiment. Cattle thefts have gone up by leaps and bounds as one might have expected they would. No time should be lost in making it compulsory for cattle to be branded and for cattle vouchers to be re-introduced.

PREVENTION OF CRUELTY TO ANIMALS.

There is, strange as it may seem, a great deal of cruelty to animals in this Island and the Society for the Prevention of Cruelty which charged itself with this humane work did much good till, in very recent years, the Society, under bad and even dishonest handling, ceased to exist. The Government no longer participates in it and all this work has now devolved on the Police. We consider this unsatisfactory; chiefly because the kind of work involved requires men with special training and some technical skill. Moreover, we regard this work as more appropriately lying within the Municipal than with the Police sphere of duties. We would, therefore, recommend the reorganization of the Society to carry on this work under the provisions of a modernized Ordinance or a special department of the Municipality constituted for the purpose with a special Ordinance.

IMMIGRATION DEPARTMENT.

The Inspector General spoke to us at some length on the urgent need there is for an Immigration Department. At present, there is no such department and a great deal of work that would devolve on such a department is being done by the Police. That sort of makeshift might have done more or less, when the world was more at rest. But, in view of the new conditions, an Immigration Department is a prime necessity. As the Inspector General stated, "Foreign seamen get ashore and find themselves jobs and nothing can be done to get them out of the Island. For instance, there were about 20 Indonesians who got ashore and found themselves jobs as runners and lookouts of gambling dens in Slave Island, and I do not think we have got rid of them". This situation is full of alarming possibilities and we would recommend that measures be adopted for the formation of an Immigration Department and for an Ordinance controlling immigration by requiring Passports and permits for landing on clearly laid down conditions, and covering every form of entry into Ceylon. It would hardly suffice, we think, to enact an Ordinance dealing with landing at unauthorized places only as we are told is the proposal in an Ordinance now under consideration.

OTHER LEGISLATION AND AMENDMENTS

Other matters of desirable legislation or amendments were considered by us, and we should wish to say a few words about them and to make our recommendations. In our Courts, there is an unfortunate propensity to seek to impeach the credit of witnesses by cross-examining them not only in regard to their own character but also in regard to the characters of their relations however remote. Most of this kind of cross-examination is without sufficient foundation and appears to proceed on the principle that if you throw a lot of mud, some of it is likely to stick. This kind of cross-examination greatly prejudices the

administration of justice by deterring men and women of self-respect from coming forward as witnesses, lest they be insulted and held up to ridicule. There are, of course, the provisions of sections 145, 149, 150, 151, and 152 of the Evidence Ordinance to control such cross-examination, but our experience is that they do not sufficiently serve the purpose. In England, where an accused or his Counsel attacks the character of the prosecutor or his witnesses, the accused renders himself liable to have his own character put in evidence, and we are of opinion that if a similar provision is made here, the ends of justice will be better served.

Another matter upon which we should wish to see the English Procedure followed is in regard to prisoners awaiting trial on several indictments or charges arising out of the same transaction. Although section 180 (1) of the Criminal Procedure Code permits the trial in one case of more offences than one committed by the same person in one transaction, it has become the practice in murder cases to charge each offence in a separate indictment and to have each indictment tried separately. We recommend that if this practice is going to be continued that it should be made possible for accused persons here as it is possible for them in England, upon being convicted on one indictment to ask that the others too be taken into account and one sentence passed in respect of them all. This would be fairer to the accused and would also mean a great saving of time. For instance about three months ago a man came up for trial on a charge of murder. In the course of the same transaction he had killed two others and in respect of each of them there was a separate indictment. On the first indictment, after trial, he was found guilty of culpable homicide not amounting to murder and was sentenced to a term of fifteen years' rigorous imprisonment. Six weeks later, he came up to answer the charge made in one of the other indictments and was, on his plea of guilty of culpable homicide not amounting to murder, convicted of that offence and sentenced to seven years' rigorous imprisonment; and yet later, on tendering a plea of guilty of culpable homicide not amounting to murder in respect of the third indictment, he was convicted of that offence and sentenced to five years' rigorous imprisonment. This we regard as an unsatisfactory state of things. For exactly the same offence, in exactly the same circumstances, the prisoner received 15, 7 and 5 years' rigorous imprisonment, respectively, a capricious variation of sentences. It would have been much more satisfactory and forthright if, on being convicted on the first indictment, it had been possible for him to ask that the other indictments too be considered, and one sentence imposed in respect of them all.

BAIL.

Another matter of importance is the question of bail pending the hearing of the appeal of an accused who has appealed against his conviction. Section 341 of the Criminal Procedure Code provides that: —

"When an appeal has been preferred the Court from which the appeal is preferred shall order the appellant if in custody to be released on his entering into a recognizance."

It is common knowledge that some accused persons, in the view, perhaps, that if they are going to be hanged for a lamb they might as well be hanged for a sheep, prefer an appeal, give bail, obtain their release and spend the interval between the preferring of the appeal and the disposal of it in committing other offences in order to obtain the wherewithal to provide for their families and spend for their defense. There have been a considerable number of instances of this kind, generally, in burglary, gang-robbery and pick-pocketing cases. We should not have made a point of this but that in recent years a striking number of instances of this kind have occurred. We would, however, suggest that in order to minimize the hardship of compelling some appellants, to be on remand pending the hearing of their appeals, that the appeals of persons who have been refused bail pending the hearing of their appeals be put on a special list and be set down for hearing before the hearing of the appeals of appellants who have been given bail, except for special reasons. If this recommendation of ours is adopted, an amendment of section 341 of the Criminal Procedure Code will be necessary.

ARREST AND CUSTODY.

In the course of dealing with this question of bail pending an appeal, we would invite attention to the connected question of the arrest and custody of persons charged with offences. Chapter IV of the Criminal Procedure Code deals with arrests generally and provides for arrests on the authority of warrants and arrests without warrants and, generally, these provisions appear to be necessary, reasonable and adequate. The only difficulty that calls for consideration is the difficulty created by the practice now prevailing of taking arrested persons to a Police Station before allowing them out on bail or on a personal bond in non-cognizable cases. Section 33 of the Criminal Procedure Code appears to contemplate that in non-cognizable cases an arrested person "shall be forthwith released on his executing a bond for his appearance before a Magistrate's Court if so required". But, as we have already observed, it is the prevailing practice, first of all to take the arrested person to a Police Station. As the law stands at present, it is hardly possible to contend that such a practice is inconsistent with the word "forthwith" in the sentence "shall forthwith be released", and we were given instances in which arrested persons had been taken to Police Stations in such cases with ulterior motives. The Matara Police Station killing case was one such instance. We should wish to see this temptation taken away from the Police as far as possible and we would, accordingly, recommend that in cases in which the identity and address of an arrested person are reasonably, certain, provision should be made to enable such a person to be enlarged on bail or on a bond, at or near the place of arrest. Section 36 of the Criminal Procedure Code says that "a Peace Officer making an arrest without warrant shall, without unnecessary delay and subject to the provisions as to bail...take or send the person arrested before a Magistrate having jurisdiction in the case", and section 37 provides that "no Peace Officer shall detain in custody a person arrested without a warrant for a longer period than under the circumstances of the case is reasonable, and such period shall not exceed twenty-four hours exclusive of the time necessary for the journey from the place of arrest to the nearest Magistrate". But it is well known that in many instances a Sunday intervenes between the arrest and the taking of the arrested person before the Magistrate and, in those instances, the twenty-four hour limit is disregarded. We would recommend that an improvement be effected in this respect by requiring the Police to produce the arrested person before the Magistrate notwithstanding that the day is Sunday! There should be no difficulty about this because a Magistrate never leaves his station without provision being made for another to take his place, and wherever a Magistrate may happen to be, his Court or outside his Court, he has jurisdiction. In station areas where there are Justices of the Peace within convenient reach, provision may be made, alternatively, for an arrested person to be produced before one of them.

YOUTHFUL OFFENDERS.

This Island is in a very backward position in regard to youthful offenders and a revision of our law in regard to them is a matter that calls for early attention. Youthful offenders are growing in numbers to an alarming extent and, in due course, will go to swell the numbers of habitual criminals of even worse types than we have to-day, unless strong measures are devised and adopted for getting control of them early and educating and supervising them during the impressionable years of their lives. The Youthful Offenders' Ordinance is good as far as it goes, but it provides only for youths above the age of seven and below the age of sixteen. The really difficult problem concerns those offenders who are sixteen years or above and under twenty-five who appear so often in our Courts to answer charges, not infrequently, of a serious nature. Criminologists and social experts of to-day are generally inclined to the view that the interests of society will best be served by not sending persons between these ages to the ordinary prisons except in exceptional case as much as murder, and in those cases, too, not as a matter of a hard and fast rule. At present, there is Ordinance No. 28 of 1939, as amended by Ordinance No. 8 of 1943, No. 41 of 1944, and by the Probation of Offenders Ordinance, No. 42 of 1944.

In regard to the Youthful Offenders' Ordinance and the Youthful Offenders (Training Schools) Ordinance, our view is that there should be more reformatories and industrial schools and training schools than there are at present, and that they should be Government institutions under Government supervision and control. Under the Youthful Offenders' Ordinance, the period of detention is fixed as "not less than two and not longer than five years, and not being in any case longer than until such offender shall have attained the age of eighteen years". Similarly under the Youthful Offenders (Training Schools) Ordinance, the period of

detention is fixed as "for a period of three years". The ages of offenders liable to be dealt with under the latter Ordinance are sixteen and above and below twenty-two. The implication of these provisions is that a youthful offender dealt with under the Youthful Offenders' Ordinance, say when he was on the eve of his sixteenth year would have to be released directly he has reached the age of eighteen and has had only a two years' benefit in the reformatory or training school. Likewise, a youth, say seventeen years of age, who has been dealt with under the Youthful Offenders (Training Schools) Ordinance will have to be released at twenty years of age after a training of three years' duration. We do not consider it satisfactory that under either Ordinance it is desirable to turn young men of eighteen to twenty years of age out of these reformatories, industrial schools, and training schools to find their way in the world. In the case of youth coming under the Youthful Offenders' Ordinance after their fifteenth year and of young persons coming under the Youthful Offenders (Training Schools) Ordinance, detention should, we think continue till they have reached the age of not less than twenty-one. We consider it unsatisfactory- that they should be released before they have attained that age. Provision may, however, be made for those above fifteen years of age, to be transferred to a training school under the Youthful Offenders (Training Schools) Ordinance on reaching the age of sixteen, or for their being placed under probation under the Probation of Offenders Ordinance. The purpose of our recommendation is to secure that, young persons who have been convicted of offences should not be turned adrift from reformatories, industrial and training schools, into the world during their adolescent and impressionable years, and in many cases, before even their training has been of sufficient duration to benefit them. In the case, however, of youthful offenders who have been sent to reformatories at the end of 12 or 13— and these are few and far between—there is not the same danger in terminating their detention at 14 or 15 years of age. In other words, the crucial years are the years between 16 and 22, and young persons between those ages should be detained and trained till they are about 22 years of age.

CHAPTER VI.

Miscellaneous.

PORT POLICE.

A subject on which there was a great difference of opinion was that of the composition of the Port Police. Some of the witnesses were of the view that there should be Ceylonisation of that Branch of the Force too, and that the practice now prevailing of a European gazetted officer at the head of that Branch and of a proportion of European other ranks should be discontinued. Generally, we are in agreement with the view that there should be as complete a Ceylonisation of all Services, with due regard to the men available locally, and to the peculiar conditions of any particular department of work. The Harbour Police Service is duly called upon to deal not only with the inhabitants of the country but also and perhaps more often, with Europeans of all nationalities and of all sorts and conditions. We have no doubt that, given the assistance and co-operation, Ceylonese Police will be able to cope with the work, but it is undeniable that, however deplorable it may be, there are colour and creed prejudices, especially on the part of the less cultured and educated Europeans. As a rule, the crews of ships that put into port here are of that type especially after the war. We, therefore, think that it will serve our own interests to continue the present system of manning the Harbour Police till conditions are more settled than they are to-day. The conditions under which this Branch of the Police has to work are such that, as we have already suggested, their uniform equipment should be adapted to those conditions.

PUBLIC PROSECUTOR.

We have no definite knowledge of the shape of things to come in the New Constitution in regard to the Legal Departments of Government, but we would commend to the authorities the consideration of a department similar to the Department of the Public Prosecutor in England to deal with criminal cases in the manner in which those cases are dealt with in England with such modifications as local conditions may

require. In our view this change is desirable for many reasons and will, undoubtedly, serve to reduce the inordinate delays that occur to day in the trial and disposal of cases.

BRIBERY AND CORRUPTION.

We have already invited attention to the confession by the members of the Police Force themselves of the great prevalence of bribery and corruption in the Force. We have also indicated that it is possible that the Police witnesses who testified to this overdrew the picture to some extent. But the fact remains that the confession is, largely, true and, perhaps, so candidly made because it was felt that it would be idle to deny it. We do not pretend to be able to provide a specific remedy for this. We feel, however, that a more careful selection of personnel will help to mitigate the evil, but for the rest we suggest that every effort be made to withhold temptation from the men. In the past, the path of these men has been strewn with temptations. Advances have been made to enable Sub-Inspectors and Inspectors who could hardly afford a private pedal bicycle to buy cars. No inquiry appears to have been made of applicants for these loans to ascertain how he could repay the loans or suffer the necessary deductions from his exiguous salary, and even if some over-inquisitive officer thought fit to put such a question any answer was good enough—a rich aunt or a windfall on the race-course, or a prospective father-in-law afforded the explanation. The authorities appear to have connived at all this in order to make good the lack of mobility owing to the indifference of Government. We are hopeful that if our recommendation in regard to mobility is adopted the authorities will not be so disposed to turn their blind eye on these expensive tastes of persons afflicted with a champagne thirst on a ginger beer pocket. We were given an instance of a Police Sergeant who possessed two cars on a Police Sergeant's salary. We consider the suggestion made to us by several witnesses that on a man enlisting in the Force he be questioned as to his private means and his information verified and that he be required to apprise the Inspector-General of additional private means that may accrue to him from time to time and also of any private financial losses sustained by him. This would enable the Inspectors-General to assure himself, in a reasonable degree whether a man is living beyond his means. We would also suggest that it should be open to persons from whom money and other valuable consideration are taken by a member of the Force to come forward and testify to it without rendering themselves liable to prosecution.

CRIMINAL INVESTIGATION DEPARTMENT.

There are two other matters which remain to be dealt with, and they are the Criminal Investigation Department and the question raised by one or two witnesses of the desirability of what was referred to as a Political Police Force. The Criminal Investigation Department has been reorganized within the last few years and, in several Police Stations, especially in the Western Province. There are side by side a Uniformed Branch of the Police and a Crimes Branch, and we were told by the Inspector-General and by the Contract officer now in charge of the Criminal Investigation Department that it was in contemplation to introduce this system generally. The majority of the members of the Force who came before us and gave evidence on this matter were strongly opposed to this system. They considered it a retrograde step and deprecated the splitting up of the activities of a Police Station in this manner. In theory, the Inspector in charge of the Station, that is to say the Uniform Inspector, is the controlling authority for that Station but, in practice, his control depends on the assertiveness or non-assertiveness of the Crimes Inspectors. It was admitted even by those who supported the new system that it had resulted in rivalry, in jealousy and in a general deterioration of the work of the Station. We have given this matter our careful consideration and we are of the view that the Criminal Investigation Department as it operated before this innovation was a much

more efficient body than it appears, in reality, to be to-day, although by a manipulation of Statistics a plausible case in favour of the new system can be made out. We would, therefore, recommend that the Criminal Investigation Department should be placed on the same footing as Scotland Yard with its headquarters in Colombo and, if convenient, branches in the Capital Provincial Towns as separate entities, and called in to function in cases that require expert or special handling.

POLITICAL POLICE.

Evidence was given, as we have already observed, by one or two witnesses in regard to the existence of what was variously described as a Political Branch of the Police Force or a Secret Service of the Police Force, who addressed themselves to the political activities of persons in this Island. There was a suggestion that these members of the Force were really intended to spy upon the political activities of those other than the political party in power at the time. We are not officially aware of the existence of any such Branch but we do think that if there is, unknown to us, such a Branch functioning in the Police Force, they should address themselves only to questions of political offences just as they would do in the case of other offences under the Penal Code or other Statutory Enactments. We do not consider this to be a strictly Police duty.

CHAPTER VII.

Conclusion.

Before we conclude this report we should wish to convey our thanks to the witnesses, both official and non-official who so readily came to our assistance and helped us with their views and suggestions on the questions referred to us for report.

We should also wish to put on record our great appreciation of the services rendered to us by the Secretary to the Commission, Mr. E. B. Wickremanayake; to Assistant Superintendent of Police, Mr. F. J. M. de Saram, who acted as liaison officer; to Muhandiram W. E. Perera, the Chief Clerk; and to the stenographers, Messrs. K. E. Assail and J. G. de Silva, who discharged the heavy burden of work that devolved upon them with the greatest efficiency. Mr. J. G. de Silva remained to help us to the very end.

(Sgd.) FRANCIS J. SOERTSZ,
Chairman.

(Sgd.) P. SARAVANAMUTTU.

(Sgd.) H. SRI NISSANKA.
(Subject
to Rider).

(Sgd.) E. B. WICKREMANAYAKE,
Secretary.

Chief Justice's Chambers,
Hulftsdorp, December 6, 1946.

RIDER BY MR. H. SRI NISSANKA.

Office of the Police
Commission,
Colombo, December 11,
1946.

YOUR EXCELLENCY,

THE Report of the Police Commissioners dated December 6, 1946, to which I have appended my signature, has been forwarded to Your Excellency.

I am in substantial agreement with my colleagues in the conclusions arrived at covering the very vast field of subjects that had been referred to us by virtue of Your Excellency's Commission. Nevertheless,

there are certain matters in regard to which I find myself at variance with my colleagues, and I have the honour to forward herewith my comments thereon, embodied in the form of a Rider.

These matters are not by themselves of sufficient significance to warrant a dissent from the Commission Report as a whole.

I would like to make this clear to your Excellency, that save and except those matters specifically referred to in this Rider I am in agreement with the observations and recommendations contained in the Report.

I feel it my duty; however, to emphasize that some of the traditional lines of development of the Ceylon Police Force, due to the conditions attending its institution in Ceylon, have now to be reviewed.

The old order of society in this Island neither required, nor produced a Police Force. Such an institution was new to us. It was not a natural growth within the social order, but was introduced under the British regime for specific purposes.

After the British occupation of this Island in 1815 a Malay Regiment was imported to maintain civil order. The Police Force in Ceylon, as it exists to-day, is the lineal descendant of these mercenaries. Their main task was to suppress rebellion and so enforce the laws established in this country by the new Government. A description of Police activities in those early days is to be found in "The Ceylon Police Force" by Sir H. L. Dowbiggin. No one reading this book can fail to be impressed by the fact that the vast majority of the people of this Island looked upon the policeman with some suspicion, an attitude which regrettably remains to this date.

It is not, I venture to submit, out of place to note the main differences that exist between the Police Force in the United Kingdom and its counterpart in Ceylon.

While, in a sense, the Police Force in Britain was the creation of public opinion in that country, and has been repeatedly reformed and modernized with the approval and support of the public in England through the various Royal Commissions that were appointed for the purpose, in Ceylon, the Police Force continued to expand and develop under an impetus unaffected by public opinion.

The traditions of the Police Force in Ceylon were throughout *quasi*-military. The Inspectors-General were Commanders-in-Chief of a sort of Militia staffed by Officers, Non-Commissioned Officers and others. This system had the defect of maintaining the Police Force as a body alien to and above the heads of the people in their normal life. The personnel of the Police Force are by no means answerable for this state of affairs. What calls for reform, is the system.

To-day, with Ceylon in a transitional state of political development and while public opinion is making its impress upon the administration of this country, the Police cannot be permitted to escape this influence or to usurp functions outside the sphere of purely police duties.

I had the privilege of reading the published message addressed to Your Excellency by the Right Honourable Mr. A. Crewe-Jones on the occasion of his assumption of duties as Secretary of State for the Colonies in which he stated thus:

" We are living in an age of great significance of human history, a formative period in which new forces and new ideas wield an ever-increasing influence on the lives and destinies of men....

The modern world can leave no room for privilege, economic domination or social injustice wherever these try to exist any more than it can tolerate ignorance, disease, malnutrition and extreme poverty."

I have been fortified by the noble sentiments expressed in the message under reference and have the honour to make the following recommendations: -

INSPECTOR-GENERAL (COMMISSIONER OF POLICE.)

On page 7 of the Report the following recommendation appears:- "The office now held by the Inspector-General of Police should, in our opinion, be filled for some time to come by a Police Officer of standing and experience from the United Kingdom, ... and a really first class man cannot be secured from the United kingdom we would suggest that a senior Civil Servant, be appointed Inspector-General of Police."

It is my view that the accepted policy of the Government of the Ceylonisation of the Services be not deviated from.

The Commissioner of Police should be a senior Ceylonese Civil Servant. The expedient of resorting to recruitment from abroad should only be availed of, if and when a suitable officer cannot be selected from within the Island.

HALLAND PROMOTIONS

On pages 2 to 6 of the Commission's Report the Halland Regime and its aftermath have been discussed.

The Report states on page 6 "In our opinion, any attempt to reorganize the Police Force while this state of things continues would be sheer waste of time. The antagonism presently prevail must be put an end to."

The continuance in office, of the contract officers (these contracts *must* be terminated at the end of their respective periods) is not the only bone of contention, but all promotions and punishments affected during the Holland Regime and thereafter should be scrupulously re-examined and justice done with a view to restoring internal confidence.

I suggest that the Board of five recommended by this Commission, to examine the question of promotions (*vide* page 16 of the Report of the Commission) be entrusted with this responsibility.

APPOINTMENT TO HIGHER RANKS

I am not in favour of an arithmetical ratio to be followed with mathematical accuracy in respect of appointments to the various ranks in the Police Force.

The rule to be followed in respect of appointments to all ranks above the rank of Sergeant should be as follows:--

Promotions in the Police Service should be open to every member of the Police Service based purely on merit, but the Commissioner of Police with the consent and advice of the Appointments Board may admit

any person who is not a member of the Police Service to fill a vacancy as the exigencies of the Service may require.

PRINCIPAL OF THE TRAINING SCHOOL

The Report of the Police Commission at page 10 recommends: "If a first class officer with experience of Police Training cannot be secured from the United Kingdom to be at the head of the School, we would recommend that an officer of the Ceylon Police Force of not less than fifteen years' experience...be selected by a Board of Selection appointed by the Inspector-General of Police."

It is my view that the Head of this Training School should be a Ceylonese.

This post is of the highest importance, and this being the case, it is necessary that the training of the future Policeman should be in the hands of one who is conversant with the manners, customs and idiosyncrasies of the people inhabiting this country.

A suitable officer to fill this post with a little less than fifteen years' experience might be available, and for that reason I would recommend that it would be sufficient to state that a senior officer of the type contemplated, should be selected.

If a suitable officer cannot be found in Ceylon there can be no valid objection to recruitment from abroad. The same principle could be followed in regard to other ranks employed in the Police Service.

The importance of the post of Principal of the Police Training School cannot be over-emphasized and I would suggest that two gazetted officers should be sent out for special course of training abroad, not necessarily only to the United Kingdom.

TRAINING SCHOOL.

On page 8 of the Commission Report reference has been made that the 'Selecting Body' of the trainees should not be content with testimonials, but should address themselves meticulously to the investigation in regard to character of the applicant, that is to say, "*their family*, their school career, their disposition, their tastes, their habits". Whenever there is any doubt in regard to these matters the application should be rejected without compunction.

The words "their family" from the above context should be deleted, for obvious reasons.

Training — On page 10 of the Report the Commission recommends instruction in "drills, gymnastics, marching, rifle drills, and practice, all in moderation."

I feel that the young recruit fresh from school or the village brought into the Training School at an impressionable age to be educated to perform a civil duty should not have dangerous weapons placed in his hands, —at least at this stage of his career. The extent to which firearms may be used by the Police will be discussed in another context.

Police Orderlies. —No fully trained Police Constable should be ordered to do any kind of menial work nor be employed as an orderly by superior officers. If a Police Constable desires to be employed in such capacity, he should resign from the Service and seek employment as such. I appreciate that it is sometimes necessary for a senior officer to have the assistance of some one on his staff upon whom he could rely but reliable personnel can be obtained from outside the Police Service as well as from within. It would be a waste of good material to employ selected men trained to do a specialized kind of Police duty, in any other

capacity except in Police work. These orderlies paid by the State funds for the performance of a public duty are not always employed in that capacity by their superior officers. In fact it is not the superior officer only who takes advantage of their service. It was brought to our notice during the settings of this Commission that these orderlies are employed for domestic purposes and sometimes for driving wives and families on errands which are not strictly official. The system is liable to be abused and should be abandoned.

Police Associations—Pages 21 and 29 of the Commission Report have dealt with the Inspectors' and Police Sergeants' and Constables' Associations. There is much to be said in regard to some of the apprehensions entertained by the Commissioners concerning a clash of interests between the rank and file of the Police Service and some of the superior officers. I am not surprised that such a clash should have occurred with the Police Service in its present condition and due to circumstances completely beyond the control of the Associations and unconnected with their existence.

The right of freedom of speech and freedom of association are fundamental human rights, recognized and honoured by all democratic institutions. Trade Unionism is a vital factor to the worker engaged in civil employment. On this principle the right of association is recognized in the British Civil Service and in the British Police Force. I am not, therefore, prepared to recommend the suppression or the eradication of Police Associations. The Commission has received very valuable assistance from the Inspectors' and Sergeants' and Constables' Association amongst other public-spirited bodies who have placed valuable views before the Commission.

DEPENDANTS OF MEMBERS OF THE POLICE FORCE

I beg to draw Your Excellency's attention to the urgent need for a reconsideration of the position of the wives and dependants of members of the Police Force who die in service and more particularly those who have been killed while in the discharge of their official duties. I consider that the provision made for them is entirely inadequate, on the evidence placed before the Commission. I therefore feel that I am justified in pressing for the payment of better and adequate compensation in such cases.

Police Prosecutions. —In Chapter IV, page 32 of the Report the Commission addresses itself to the subject of actual conduct of inquiries and trials and discusses at length the difficulties that beset the Police in this sphere. Since it is agreed by the Commission that the duties, of the Police as defined in page 26, are, *inter alia*, the prevention, investigation, and detention of crime and offences, the function of the successful conduct of cases should be left in the hands of the Law Officers of the Crown.

I suggest that a Panel of Senior Proctors and Advocates practicing in any particular Court should be assigned by the Crown to conduct cases brought by the Police on behalf of the aggrieved party—especially if they are poor and unable to retain Counsel. The Police should be present to assist and instruct Counsel. I do not think that a Policeman with his limited training should arrogate to himself the functions of a member of a learned profession, or enjoy the same status as a member of that profession in a duly constituted Court of Law.

It has been brought to our notice during the sittings of this Commission that successful prosecutions by Policemen are rewarded. This is yet another reason why Policemen should be kept away from the temptation of securing convictions at the expense of justice. Whilst on this subject I may be permitted to observe that the care and custody of the prisoners should be in the hands of the Fiscal and not of the Police after the prisoners have been brought before a Court. We were informed that a Court Sergeant exercises a considerable amount of control even in the matter of their diet. For these and other reasons, too were known, it is altogether desirable that the Police should keep their hands off the prisoners brought before Court by them.

The Use of Firearms: - It is my view that the Police Force in Ceylon should be unarmed. So long as the Police continue to masquerade as a military unit in a civil garb there is no prospect of securing complete public cooperation.

In the interests of the safety of the lives and the liberties of Policemen they should have the same rights and privileges as an ordinary citizen to defend their person and property by means of firearms or any other weapon at their disposal in the event of their being attacked and such training as is necessary for the purpose of such defence may be given to them.

Police Stations may retain the minimum quantity of arms and ammunition strictly necessary for the preservation of the life and liberty of citizens. But it would, in my opinion, be imprudent to render a Police Station an arsenal or armory in which arms and ammunition are stocked to be used against any section of the public in times or at a time of civil emergency.

The training in arms for defensive purposes should be given privately and unobtrusively at Police Stations

It should be left to the discretion of the Commissioner of Police to issue such orders as may be necessary regarding the arms and equipment to be carried when Policemen proceed to arrest dangerous and armed criminals.

I agree with the observation of Lieut. -Col. Bacon, the Inspector General of Police when he said " If policemen are known to be armed, then in a sudden encounter with the Police and criminals, the criminals are likely to forestall the Police and fare first " (*vide* page 20 of the Commission's Report.

Many persons who are experts and adepts in the use of firearms in this country and elsewhere are not trained collectively.

Complaints against the Police. —I would suggest that the Board inquiring into complaints by the public be not appointed by the Commissioner of Police or his Deputy as recommended on page 25 of the Report. I recommend that His Excellency the Governor in consultation with the Minister of Home Affairs should nominate such Board. The Panel of the above Board should consist of one Police Officer and two civilians instead of two Police Officers and one civilian, as recommended by the Commission.

I recommend that when a member of the public has occasion to complain to the Commissioner of Police or to any superior gazetted officer against the conduct of any member of the Police Service a copy of such complaint should, be forwarded as a matter of routine to the person complained against for his information. The matter should immediately be investigated by some suitable Police Officer or by the C. I. D. without notice to the party complained against.

In any matter affecting internal discipline, if and when any adverse report is made by a superior officer against a subordinate to the Head of the Department or to any other superior officer a copy of such report should be forwarded to the officer complained against for his information.

Information Book. —The Commission in its Report at page 35 deals with section 122 (3) of the Criminal Procedure Code. I agree substantially with the observations made pertaining to the use of the Police Information Book, but I would suggest that on application being made by Defence Counsel or accused, the extracts from the Information Book, relevant to the trial under consideration, should be given. There should be no discretion left to a Judge to refuse such application. The opinion of the Unofficial Bar practicing in the Kine Provinces of the Island was to the effect that the Information Book should be made available to the Defence. The preponderating volume of public opinion supported this view before the

Commission. The Police themselves by an overwhelming majority felt that access to the Information Book should not be barred. In the face of such strong public opinion I feel it my duty to recommend the acceptance of the right of a prisoner charged with an offence, to be acquainted with what has been said for and against him before the Police during their investigations in respect of the offence with which the prisoner stands charged.

Headman System. - Whilst agreeing with the observations made by the Commissioners on pages 23 and 24 of the Report, I desire to add that the Police Headmen selected by the Commissioner of Police, as recommended, should whenever possible be of the same educational standard as new entrants to the Police Service and that the path of promotion in the Police Service should be open to them. Headmen should be transferable within the District, and they should be supplied with all equipment necessary for a miniature Police Station, and such miniature Rural Police Stations manned by this Rural Constabulary should be subjected to regular supervision and inspection by superior officers of the Police Service.

It is my view that Revenue Headmen should not perform the duties of Police Headmen or Rural Constables.

Whilst on this subject I would like to add that steps be taken for the early establishment of a Free Constabulary and more particularly the appointment of Lady Probationers, attached to each Headman's Division. These Probationers may be appointed Honorary Peace Officers.

I would like to emphasize the fact that all female prisoners should be detained at the care and custody of the Lady Probationer until the delinquent is produced before Court.

In cases of ram and cognate offences the recording of statements, &c, of the Prosecutrix by the Police should be conducted in the immediate presence of the Lady Probationer. The Prosecutrix should thereafter be handed over to the care and custody of time-in Lady Probationer till she is produced in Court.

Some of the recommendations set forth above necessitate the consideration of financial impoliteness. But efficiency cannot be sacrificed in the interest of economy, for the safety of the people is the highest law.

Salus populi suprema Lex.

H. SRI NISSANKA.

HIS EXCELLENCY THE OFFICER ADMINISTERING THE GOVERNMENT OF CEYLON,
Queen's House, Colombo.

APPENDIX I.

(Vide Chapter II, page 6.)

APPENDIX TO THE POLICE REGULATIONS OF AUGUST 20, 1920 (NO. 1484), MADE BY THE SECRETARY OF STATE UNDER SECTION 4 OF THE POLICE ACT, 1919.

Discipline Code.

Any member of a Police Force commits an offence against discipline if he is guilty of—

(1) Discreditable Conduct, that is to say, if he acts in disorderly manner or any manner prejudicial to discipline or likely to bring discredit on the reputation of the force or of the Police Service.

(2) Insubordinate or oppressive conduct, that is to say, if he:

- (a) is insubordinate by word, act or demeanour, or
 - (b) is guilty of oppressive or tyrannical conduct towards an inferior in rank, or
 - (c) uses obscene, abusive or insulting language to any other member of the force, or
 - (d) willfully and negligently makes any false complaint or statement against any member of the force,
- or
- (e) assaults any other member of the force, or
 - (f) overholds any complaint or report against any member of the force.

(3) Disobedience to Orders, that is to say, if he disobeys, or without good and sufficient cause omits or neglects to carry out any lawful orders, written or otherwise.

(4) Neglect of Duty, that is to say, if he:

- (a) neglects, or without good and sufficient cause omits, promptly and diligently to attend to or carry out anything which is his duty as a constable, or
- (b) idles or gossips while on duty, or
- (c) fails to work his beat in accordance with orders, or leaves his beat point, or other place of duty to which he has been ordered, without due permission or sufficient cause, or
- (d) by carelessness or neglect permits a prisoner to escape, or
- (e) fails when know where any offender is to be found, to report same, or to due exertions for making him amenable to justice, or
- (f) fails to report any matter which it is his duty to report, or
- (g) fails to report anything which he knows concerning a criminal charge, or fails to disclose any evidence which he, or any person within his knowledge, can give for or against any prisoner or dependent to a criminal charge, or
- (h) omits to make any necessary entry many official document or book, or
- (i) neglects, or without good and sufficient cause omits to carry out any instructions of a Medical Officer of the Force, or while absent from duty on account of sickness, is guilty of any act or conduct calculated to retard his return to Duty.

(5) Falsehood or Prevarication, that is to say, if he:

- (a) knowingly makes or signs any false statement in any official document or book, or
- (b) willfully or negligently makes any false, misleading or inaccurate statement, or c) without good and sufficient cause destroys or mutilates any official document or record, or alters or erases any entry therein.

(6) Breach of Confidence, that is to say, if he:

- a) divulges any matter which it is his duty to keep secret, or
- (b) gives notice, directly or indirectly, to any person against whom any warrant or summons has been or is about to be issued. Except in the lawful execution of such warrant or service of such summons or c) without proper authority communicates to the public press, or to any unauthorized person any matter connected with the force, or
- c) without proper authority communicates to the public press, or to any unauthorised person, any matter connected with the force, or

(d) without proper authority shows to any person outside the force any book or written or printed document the property of the Police Authority, or

(e) makes any anonymous communication to the Police Authority or the Chief Officer of Police or any superior officer, or

(f) canvasses any member of the Police Authority or of any County, City or Borough Council with regard to any matter concerning the force, or

(g) signs or circulates any petition or statement with regard to any matter concerning the force, except through the proper channel of correspondence to the Chief Officer of Police or the Police Authority, or in accordance with the constitution of the Police Federation, or

(h) calls or attends any unauthorized meeting to discuss any matter concerning the force.

(7) Corrupt Practice, that is to say, if he:

(a) receives any bribe, or

(b) fails to account for or to make a prompt and true return of any money or property received by him in his official capacity, or

(c) directly or indirectly solicits or receives any gratuity, present, subscription or testimonial, without the consent of the Chief Officer of Police or the Police Authority, or

(d) places himself under pecuniary obligation to any publican, beer-retailer, spirit-grocer, or any person who holds a licence concerning the granting or renewal of which the police may have to report or give evidence, or

(e) improperly uses his character- and position as a member of the force for his private advantage, or

(f) in his capacity as a member of the force, writes, signs or gives, without the sanction of the Chief Officer of Police, any testimonial of character or other recommendation with the object of obtaining employment for any person or of supporting an application for the grant of a licence of any kind, or

(g) without the sanction of the Chief Officer of Police, supports an application for the grant of a licence of any kind.

(8) Unlawful or unnecessary exercise of authority, that is to say, if he:

(a) Without good and sufficient cause make any unlawful or unnecessary arrest, or

(b) Uses any unnecessary violence to any prisoner or other person with whom he may be brought into contact in the execution of his duty, or

(c) is uncivil to any member of the public.

(9) Malingering, that is to say, if he feigns or exaggerates any sickness or injury with a view to evading duty.

(10) Absence without leave or being late for duty, that is to say, if he without reasonable excuse is absent without leave from, or is late for, parade, Court, or any other duty.

(11) Uncleanliness, that is to say, if he while on duty or while off duty in uniform in a public place is improperly dressed or is dirty or untidy in his person, clothing, or accoutrements.

(12) Damage to clothing or other articles supplied, that is to say, if he:

(a) willfully or by carelessness causes any waste, loss or damage to any article of clothing or accoutrements, or to any book, document or other property of the Police Authority, served out to him or used by him or entrusted to his care, or

(b) fails to report any loss or damage as above, however caused.

(13) Drunkenness, that is to say, if he, while on or off-duty, is unfit for duty through drink.

(14) Drinking on duty or soliciting drink, that is to say, if he:

(a) without the consent of his superior officer, drinks, or receives from any other person, an intoxicating liquor while he is on duty, or

(b) demands, or endeavours to persuade any other person to give him or to purchase or to obtain for him any intoxicating liquor while he is on duty.

(15) Entering licensed premises. &c., while on duty, that is to say, if he enters, while on duty, any premises licensed under the Liquor Licensing laws, or any other premises where liquors are stored or distributed, when his presence there is not required in the execution of his duty.

(16) If he lends money to any superior or borrows from or accepts any present from any inferior in rank.

(17) Any member of a Police Force also commits an offence against discipline and shall be liable to punishment as provided in these Regulations, if he is guilty of an offence which is punishable on conviction, whether summarily or on indictment or if he connives at or is knowingly an accessory to any offence against discipline under this Code.

APPENDIX II.

(Vide Chapter IV, page 30.)

Memorandum by Dr. Ivor Jennings.

I presume that the Commission wishes me to give evidence on the more general matters covered by its terms of reference, and particularly on the relations between Police and public. Before I do so, however, I should like to point out that my work in this field has been done in Great Britain, where the homogeneity of the population makes generalization possible. Ceylon is not homogeneous in the sense that it has a single set of social conventions applying to all classes and to all sections of the country. The class structure is far more rigid; there seems to be a much greater variation between the urban and the rural population; the different regions impose different social conventions; caste differences still play their part; each community has a different set of inherited traditions, and, above all, the section of the population with which I have been in contact, the English-educated middle class, is not typical of the rest of the population. Accordingly, it would be very difficult to generalize even if it were possible to study the whole population. I doubt if anybody has done so, and I am quite sure that I have not. Accordingly, I give evidence with all reserve and express opinions merely as suggestions to be followed up.

2. It is inevitable that the machinery of enforcement should be blamed for a high crime rate. The citizen who fears that his property may be stolen or who considers it dangerous for his daughter to be abroad after dusk asks for more and better Police protection. The primary problem is, however, not to secure punishment for breaches of the Law but to prevent them. Law enforcement is one aspect only of obedience to law. Indeed, if the law is not obeyed it cannot be enforced. Great Britain's low crime rate is not due in any large measure to the efficiency of its Police forces; on the contrary, the efficiency of its Police forces is due primarily to a low crime rate. It has a law-abiding population, with the result that enforcement becomes comparatively easy. The Police have to deal not with the great mass of the population but with small minority, most of whom become "known to the Police", and against which the force not only of the Police but also of the vast majority of the population is arrayed.

3. If this analysis is correct (and in Great Britain it could be supported not only by a multitude of examples but also by a historical explanation of the development of the tradition of obedience to law) we

have to seek the main causes of high crime rate not so much the deficiencies of the Police forces as in the deficiencies of public opinion. Before I suggest the lines on which these deficiencies might be examined however, I should emphasize that adequate enforcement of the law itself helps to create a tradition of obedient. Lawlessness is, if I may use the term, socially incautious. The one certain conclusion which can be drawn from the voluminous reports of the President's Commission on Law Enforcement in the United States is that the Prohibition experiment, by creating a branch of the law which could not be enforced in many parts of the United States, gave rise to a general tradition of lawlessness which spread to all parts of the country and to all branches of the law. Enforcement reacts an obedience on the efficiency of enforcement. Readers of Dickens' works will be aware that little more than a century ago London was one of the most lawless places in the world. The change over the past century has been due mainly to changes in social opinion, but reforms in the machinery of enforcement also played a part. Those reforms by themselves would have had little effect, but the changes in social opinion would have been much less effective if Peel's Act of 1829 had not created the Metropolitan Police and the machinery of the criminal law had not been vastly improved. I shall revert presently to the machinery of enforcement. At the moment I am concerned with public opinion.

4. In this connection I think that the following questions should be answered: —

(I) Are the laws in tune with public opinion?

It is well known that laws which lack public support are not observed. The Prohibition laws of the United States were the best examples. They almost certainly had behind them a majority of the people taking the United States as a whole, but a large minority which in cities like New York, Chicago and San Francisco was perhaps a majority—thought them a stupid and unnecessary interference with the liberty of the subject. There have also been examples in England—for instance street betting in the East End of London. The distinction between *mala prohibita* and *mala in se* cannot be supported in analysis but it, does represent a very popular reaction to law. If there are too many, *mala prohibita* which are not regarded as *mala in se* the result will be a general practice of non-obedience.

Of course, the solution may be not to change the laws but to change public opinion. Black market offences seem to me to supply an excellent example. A Food Minister in Great Britain once remarked that rationing offences were not merely illegal, they were also bad form. In large measure that was true of Great Britain and it explains in part why the rationing system was so good. At least the citizen who broke the laws did not boast about it, and if he claimed some eminence he had to conform. Persons of comparable status in Ceylon on the other hand have actually paraded their extensive knowledge of the black markets. However, this is a question to be taken up later. It may be that there are in Ceylon unnecessary laws, or laws which diverge from public opinion. If so, it should be considered whether they ought not to be repealed or, if considered necessary, explained and justified.

In this connection, too, it needs to be emphasized that laws which are not enforced are laws only in a formal sense. If, for instance, the law of compulsory education can be broken with impunity, it really is not law; it is nothing more than an admonition. I presume that the crowds which hang on to trams, buses and trains are breaking the law, but nobody seems to bother much about it. In so far as those who break the laws knew that they are doing so and that they can continue to do so with impunity, the laws are brought into contempt; and if one is contemptuous of one set of laws one is contemptuous of all laws. Conventions grow up which are positively illegal and there is a complete divergence between law and opinion. Of a slightly different order are laws passed by the State Council which are not put into operation because no administrative machinery has been provided. Sometimes it is provided that the Ordinance shall come into operation on a date fixed by Proclamation, but no Proclamation is issued sometimes, as in the case of the Maternity Benefits Ordinance, for the first couple of years, the Ordinance is theoretically in operation but is ignored in practice. All this seems to me to weaken if not to destroy the essential social convention that the laws ought to be obeyed.

(2) Are the laws known and understood?

This follows naturally from the preceding question. It is of course true that nowhere in the world are the laws accurately known. A person who knows the difference between larceny by a trick and obtaining by false pretenses is either a lunatic or a lawyer, or perhaps both. What the citizen has, or ought to have, is a general knowledge of what is wrong. He is not expected to know the exact meaning of "malice aforethought", but he ought at least to know that hitting people over the head with a mallet is not highly approved in the best circles. The danger of much making of laws is that people will not know about them outside the Legal Draftsmen's Office.

There are obviously special difficulties in Ceylon. The most important is the very low standard of literacy. The citizen of Hoxton spends his Sunday morning studying the criminal law of England in newspapers which cater to his taste. In Ceylon eighty-five percent of the population could not read a newspaper with ease even if they could afford to buy one; nor do the newspaper help very much, for they generally record the wattles of persons who seem to the reader to have committed crimes but whose conviction was impossible owing to some technical flaw in the evidence. Further, not all the religions of the Island require its professors to give regular lectures on civic morality, whereas in Europe a crime is almost invariably a sin, so that a flaw in the evidence may not avail much in wit may justly be called the long run

It seems probable that in any case not enough effort is made to explain the laws and justify them to the general population. Most Ordinances consist of legislation by reference; the Bills are explained to the members of the State Council, but the Ordinances are not explained to the people who have to obey them, presumably on the assumption that the member of the State Council needs to be helped through the *Legislative Enactment of Ceylon*, whereas the urban worker or the villager keeps a set rolled up in his sleeping-mat and reads a page or two every night. In Great Britain if any piece of legislation requires the collaboration of the general public a leaflet is prepared in as simple a language as possible. Where positive action by citizens is required newspaper advertisements in words of one syllable are prepared and widely published. These are quite unlike the advertisements published (at least in the English press) by some of the Government Departments in Ceylon, which generally require the reader to have passed in Latin at the Higher School Certificate Examination. How they read in Sinhalese and Tamil I do not know, but I can guess that they would be equally intelligible to the villager if they were published in Hebrew. There used to be a rule for political speakers to select the most stupid-looking member of an audience and watch if he showed any glimmer of intelligence as the speech proceeded; if he did, the audience understood. It is a useful rule for the Government Departments to write for the least educated members of the public, not for Government University Scholars. Actually, the War Publicity Committee found it quite impossible to get most Departments to explain themselves at all: they went on shoveling out regulations with no attempt whatever to explain what they were about.

(3) Is the general attitude to laws of the educated classes correct ?

The so-called decent and respectable citizen sets the tone, or ought to set the tone, for the general population. In a law-abiding country he not only reforms from breaking laws but actively assists in their enforcement. In fact the social ostracism which is applied to the criminal is a far greater deterrent than anything that can be ordered by a court. It does not much matter what the judge says. But it does matter what the neighbours say. A criminal is a cad, a social pariah. The chief cause of the wave of lawlessness in the United States in the 'twenties was that it ceased to be bad form to break the laws, in fact it was bad form not to break the Volstead Act. Some of my contemporaries went to American universities in 1926 carrying with them the Englishman's belief that they ought to obey the laws of the United States. They were distressed to find that they were regarded as "stuck-up Englishmen" until they fell into the general practice of carrying a flask of contraband gin. In fact, however, we had precisely the same phenomenon in England with the motor car laws. For a time the "best people" did not obey those laws, and so we too had a

wave of lawlessness. If it is permissible to drink contraband liquor in Central Park, it is equally permissible to wage gang warfare in the Bronx; if it is permissible to risk human life in Mayfair, it is equally permissible to risk it in Lime house; if it is permissible to buy black-market tyres, it is equally permissible to steal them. The only people in Ceylon who have any right to complain about the prevalence of crime are those who invariably obey the laws.

Such knowledge as I have of the English-educated classes suggests that the question under discussion might be subdivided as follows: —

(i.) Is it considered that a breach of the law is unpatriotic?

It is surely true that the maintenance of law and order is the fundamental duty of the State. The patriotic citizen, therefore, considers that his primary duty is to assist the State in maintaining law and order. He is entitled to question the justice of the laws and, if he considers them unjust, to try to secure their amendment, but he is not entitled to break them or to encourage others to break them. These principles are so obvious that one is almost ashamed to quote them: but are they universally observed in Ceylon? If they are not, the criticism must not be limited to those who take part in or foment illegal strikes, demonstrations, and other illegal methods of political propaganda: it must also be addressed to those who buy petrol or textiles or rice in the black-market and those who buy fish above the controlled price.

(ii) Is it considered clever to evade the laws by finding loopholes?

Obedience to law is not a matter of obeying the letter but of obeying the spirit. I have mentioned already that the ordinary citizen cannot be expected to know the precise nature of his legal duties, what he does know is that actions of a certain type are wrong. In other words, he tries to carry out not so much the law as its purpose. In my lectures in England I used to quote the Ten Commandments, for instances "Thou shalt not kill". Most Christians consider that in certain circumstances homicide is justifiable or excusable, but they know the general purpose of the Commandment and seek to carry out that purpose. If, however, a small section of the population which can afford to take legal advice on the precise extent of its duties sails as near the wind as it can get without landing in court, the ordinary citizen, who has not those advantages, cannot be expected to have such a respect for the law as with encourage him to conform to the best of his ability. Similarly, if wealthier citizens who are charged with offence of the type clearly contemplated by the laws manage to secure acquittal by employing Counsel to find holes in the drafting or in the presentation of the evidence, the law is brought into contempt. I do not know whether these practices are more or less widely prevalent in Ceylon than elsewhere, but they are clearly undesirable and it would be unfortunate if public opinion actually approved the "cleverness" of the near criminal.

(iii) Is it believed that the laws are administered with partiality or corruptly?

If so, the laws are necessarily brought into contempt. I refer, of course, not to administration by courts, but to administration by Government Departments in those many cases where a licence or permission has to be obtained. Law ought clearly to be administered in Government offices as in the courts "fairly and freely, without favour and without fear". What is more, justice must not only be done, it must be seen to be done. These rims of legal administration seem to me to be essential to maintain the tradition of obedience to law. If a citizen believes that a wealthy person can obtain what he wants by bringing a subordinate officer, or that a person of influence can secure advantages by speaking personally to a senior officer or a minister, the citizen has no incentive to obey that or any other law. or is there any difference in this respect between corruption and mere partiality, for the effect is, precisely the same. To give way to political or social pressure or mere friendship brings the law into contempt as quickly as to take a bribe.

(iv) Is there misplaced sympathy with the criminal who is caught and punished?

Part of the success of English justice has been due to the ruthlessness with which the criminal is tracked down and punished. In the case of a young offender or any other person whose reformation seems possible, every effort is made to secure it: but punishment has a valuable deterrent effect which is essential to the creation of a sound public opinion. The sentimental person who points out that the crime as an error of judgment (all crimes are, if the criminal is discovered), that the punishment is hard on the wife and children or the aged mother, or that the criminal had an exhalant school record before he entered upon his criminal career, is a nuisance to society. Public opinion must condemn the criminal, not sympathize with him, and social condemnation, as I have said, is a valuable means of securing conformity. I have noticed that sentimentalism of this type is widely prevalent, but I am unable to say how prevalent it is. It should certainly be pointed out emphatically that if a person receives sympathy because he is socially or politically prominent the rest of the population cannot be expected to regard breaches of the law with any abhorrence.

5. The establishment of a sound public opinion about crime is obviously not an easy matter. Perhaps at this stage I ought to try to explain how the change occurred in England during the nineteenth century. It seems to me to have been almost entirely a religious movement which became secularized late in the century. So far as the wealthier classes were concerned it was an evangelical revival within the Church of England which produced among many an acute social conscience. William Wilberforce and the Earl of Shaftsbury were the outstanding examples, and their influence on public opinion and upon public policy was profound: but it may be pointed out that those who did most to clean up the corruption of the Unreformed Constitution, especially statesmanlike William Pitt, Sir Robert Peel, Sir James Graham, and Mr. Gladstone, were influenced by the same movement. The effect of the movement can be seen in the universities and schools also. Oxford and Cambridge were intensely concerned with religious questions a hundred years ago, while the Oxford Movement owns at its height. The public schools were inspired with the same spirit, especially after Arnold went to Rugby.

6. Among the working classes all sections of the Christian Church including the Roman Catholic Church after its release from most of its legal disabilities took a hand. They operated directly, through churches, chapels and missions, and also indirectly through schools, and it is a significant fact that by 1860—that is, before the State had established a single school—we had as high a proportion of children at school as Ceylon, with its alleged compulsory education has now. After 1870 a substantial part of the educational movements became secularized but it did not lose what may perhaps be called its evangelical character. Expressed in secular terms, it may be said that the essential function of a school, whether it was a public school for the rich or a board school for the poor, was to produce good citizens. The result: was to spread the public school spirit, more or less on the lines inculcated by Arnold a' Rub, but often deprived of its religious background, through all the schools and therefore, after education became compulsory in 1880, through all classes. Victorian morality had its odd ties, but it did succeed in establishing an acute social conscience which, *inter alia* made it immoral improper, unpatriotic and undignified to break the laws of England. It is so still, so that not only does the individual conform to law almost instinctively but also he is under constant social pressure towards conformity. The need for obedience to law is impressed upon him at stages of his training at home, in the school, in the factory, and in the streets. It should be emphasized, however, that conformity to law is only one aspect of the matter; it is general social behaviour, which includes such apparently trivial matters as keeping off the grass borders, avoiding flower beds in the parks, queuing, passing down the ear, and keeping one's elbows to oneself. Obedience to law, in other words, is merely common decency or good form. The criminal, as I said before, is a cad.

7. There is, however, another aspect of the matter. Charles Booth in the great *Survey of London Life and Labour* which he compiled in the 'eighties, described the poorest workers as belonging to the "semi-criminal classes". They were not described because they were poor but because the environment in which they lived tended to produce criminals. No English student of social conditions would accept the doctrine, which I have heard expounded in Ceylon, that people are dishonest because they are poor. On the contrary, people are often dishonest because they are rich, or because they feel it necessary to keep up a standard of living for which they have inadequate resources. In Great Britain certainly—and perhaps in Ceylon also—

the sort of person who used to be described as "the respectable working man" is often is more conscientious and law-abiding citizen than the more pretentious member of the middle classes. Charles Booth's semi-criminal classes were, however, the slum-dwellers, living in grossly overcrowded conditions in insanitary tenements, with the streets as the only playgrounds for the children and the public houses the only recreation for the adults. They were correctly described as "semi-criminal" because poverty, illiteracy, overcrowding, disease, drunkenness, vice and crime went together. In this respect there had been a remarkable improvement in the fifty years before the war. Though the *New Survey of London Life and Labour* produced by the London School of Economics in the 'thirties showed that one-ninth of the population was still living below a reasonable level of subsistence, the environment had been fundamentally changed. The most impressive social document I have ever seen consisted of two photographs published by the London County Council in 1939. The one showed a typical group of schoolboys in the early years of the century. They looked like a collection of young thugs. The other showed a typical group in 1939, bright, cheerful looking boys who were a credit to their parents and their country. The change may have been due in part to a rise in the standard of living, but much more important was the alteration of the environment in which they lived. The 1939 group were the children of parents who had at least eight years of compulsory education: the areas in which they lived were still slums, but there had been vast improvements—air and light had been let in by slum clearance campaigns and rebuilding programmes, parks had been provided, public libraries opened, schools immensely improved, new forms of recreation established as substitutes for the public houses, and so on. The decrease in crime in Great Britain, therefore, was not due only to religious zeal which propagated the social virtues, but also to compulsory education and other social reforms which had in large measure succeeded in combating the social vices.

7A. Generally speaking, the environment in Ceylon is far better than the environment in the East End of London a hundred or even fifty years ago, and I do not wish to suggest that this island has to face a problem at all comparable with that which the newly industrialized Great Britain had to face in the nineteenth century. The experience of Great Britain suggests, however, that an attack on crime may take two forms. First, there may be a steady propagation of the social virtues. Secondly, there may be an attack on the social conditions in which crime tends to flourish. Specific suggestions should be made by someone more familiar with the social conditions of the Island than I am, but the following may stipulate thought: —

- (1) The leaders of opinion, religious, social and political might make it part of their duty to emphasize the civic virtues in their public addresses. I doubt if "anti-crime societies" as such are of such value because something more positive is required, the development of the notion that it is the duty of the citizen to give every assistance to the State. Of course, it is useless for Satan to reprove sin. If a politician makes speeches about social obligation and then obtains it privileges for influential constituents he gives an effective answer to his own propaganda.

- (2) Assuming that every child was given an adequate school education, which is at present far from being the case, the schools could do a great deal. The experience of Great Britain is that it cannot be done by teaching " civics ", because what are wanted is not knowledge but an attitude. The method used is that originated by Arnold at Rugby, the development of a corporate spirit in the school itself, the stimulation of a loyalty to the school which induces the child to recognize his obligations to his fellows. This means, of course, that the school must be distinctive, an institution of which the child can be proud, with its own method and tradition. It cannot be done in a barrack or a cattle-shed built by the Public 'works Department and inspired by the Department of Education. On the other hand it has been shown by British experience that it can be done as easily in an elementary school as in Royal College. Once this idea of social obligation has been developed. it can easily be given a wider and national character by emphasis on the history and geography of Ceylon And the `ways of he and thought of her people. A strident and raucous nationalism, such as has been common among some sections of opinion would defeat its own end, for it is founded not on the merits of Ceylon and her peoples but on the alleged deficiencies of others. The child must feel that he is a unit of a worthy people, with a long' tradition of its own, to which it is his duty both to conform and to contribute. In other words, his attitude to the nation must be the same as his attitude to the school, and

this attitude is created not by formal teaching but by suggestion. All this may seem remote from the Commission's terms of reference, but the fact is that children cannot be taught not to be criminals whereas they can be taught to be good citizens, and the latter includes the former.

(3) Adequate social services can help to improve the environment. Improved housing has been of immense influence in Great Britain, and it might be so among sections of the population of Ceylon also, but this is to travel well outside the Commission's immediate sphere of interest.

(4) If there is any suggestion that crime in Ceylon is due (as it was in Great Britain) to the absence of facilities for healthy recreation; it would be desirable to provide them, or to stimulate their provision by voluntary bodies. In Great Britain a large amount of juvenile and youthful crime was due to the absence of means by which young people could divest themselves of their surplus energy or use their spirit of adventure. Part of it was sheer boredom. Accordingly, the fundamental change was the provision of public libraries, boys' and girls' clubs, boy scouts and girl guides, cycling clubs, facilities for hiking, games of all kinds, and so on. These facilities are sadly lacking in Ceylon, and generally they are provided, if at all for the middle classes. Possibly an even more important development was the spread of the cinema and the dance hall, which replaced the public house as the centre of amusement.

(5) Finally, I would suggest that the Government itself does very little to encourage the good citizen to collaborate with it. It does not adequately explain what it is doing and why. Even at this distance and even though I am professionally concerned with Ceylon education, I know more about the recent British reforms than the recent Ceylon reforms. I bought the necessary documents in a bookshop, where they were exhibited for the benefit of anybody who was sufficiently interested, and they are comprehensive. The only document about the recent Ceylon reforms is the Report of the Special Committee on Education. I presume I could get a copy if I went to the Secretariat and poked my head through a hole in a partition there: but the Report has been superseded by decisions of the State Council and the Executive Committee of Education. There is no simple method of finding out what they are; in fact on some parts of the policy there is no method at all except to ring up the Director of Education and ask.

Let me give an even more typical example. The Englishman reading his morning paper discovers that the Secretary of State for the Colonies has made a statement in the House of Commons on the Government's policy in relation to constitutional development in Ceylon, and the text of the statement is set out. The newspaper adds a summary of a White Paper issued simultaneously. If the Englishman is sufficiently interested, he will telephone his local bookseller and ask him to send a copy of the White Paper when it arrives. It will in fact arrive next day, and the Englishman will receive an attractive pamphlet of eight pages octagon headed: "Colonial Office: Ceylon Statement of Policy on Constitutional Reform". The pamphlet mentions that it is published by His Majesty's Stationery Office price 2d. It will in fact be on sale in all the bookshops where there is likely to be any demand for it. Now let us switch to Ceylon where the policy is of much greater public interest. No statement is made in the State Council, but Reuters reports the statement in the House of Commons and the newspaper gives a summary of the White Paper. Diligent inquiry may show that the White Paper has been published as *Ceylon Government Gazette Extraordinary*, No. 9,480. I have the text before me. It is in the unreadable form of the *Gazette*. It mentions that it was printed at the Ceylon Government Press, but does not indicate whether copies can be purchased. There may be copies in the bookshops, though I have never seen them. I suppose that, if I had not received a complementary copy, I might have been able to get one if I had poked my head through the hole in the partition at the Secretariat. In actual fact, I prefer to use the English White Paper, which I had sent to me by my Cambridge bookseller.

All this is of general application. His Majesty's Government takes care to keep the electors informed of its policy through statement in Parliament and numerous publications. These publications are on sale at attractive shops maintained by the Government in London, Edinburgh, Cardiff and Belfast. Copies are supplied on trade terms to the bookshops. They are well printed and cheap. Sometimes, indeed, the price bears no relation to the cost because large circulation is considered desirable. Where the documents are too

complicated for the ordinary- reader, they are summarized in attractive leaflets and pamphlets. If necessary, summaries of the summaries are published as newspaper advertisements. I would suggest to the Commission that something on these lines should be done in Ceylon. Obedience to law does not consist only in refraining from those acts which are forbidden; it consists also in collaborating with the Government in carrying out its policy.

It should be added, too, that the public opinion which should be developed by the instruments of propaganda ought to emphasize the duty of the individual to collaborate in that policy whether he agrees with it or not. As a citizen he is entitled to use all the democratic means available for getting the policy changed if he does not agree with it: but so long as it is Government policy his duty is to carry it out. Ceylon has perhaps suffered from the fact that in the past the Government's policy has not necessarily been that approved by the majority in that Legislature. That will not be so under the new Constitution, and it is implicit in responsible government that the ordinary citizen should expect and do his best to carry out the policy that has been approved by Parliament.

II.

8. My knowledge of Ceylon is much too limited to make it possible for me to offer more than incidental remarks on the relations between Police and public. I can, however, describe the situation in England from the point of view of a citizen who was also a magistrate for a few years. It will be appreciated that the general attitude described in previous paragraphs makes the task of the Police comparatively easy. Except in certain of the more turbulent areas, the ordinary citizens regard the Policeman as the preventative of that law and order which the citizen himself is anxious to protect. The Policeman can almost invariably rely on the assistance of passers-by if he has to make an arrest; and if controversy develops in the streets, or an accident occurs, it is assumed by every one that the Police Officer takes charge of the situation as soon as he arrives on the spot. As the Royal Commission put it in 1929 (paragraph 300): —

"There is, we believe an instinctive and deep-rooted sympathy between the public and the Police, which has never really been broken, in spite of minor misunderstandings and cases of friction which occasionally ruffle the relations between them."

9. One aspect of the matter, to which attention may perhaps be drawn, is that the Police perform many functions for the public, which are not connected with law enforcement at all. It was mentioned in the course of previous evidence that nobody had ever seen a Ceylon Policeman help an old lady across the road. The question, which occurred to me, was whether I had ever seen any person in Ceylon help an aged person across the road. I mention it because I have a distinct recollection of a lesson at school, when I was perhaps nine years of age, in which we were told that it was *our* duty to help aged people across the road (I remember it especially because it is associated in my mind with a horrid sentimental verse which has the refrain: "She's somebody's mother, boys, you know"). A Police officer cannot be expected to have a much higher standard of civic morality than the ordinary citizen, and if the general standard of civic morality goes up the standard of the Police improves it is nevertheless true that the Policeman ought to be regarded as a guide, if not a philosopher or a friend. We always instruct our children that, if they are in any kind of trouble, they must go to the nearest Policeman, who will do all he can to help. He would, for instance, show them the way home, or lend two pence for a bus fare, or put them in somewhere out of the rain. Every visitor will have seen the Policemen outside schools, taking parties of children across the road. Nor is their assistance limited to children. The old song, "If you want to know the time, ask a Policeman" has a good deal of truth in it, though he will have something to say if he is asked while he is standing under the clock, will tell not only the time, but the way to get to an address (he is trained to do it properly), the best place for a steak or fried fish and chips, and perhaps even the winner of the 2. 30. All this must not be idealized, but the point is that the Police set out deliberately to help the public in the belief that, when it comes to the point, the public will help the Police.

10. It should be mentioned, too, that the Police do not carry arms openly—I stress the word " openly"—in order to emphasize that they are a citizen force. Nor do they march in military formation. The Police stations always have inquiry- counters, at which members of the public can ask all kinds of questions, stupid and otherwise, and receive helpful answers from a courteous sergeant. Here, too, there is a motive: at the just sign of trouble of any kind, the citizen's first reaction is to inform the Police, and he knows where to go because he went to make inquiries about his lost budgerigars some months before.

11. All this depends, of course, upon the peculiar social relationships of Great Britain, and I do not suggest that it is applicable to Ceylon: but the principle may be—that is, that the Police should set out deliberately to help the public. It should be mentioned, too, that there were a good many complaints against the English Police in the ' twenties. They are referred to in Chapter X of the Royal Commission's Report. I need not mention them specially except to say that they seemed to disappear after 1930.

III.

12. The Commission will presumably not wish me to discuss the general procedure for investigating and preventing crime, particularly since I do not know the Ceylon law and the English procedure is fully discussed in the Report of the Royal Commission. I may perhaps mention one point, which occurred to me as rather odd when a student who had been arrested very rightly telephoned to ask my help. My first question was to ask for the charge and I then found that though all the facts were known he was being detained without being charged. No doubt this was correct law, but it seemed to me to be very odd that a citizen could be detained by a Police Sergeant who was not prepared to formulate a charge against him. Eventually he was released on my undertaking to produce him if he was needed.

13. When I was advising the Civil Defence Commissioner, more or less unofficially, on food propaganda I suggested that a few very rapid prosecutions for selling black-market rice would have excellent deterrent value. I was told that this could not be arranged because it would take months to bring a case to sentence. I do not understand why this, if true, should be so. When I was a magistrate we usually managed to dispose within a week of any case where the accused was under arrest. Occasionally, but only occasionally, we remanded n custody for a week more. Even an indictable offence would be disposed of within three months, because if our quarter sessions or assizes were not coming soon we committed to the Old Bailey. Most cases dealt with on summons were disposed of on the day on which the summons was returnable. We sat until we had completed the best, and I do not remember a single occasion on which we adjourned a case, though sometimes the Chief Constable asked for a postponement in order that his inquiries might be completed.

14. My experience of Police prosecutions was that the Chief Constable was fully competent to take an ordinary case but that most of the Inspectors-- we had only a small borough force— were not. Also, the Chief Constables knew his limitations, and if any difficult point of law was likely to arise he let the Town Clerk, a qualified solicitor, take the case. If there was any great complication—for instance charges against a dairyman where it was known that there was going to be an appeal to the cow—Counsel was briefed; and of course if the Director of Public Prosecutions took over a case-- Counsel was always briefed. In the great majority of our cases, however, the accused pleaded guilty, and if it was an ordinary motor car case we always accepted a plea of guilty by letter-- though not, of course, in a case of dangerous or careless driving or driving while under the influence of liquor. Consideration might be given to the question whether a Director of Public Prosecutions might not be appointed in Ceylon. His functions are discussed in Chapter VIII. of the Royal Commission's Report.

IV

15. There are perhaps a few points about appointments on which I can give useful evidence. In England, as is well known, all appointments below the rank of Chief Constable are filled by promotion. I think- it should be realized, however, that this system relates to a very different social and educational system from that of Ceylon. The educational status of a person has not much relation to the social status of his parents' because a generous system of scholarships enables any student of more than average ability to go from elementary school to secondary school and from secondary school to the University. The public-school boys, of course, rarely think of the Police as a career; if they are excluded, it makes no difference at what educational stage one takes a Constable, he will always be of the working-class or the lower middle-class. There is thus no loss of social status when a University graduate becomes a Constable, but the effect of his education is to make promotion more rapid, provided that he possesses the necessary personal qualities. This is not so in Ceylon. Owing to our bursary system and the practice of the denominational schools in giving financial assistance to deserving boys, we are now getting more Students from the working-classes; but at least 85 per cent of our University students are drawn from the English-speaking middle class. I am afraid that there is not the slightest chance of their joining as Constables. During the war quite a number of students discussed with me the question of getting commissions in the Ceylon Defence Force or the Ceylon Royal Naval Volunteer Reserve. In almost every case I suggested joining the ranks and earning a commission. In not one case was the suggestion acceptable. I presume that much the same tradition of social prestige is to be found in the secondary schools.

16. This is of course no argument against promotion from the ranks. I feel convinced, from personal experience and from general University experience, that 80 per cent of the ability of the country is being wasted by our absurd educational system. If the Police can tap that ability they will get as good Policemen as they could get at the secondary school or University level. The fact that they know no English is immaterial: if they need English they can be taught it. The difficulty is, of course, that under the rigid class system of Ceylon a person who has not a Senior School Certificate is regarded as a sort of inferior being, whereas in England nobody knows and nobody cares.

17. If University men are required as Assistant Superintendents of Police, we can supply a very good type, the sort of man who has shown leadership at games or in other ways. Unfortunately he usually does badly at examinations, and there is a tendency to exaggerate the importance of the examination. I have acted as adviser to the boards which appointed probationary Assistant Superintendents of Police, and generally I felt that the right person was appointed: but only the Inspector General of Police can say whether they have been successful as Police officers.

University of Ceylon,

Colombo, May 22, 1946. (Sgd.) W. IVOR JENNINGS.

APPENDIX LII.

LIST OF WITNESSES EXAMINED

Date.	Place.	Name.
Public Sitting—Opening Session.		
26.3.46 . .	Colombo . .	Lieut. -Col. R. M. M. Bacon Inspector-General of Police
Public Sitting.		
27.3.46 .		Lieut. -Col. R.M. M. Bacon
Private Sitting.		
Lieut.-Col.. R. M. M. Bacon		
Public Sitting.		
28.3.46 .		Mr. J. L. Waldron. Superintendent of Police
Private Sitting.		
Mr. J. L. Waldron, Superintendent of Police		

Public Sitting.

4.4.46 . . Mr. W. T. Brindley. Deputy Inspector General (Adm.)

Mr. G. K. Pippet. Deputy Inspector-General (Prov.)

Private Sitting.

Mr. G. E. Pippet

Public Sitting.

5.4.46 . Mr. S. G. de Soysa, Assistant Superintendent of Police

Mr. C. S. Mohamed

8.4.46 . Mr. Justin Kotelawala (representing the Pitipana Grama sanwardane Society)

Mr. I. D. Merry, Superintendent of Police

Mr. R. J. Mendis

Private Sitting.

11.4.46 . Mr. I. D. Merry, Superintendent of Police

Public Sitting.

Dr. W. S. J. Peiris

Deputation—representing the Sergeants' and Constables'
Association (Mr. F. H. de Hoedt and other)

15.4.46 . Deputation—representing the Inspectors'' Association (Mr. B.
C. Wijemanne and others)

16.4.46 . Deputation—representing the Inspectors' Association (contd.)

Deputation—representing the Sergeant' and Constables' Association (contd.)

Date. Place. Name.

Public Sitting.

17.4.46 Colombo . Deputation—representing the Sergeants' and Constables'
Association (contd.)

Mr. D. B. Dodampegama

- Mr. B. L. Perera

29.4.46 Kurunegala . . Deputation—representing the Kurunegala Bar (Mr. C. L. W.
Perera and others)

Deputation—representing the Urban

Council, Kurunegala

(Mr. D. A. B.

Ratnaike and others)

Mr..

Rattarana

30.4.46

Mr. I. N. U. Wijesinghe

Mr. E. B.

Wright

Mr. D. M.

Muttubanda

Mr. G. D.

William

Wanigasekera	Mr. S. C.
Lloyd Gunawardena	Mr.
.5.46 .. Zoysa	Mr. A. Sedwyn de
Leo Gunaratne	Mr.
- Samarasinghe	Mr. M.
Perera, Government Agent, North. Western	Mr. B. F.
A S Basnayake	Province Mr
K. D. Rueben Private Sitting.	Mr.
3.5.46. . Colombo of Police	. . Mr. I. D. Merry, Superintendent
Haddow, Superintendent of Police Public Sitting.	Mr. M. P.
Ismail, Superintendent of Police Private Sitting.	Mr. M.
Ismail Public Sitting.	Mr. M.
5.6.46. . Ratnapura . . Polic	Mr. P. E. Brodie, Superintendent of
Mr. Spencer Rajaratnam, District Judge	
Mr. T. P. de Soysa	
Mr. K. Ranarajah	
Mr. S. T. Thurairathnam	
Mr. M. R. Candappa	
Mr. E. S. Jayakoddy	
Private Sitting	

Mr. P. E. Brodie, Superintendent of Police
Public Sitting
5.46 .
Mr. A. C.M. Costa

Deputation - representing the Ratnapura Bar (Mr.
G
(Mr M.A.Gunasekera and others)

Mr. Albert Silva, Assistant Superintendent
of Police

Mr. C. S. Chinniah

Mr. Dingiri Bandara Seneviratne

Mr. M. L. Gunarathne

Mr. C. E. Wettasinghe

Mr. G. H. Ellawela

Mr. M. T. C Gunaratne

10. 5. 46 .. Badulla ..
E. Ase, Superintendent of Police
Private sitting
Major E. C .de Fonseka

Mr. R.

Mr. H. J. Pinto

Mr. S. de La Harpe, Chief Inspector
of Police

Public Sitting

Mr. N. M. Idaikkadar,

Assistant Government Agent, Badulla

Mr. K. A . Baron Perera

Mr. C. A. J. Dharmagunertne
11. 5. 46...
Mr. T. A. Miskin

Mr. Walter Pinto

Mr. K. G. D. de Silva
13. 5. 46. ... Batticaloa
D. Dissanayake,

Mr. C.

Superintendent of Police

Mr. L. B. de Silva, District Judge.

Date Place
Private Sitting.

Name

Mr. C. D. Dissanayake, Superintendent of Police
Public Sitting

Deputation - representing the Batticaloa

Association (Mr. K. Kanagasabai and others)
14. 5. 46...
M. Subramaniam

Mr. K. V.

Mr. M. A. L. Kariapper

Mr. M. M. Mohideen

Gate Mudaliyar M. S. Kariapper

Mr. W. L. Amarasingham

Private Sitting.

Mr. S. R. Phillippiah

Public Sitting
17. 5. 46... Galle
Koelmeyer, Superintendent of Police

Mr. E. A.

Mr. S. Kodituwakku

Mr. S. A. Chunchi
Private Sitting

Mr. E. A. Keolmeyer, Superintendent of Police.
Public Sitting
18. 5. 46 ..
A .Solomons

Mr. R.

Deputation - representing the Headmen's

Association of Talpe Pattu

(Mr. J. F. D. Dhanayake and others)

Mr. D. A. Jayasinghe

Mr. W. A. Boyere
20. 5. 46.
O. Stephens, Government Agent,

Mr. W.

Southern province

Mr. M. M. Rajapakse

Mr. M. K. Mendis

Mr. P. J. Cooray

Mr. N. K. T. Chandrasekera
20. 5. 46. Galle

Mr. W. Thalgodapitiya, District Judge, Balapitiya

Mr. S. D. E Wijesinghe

Mr. D. W. Wellantantri

Mr. S. P. A. de Silva
21.5. 46. Colombo.
Nagalingam,

Mr. C.

Acting Attorney- General

Messrs. G. E. Chitty and A. H. C. de Silva
22. 5. 46...
H. A. Kottegoda

Mr.

Mr. D. G. Wittanachi

Mr. R. L. Pereira, K. C.
23. 5. 46.
C.nagalingam, Acting Attorney - General
Private Sitting.

Mr.

Mr. M. Thiruchelvam
Public Sitting.
24. 5. 46.
T. D. Perera

Mr.

Mr. H. H. Basnayake

Mr. R. Wickremasinghe
Private Sitting.

Mr. W. G. N. Hoole
Public Sitting.
27. 5. 46...
Waldo Sansoni,

Mr.

Acting District Judge, Colombo

Mr. W. R. Chanmugam, Government Analyst
Private Sitting.

Mr. D. Daniel
Public Sitting
28. 5.46.
Messrs. G. E. Chitty and A. H. C. de Silva

Deputation - representing the

Moratuwa Maha Jana Sabha

(Mr. A. V. Fernando and others)

Date. Place.

Name.

Public Sitting

29. 5. 46 ...

Mr. D. Asoka Obeysekera

Mr. Devar Suriya Sena

Mr. D. M. Samarajewa (representing the Workers'

Welfare Association, Kelaniya)

30. 5. 46....

Deputation-Representing the

Lanka Maha Jana Sabha

(Mr. Gorrester Obeyesekere and others)

Mr. V. S. Wickremanayake

Mr. Darrell J. J. Peiris

Private Sitting

Mr. Darrell J. J. Peiris

Public Sitting

Mr. A. P. Boteju

31. 5. 46. Colombo

Jennings

Dr. Ivor

Mr. C. P. Jayawardene

Mr. Susantha de Fonseka

Mr. T. D. S. de Alwis

Mr. D. J. Christopher, Inspector of Police

3. 6.

46..

Messrs. N. Nadea and Barr Kumarakulasinghe

Private Sitting

Messrs. N. Nadesan and Bar Kumarakulasinghe

Public Sitting

Mr. Victor C. Pereiara

Mr. I. B. Ratnayake

Mr. H. R. Wijesinghe

Mr. M. T. Peiris, Chief Inspector of Police

4. 6. 46.

Deputation - Representing the European

Association (Mr. R. Mann and others)

Private Sitting

Deputation - Representing the European

Association (Mr. R. Mann and others)

Public Sitting

Messrs. N. Sinnethamby, C. X. Martyn

and C. Sivasubramaniam

Private Sitting

Messrs. N. Sinnethamby, C. X. Martyn

and C. Sivasubramaniam

Public Sitting

Deputation - Representing the National

League of Ceylon (Mr. F. A. Ranasinghe

and others)

Mr. E. O. S. Wijeratne

Mr. Thomas de Silva

Private Sitting

Dr. D. A. Gunatilleke

Public Sitting

Mr. B. M. Doole

6. 6. 46. Anuradhapura ...

F. Amerasinghe,

Mr. S.

Government Agent, North- Central Province

Mr. P. B. Bulankulame

Mr. C. E. Vanrooyen,

Assistant Superintendent of Police

Mr. A. Samaraweera

Mr. E. P. Rajakaruna

Mr. P. Senatatne

Mr. T. P. De Silva

Mr. T. B. Ekanayake

7. 6. 46.

Anuradhapura

Mr. B. De Zylava

Date. Place.

Name.

Private Sitting

Mr. C. C. Dissanayake,

Superintendent of Police

Public Sitting

8.

6.

46.

..

Jaffna

...

Mr. C. Coomaraswamy, Government

Agent, Northern Province

Deputation - Representing

the Jaffna Lawyers' Association

(Mr. A. Thambyah and others)

Deputation - Representing the Thenmaradchy

Maha Jana Saber (Mr. V. S. Carthigesu)

Mr. O. S. De Silva, Superintendent of Police

Deputation - Representing Jaffna Association

(Mr. A. R. Subramaniam and others)

Mr. N. Chelvadurai

Mr. R. R. Selvadurai, District Judge

Private Sitting

Mr. O. S. de Silva, Superintendent of Police

Public Sitting

Deputation - Representing the Thenmaradchy Farmers

Association (Mr. N. Arunachalam and others)

11. 6. 46.

... Mr. V. Kandasamy
Mr. A.

P. Thambiah

Mr. V.

Shanmuganathan

Mr. K.

Kumariah

24. 6. 46 ... Knady ...
District Judge

Mr. .H. A. de Silva,

Mr.

T. W. Hockly

Mr. J.

G. C. de Saram, Superintendent of Police

Deputation -

Representing Nuwara Tharuna Kavi Society

(Mr.

K. Seneviratne and others)

Deputation -

25. 6. 46. ..
Representing Nuwara Tharuna Kavi Society

(Mr. K. Seneviratne and others)

Deputation

- Representing the Wives of Sergeants

and Constables (Mrs. J. R. Sheddon and others)

Private Sitting

Deputation - Representing the Wives of Sergeants

and Constables (Mrs. J. R. Sheddon and others)

Public Sitting

25. 6. 46. Knady ...
Assistant Superintendent of Police

Mr. J. R. Stewart,

Mr.

K. S. E. Siebel

Deputation -

26. 6. 46. ...
Representing the Planters'

Association (Mr. Neil de Alwis and others)

Mr.

K. Dissanaik

Private Sitting	
G. H. Robins, Superintendent of Police	Mr.
Public Sitting	
27. 6. 46...	Mr.
G. Leembruggen, Inspector of Police	
D. C. Gunatilleke	Mr.
D. Charles Silva	Mr.
H. A. de Saram	Mr.
M. D. Marshall Perera	Mr.
Private Sitting.	
Mr. L. de Sylva, Inspector of Police	
Public Sitting	
1. 7. 46. ...	Mr. N. B.
Beddewelle, Inspector of Police	
Aluwihare, Government Agent,	Mr. R.
Central Province	
Private Sitting	
Deputation - Representing a “ Body of Police	
Officers of various ranks”	
(Mr. O. S. de Silva and others)	
2. 7. 46	Deputation -
Representing a “ Body of Police	
Offices various ranks”	
(Mr. O. S. de Silva and others) - contd.	
3. 7. 46.	Deputation
- Representing a “ Body of Police	
Offices various ranks”	

(Mr. O. S. de Silva and others) - contd.

Public Sitting

A. B. Siriwardene	Mr.
M Samarasinghe	Mr.
M. P. Dissanayake	Mr.
M. M. R. Seneviratne	Mr.
4. 7. 46. Rajasingham	Mr. A. A.
A. V. W. Gunawardene	Mr.
S. S. Rajoo	Mr.
J. V. de Silva	Mr.
S. M. Kiribanda	Mr.
5. 7. 46.... Rathnaile	Mr. A. M.
W. D. P. Jayawardene	Mr.

Private Sitting

8. 7. 46... (Deputy Inspector - General, Provinces)	Mr. G. K. Pippet
--	------------------

Public Sitting

M. de Saram (Temporary Assistant Superintendent of Police)	Mr. F. J.
9. 7. 46 ... Kandy (Temporary Assistant Superintendent of Police)	Mr. F. J. M. de Saram
Vandendriesen (Temporary Assistant Superintendent of Police)	Mr. H. K.
L Attygalle (Temporary Assistant Superintendent of Police)	Mr. J. W.

10. 7. 46. ..	Lieut - Colonel
Bacon, Inspector - General of Police	
	Lieut -
Colonel Bacon, Inspector - General of Police	
Private Sitting	
	Lieut -
Colonel Bacon, Inspector - General of Police	