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# Chapter 4

## Improving the Police's Role and Performance in Protecting Human and Economic Security

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## Ideas in Police Reform: General Overview

### Police Reform: The Indonesian Context

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**T**he Indonesian police force, with approximately 300,000 personnel, is one of the biggest police organizations in the world. The police force is currently under the control of the President of the Republic, as the police transitions from its former status as a branch of the military to executive control.

### Historical Background

During the era of President Suharto, from approximately 1967 to 1997, the police was a branch of the military. They were deployed to conflict areas and could be killed as combatants. They were deployed to prevent uprisings in communities. The police were known to abuse their power and there was much corruption. Consequently, public perception of the police was very negative. At the end of the Suharto era, there were internal and external factors pushing for police reform. Many young officers wanted the police force to be separated from the military, because they felt that they were discriminated against within the military. Also, the public wanted a better and more dependable police, primarily because they were looking for alternatives to the military.

### Initial Reforms

In 1999, the Indonesian National Police began a reform program, which addressed the structural, ethical (referred to as “instru-

mental”), and cultural aspects of the police force. The police organization was removed from the military and placed under the President’s control. The ethics and code of conduct were rewritten to capture the new civilian mission. The reforms attempted to change the culture of the organization from one that was perceived to be arrogant, violent, and trigger-happy, to an organization that is focused on service to the community.

The reform efforts, though necessary, were not sufficient. Accountability and budgetary control, for example, were not addressed at all. It was unclear whether the reforms would actually lead to professionalism and police responsiveness to public demands. These were the issues that the press and non-government organizations (NGOs) wanted answered.

### **Catalysts and Obstacles to Police Reform**

Strong leadership within the police that is supportive of reform is essential to implementing any reform program. Indonesia is fortunate to have two police chiefs who are pro-reform. Political will is also critical, as reforms depend on increased spending and supportive legislation. During recent years, the President and the Parliament have increased the police budget by 300 to 400 percent, which not only finances the reform effort, but also boosts the confidence and morale of the police. External pressures from the media, NGOs, and university students, particularly with respect to police violence and corruption, strengthens incentives for reform.

There are many obstacles to implementing any reform agenda. The military has made attempts to draw the police back into its former functions. Without a comprehensive reform plan and with staff and leadership turnover, there is inconsistency of approach. It is difficult to promote consistent and comprehensive reforms because of the uneven dispersal of resources across the system. For example, the police-to-population ratio in Bali is 1 to 300, but in Kalimantan, it is 1 to 2,500. Accountability mechanisms are still not fully in place. From 1999 up to the present, at least 40 foreign parties and international organizations have donated to police reform, with the number of donors doubling after the Bali bombing in 2003. However, these foreign donors do not

closely examine the Indonesian National Police (INP) agenda. The concern is that if the police are free to set their own reform agenda, they will use the funding to increase their salaries and power, but will be reluctant promote police accountability, oversight, and police ethics.

### **The Reform Agenda**

Indonesia started its police reform process five years ago. It is pursuing strategies to enhance the effectiveness and accountability of the INP. These are: (a) developing internal capacity; (b) providing professional support and technical assistance; (c) using the partnership model of policing; (d) providing more external controls; (e) auditing police finances; (f) establishing the National Police Commission; and (g) establishing a local police complaint board.

### **Improving Accountability**

There has been a new movement to evaluate the effectiveness and accountability of the Indonesian police force by analogizing it to a private corporation. Corporations and the police are similar to the extent that when we invest in them, we expect something in return. Increased accountability means holding the police responsible for delivering better results and maintaining high standards. In a democratic system, the public invests in the police force that then serves the public. The police force must be not only fiscally accountable, but it must be accountable for behaviorist deeds as well. To this end, the police force should have a dialogue with the community so as to be most responsive to community needs.

### **Developing Internal Capacity**

The INP has been developing internal capacity by developing new laws, codes of conduct, budgetary systems, internal control mechanisms, and modes of action, particularly in handling riots. Indonesian scholars have also conducted research on how the Indonesian paramilitary police developed techniques to control demonstrations. The INP has adopted universal standards and procedures for internal investigations, which incorporate human rights values.

### **Providing Support and Technical Assistance**

International and multilateral donors play an important role in providing financial sup-

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port and technical assistance to INP. Through technical assistance, INP gains access to consultants and advisers who bring to INP the international best practices in policing. Support and technical assistance should be structured with a focus on creating sustainable solutions. Donors must realize that addressing police reform requires more than just providing technical assistance and funding. They need to ensure that the police are held to account for the resources and technology provided to them.

### **Engaging the Public through the Partnership Model**

Despite significant accomplishments toward police reform, the INP suffers from low public trust. We need to continue with our reform program in order to regain the support and confidence of the public. The partnership model to enhance police effectiveness and accountability has been promoted by the Partnership for Governance Reform in Indonesia and the United Nations Development Fund (UNDP). The idea is to promote partnership and cooperation between the public and the police so that there is less public resistance to police action. Sensitive issues such as corruption can be dealt with more effectively if the police and the public are partners in the enforcement process.

### **Establishing External Control**

The police need external control to ensure effectiveness and accountability. The police is surrounded by many institutions that monitor its performance. We have an Ombudsman, but that office has not involved itself with police operations. The parliament exercises political control, and the Ministry of Finance and the Bureau of Auditing exercises budgetary control over the police. The Bureau of Auditing monitors police expenditures to help the police manage their resources and prevent abuse.

The press, non-government organizations (NGOs), and the private sector, particularly students, also exercise significant informal control on police power, because they act as whistle-blowers for police misconduct, violence, and other inappropriate police actions. The local government, the business sector, and donor agencies like the Asian Development Bank (ADB) also serve as external controls over the police.

The existing formal and informal controls, while necessary and helpful, are insufficient. We need a local police complaint board that will have power to oversee the police's execution of their duties and their internal disciplinary proceedings. Also, a National Police Commission has been proposed to provide further political oversight and high-level managerial control. However, the bill creating the Commission, which is still awaiting the President's signature, limits the Commission's role to that of an advisory body to the President.

### **Conclusion**

The Indonesian National Police has come a long way from its days as a paramilitary organization under the Suharto regime. The reforms that have been undertaken have improved the system, but there are still further reforms to be implemented. Future reforms must focus on increasing the effectiveness and accountability of the police. Sustainable reforms can only take place with political and public support and with the help of the international community. Together, we will modernize the Indonesia National Police to provide security for our citizens and create an environment that will promote economic growth.

## Police Reform: A Bangladesh Concept

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Every government is expected to provide a safe and secure environment. Every community needs an efficient and effective police force. Every citizen wants quick police response and easy access to justice.

The United Nations Development Programme (UNDP) has reported on Bangladesh twice, noting the importance of human security generally and the lack of human security in Bangladesh. According to a 1996 report on “Human Development in Bangladesh: A Pro-poor Agenda”:

*Human Security, achieved through the establishment of law and order, enables people to exercise their choices safely and freely, and with the confidence that opportunities they have today are not totally lost tomorrow... Clear laws, enforced justly, transparently, and efficiently, are necessary to create an enabling, predictable, and secure living and working environment... This, in turn, requires (a) that the laws are known; (b) that they are enforced in an equitable and timely manner; (c) that an independent and credible judiciary operates to resolve conflicts and make binding decisions; and (d) that laws can be revised if/when they cease to serve the purpose for which they were intended.<sup>1</sup>*

In a September 2002 report, “Human Security in Bangladesh—In Search of Justice and Dignity,” UNDP observed that “Bangladesh today is weighed down by a significant level of human insecurity.”<sup>2</sup>

Human insecurity does not stem from a single sector of the community. The problem cannot be solved by the government or the criminal justice system alone. Every sector of society must work together effectively to solve the problem. However, the police have a direct responsibility for ensuring

physical security. Police reform should improve the efficiency and effectiveness with which the police fulfills its constitutional mandate to promote respect for fundamental human rights, ensure equitable access to justice, and observe the rule of law.

### Police History

Bangladesh’s colonial history continues to impact the attitude, behavior, and culture of the police force. Bangladesh’s police law and regulations, as well as major criminal laws like the Penal Code, Evidence Act, and Criminal Procedure Code, are products of the 19th century colonial era. The Bangladesh police force was created by the Police Act of 1861, three years after the Sepoy Mutiny or first serious rebellion against British rule. It has not been changed, despite the changing needs of society. It emphasizes the exercise of authority rather than accountability. It does not conceive of the concept of policing as a service or as a profession. The Police Act of 1861 was designed for a colony, and does not meet the needs of an independent democracy in the 21st century. Even after independence, the police has continued to be used in the colonial fashion. Successive governments required the police to perform functions that, for decades, earned them the hostility of the community. Gradually, mistrust and suspicion developed between the police and the community. Police success substantially depends on a supportive community with respect for the law, so that a central part of any reform agenda must be reinvigorating public trust for and confidence in the police.

### Resource Constraints

Police efficacy is constrained by lack of financial, technological and human resources. Government funding for the police is completely inadequate. In Bangladesh, per capita spending on police service is approximately 95 taka (less than \$1.50 US dollars) a year. The police budget is less than 3 percent of the national budget. The police budget itself does not allocate resources well. Only 0.19 percent of the police budget is spent on training, and almost nothing is allocated to research. Insufficient funding results in insufficient technological resources. Police weapons and equipment are outdated, and there are too few transport vehicles at the police station level. The qual-

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Anamul Haque Anam

<sup>1</sup> United Nations Development Programme, *1996 Report on “Human Development in Bangladesh: A Pro-poor Agenda”* (1996), available at [www.un-bd.org/undp/info/hsr/Preface.pdf](http://www.un-bd.org/undp/info/hsr/Preface.pdf)

<sup>2</sup> United Nations Development Programme, *Human Security in Bangladesh: In Search of Justice and Dignity* (2002), available at [www.un-bd.org/undp/Human%20Security](http://www.un-bd.org/undp/Human%20Security)



**ASM Shahjahan**  
Former Inspector General  
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“Police reform should improve the efficiency and effectiveness with which the police fulfills its constitutional mandate to promote respect for fundamental human rights, ensure equitable access to justice, and observe the rule of law.”

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ity of investigations is poor, partly because there are no facilities for forensic and scientific analysis. The police also lack human resources. They are overworked and understaffed. The national police to population ratio is only 1:1300, and at the sub-district level it is as low as 1:8000. Most police officers are required to work thirteen to fourteen hours a day and on weekends and holidays.

**Reform Attempts**

Since the country’s liberation in 1971, over a half dozen committees and commissions have been formed to diagnose the police ills and to come up with specific recommendations. These initiatives have been fruitful to the extent that the reports were compiled, but unfortunately the recommendations they carried have not been implemented. Scarce resources, mixed incentives and vested interests prevented the reform agenda from being implemented.

**Reform Agenda**

Government agencies that spend taxpayers’ money, such as the police, are considered service providers. Money is spent to produce an output, in this case police services in preventing and investigating crime, and this output must be directed to the needs of the community that provided the funding for the service (see Figure 1).

The police organization exists to deliver services to the community. Any reform agenda must go beyond transforming the

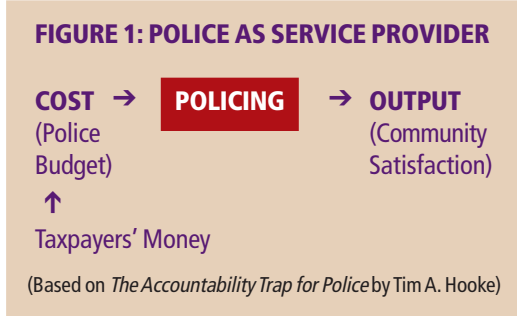
police alone. It also has to create a vision that will provide the community with value for their money. The community wants to see their police as a source of visible reassurance. Police reform mechanisms should emphasize those factors that make them responsive to the community and accountable for their actions. These reforms should consider the following aspects:

**A. ORGANIZATIONAL REFORMS**

- *Removal of organizational constraints.* The police has inherited political and organizational constraints over the decades. Management should value and empower its personnel, encourage staff initiative and teamwork, allow committed leadership to reward good work, and punish lazy and ineffective personnel appropriately. All efforts should be made to promote organizational development.
- *Competent leadership.* In a labor-intensive institution like the police, leadership plays an important role, so that competent police leadership must be fostered.
- *Status improvement.* It is necessary to improve the social, economic, and official status of the police, especially the constables. The criteria for the selection of police officers should be transparent and merit-based.
- *Culture of quality.* Conservative, cautious, and authoritarian management styles must be replaced with the concept of Total Quality Management (TQM).
- *Morale boosting measures.* A police force that is competent, courageous, and confident will be more efficient and effective than one with low morale.

**B. STRUCTURAL REFORMS**

- *Coping with increased demands.* The demands on the police increase every day



with the increasing complexities of society. Reform efforts must determine which core functions fall within the exclusive responsibility of the police and which should be contracted out or taken up by the private security industry.

- *New training philosophy.* The Bangladesh police need to be exposed to new training philosophies, procedures, practices, and methodologies. In order to fully discard the remnants of the colonial system, supervisory leaders as well as subordinate ranks need to unlearn many things while trying modern ideas.
- *Research.* Adequate funding should be made available for research. Every major police unit should have a research branch to help it develop effective methods of policing and adopt new technologies. Experts and resource persons, in addition to standard police personnel, should also be utilized.

#### C. COMMUNITY RELATIONSHIP

- Strengthening police-community partnerships. The police culture should be based on mutual support and trust within the organization and with members of the community. The police should work with the community to prevent crime and to solve problems that adversely affect the safety and security of the community.
- Improvement in police response time. An effective emergency response system must exist so the police could respond to community needs in a timely manner.

#### Latest Reform Initiatives

In November 2003, the UNDP submitted a Needs Assessment Report for reforming the Bangladesh police with a view to strengthening human security.

Now, a project titled “Strengthening Bangladesh Police” has been launched to improve police efficiency, effectiveness, and accountability. This three-year project is in collaboration with the Ministry of Home Affairs (MOHA), UNDP, and the UK Department of International Development (DFID), with the initial phase costing US \$13 million. The project aims to facilitate access to justice for the vulnerable groups (women, children, the poor) and focuses on:

- police professionalism;
- promoting interaction with community

for crime prevention;

- improved scientific investigation;
- better use of resources;
- human resource management;
- due emphasis on modern training procedures and methodologies;
- anti-corruption; and
- performance measurement and oversight.

#### Sustaining Police Reform

The success of an essential national issue like police reform depends on uniform support at the highest levels. In a multi-party democracy, the consensus of leading political parties and leaders is crucial to the success of a project. Mere political will or intention is not enough to guarantee implementation. The sustained implementation of reforms across electoral cycles is extremely important to the success of any reform initiative. Political differences between outgoing and incoming governments must not adversely affect reform actions pursued by the outgoing government nor should they slow down the continued implementation process pursued by the incoming government.

Creating a sense of ownership over a reform program is vital. All reform processes should be participatory with a clear sense of strategic direction. Reforms must ensure the operational independence of the police and involve the community in the discharge of its services.

#### Conclusion

Reforming a century-old police organization is not an easy venture. Any reform agenda is likely to encounter resistance because people with vested interests will be disadvantaged by the reform effort. Even after a reform agenda is launched, immediate results should not be expected because changing the institutional culture of the police simply takes time. Further, sustainable reform cannot be achieved without continuous allocation of adequate funds. Notwithstanding, funding should also be accompanied by appropriate performance measurements to ensure satisfactory value for the investment.

Promoting human security must go beyond reforming the police’s services to the public. If we intend to secure improved fundamental human rights of people, we must

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respect the rights of the police themselves. Police reforms, therefore, should include increasing salaries and assuring that the police enjoy reasonable living and working conditions. These benefits should be promoted in conjunction with strict discipline, accountability, and oversight. Benefits for police personnel should be implemented without sacrificing resources which should be allocated to ensuring adequate funds for sustained reform initiatives, enhancing supervisory and managerial competencies, instituting morale boosting measures, removing opportunities for corruption and abuse of power, and ensuring operational freedom.

The police force in Bangladesh has much to learn from its colonial origins, but must take care to not to become entrenched in the past. Police reforms should focus on increasing effectiveness, efficiency, and economy while maintaining the notion of police as public service.

### **Looking Back, Moving Forward: A Brief History of Ideas and Events Relevant to Pakistan’s Police System**

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#### **1765–1947**

**T**he origins of the Pakistani police system lie in a system created by the East India Company that placed overwhelming primacy on the office of the district collector. In this system, the collector was armed with both police and magisterial powers. Police powers allowed the collector to obtain revenue by subjecting “unwilling natives” to untold atrocities. Since the collector held magisterial powers as well, no other body checked the collector’s abuses. The collector’s oppressive practice of obtaining revenue from people by torture attracted the notice of the British House of Commons. A commission created to examine allegations of torture (the “Torture Commission”) was convened in Madras in 1855. It recommended to the British House of Commons the creation of a district police organization that was independent from the

revenue administration system.

In Calcutta, Bombay and Madras, where a majority of the British in India lived, the city police forces were reorganized and patterned after the London Metropolitan Police. The police forces were separated from the district collector’s office. The Torture Commission’s recommendations triggered the enactment of a new police law in Madras—the Madras District Police Act of 1859, which recognized the principle of separation of the judiciary from the executive. However, in the aftermath of the “mutiny” of 1857, the Madras District Police Act was not accepted as a model law for the rest of British India. The Police Commission of 1860, overturning the Torture Commission’s recommendations, supported “temporary” continuation of police and judicial powers in the hands of the district collectors. As a result, the Police Act of 1861 was enacted instead.

The Police Act of 1861 placed the district police under the general direction and control of the district collector-magistrate. This arrangement created a “junction of the thief-catcher with the judge,” and was widely criticized. It elevated the district magistrate into a “local governor empowered to use the police and courts at will for the maintenance of the British rule.” Sir James Stephen, law member of the Governor-General’s Council (1870–71), propounded the philosophy of the district administration in the following words:

*The administration of justice is not in a satisfactory state in any part of the Empire but the first principle to be borne in mind is that the maintenance of the position of District Officers is absolutely essential to the maintenance of British rule in India and that any diminution in their influence and authority over the natives shall be dearly purchased even by an improvement in the administration of justice.*

The Police Commission of 1902 grappled with the problems inherent in the dual role played by the district magistrate. It observed that “there is no necessity for the dual control and undue interference of the district magistrate.” However, the Commission fell short of recommending any amendment to the Police Act of 1861.

#### **1947–1999**

After Pakistan gained independence in 1947,

a bill filed in the Legislative Assembly passed a bill on 7 February 1948 that aimed to transform the police in Karachi from an instrument to keep citizens on a tight leash into a public-friendly agency staffed by professionals tasked with preventing and detecting crime and enforcing the law with justice and impartiality. However, this bill was never authenticated by the governors general.<sup>1</sup> The same—powerful—vested interests ensured that subsequent police reform initiatives were unsuccessful. In 1951, a committee headed by Sir Oliver Gilbert Grace, then Inspector General of Police of the North Western Frontier Province (NWFP), recommended that the organization of the police in Karachi should be fundamentally changed. However, no headway could be made because of strong opposition by the bureaucratic elite. The Pakistan Police (Constantine) Commission of 1960–61 specifically went to India to study metropolitan police system for Karachi, but the commissioners chose not to make any recommendation in this regard.<sup>2</sup> The Pay & Services Re-organisation Committee (1961–62), headed by Justice Cornelius, recommended in clear terms the introduction of metropolitan system of policing for cities like Karachi and Lahore, but the recommendation was not accepted. The issue was again taken up by yet another Police Commission (1969–70), headed by Major General Mitha. The commission concluded:

*The need is for establishing clearly and unmistakably the fact that the Superintendent of Police in a district is the undisputed head of the police force in his district and that the district magistrate must not interfere in the day to day or internal administration of the police force.*

In 1985, the Police Committee<sup>3</sup> was mandated to examine whether the existing police system based on Police Act of 1861 was

capable of meeting the growing law and order challenges, especially in Pakistan’s major urban centers. The committee recommended that the fundamental restructuring of the existing system, especially for capital cities and major towns with a population of over 500,000. A Ministerial Committee approved the recommendation. However, it was decided instead to send a delegation consisting of a Member/Secretary of the Ministerial Committee and the Additional Secretary of the Ministry of Interior to India and Bangladesh to study the reforms proposed by the Police Committee.<sup>4</sup> The delegation returned convinced that the Police Committee’s proposal merited implementation in Karachi, Lahore and Islamabad on priority basis. However, before any headway could be made in this regard, the prime minister was dismissed in May 1988, and police organizational reform suffered a serious setback yet again. After the new elected government was installed in 1989, the prime minister announced that the old police system would be reorganized on an experimental basis in selected cities of Pakistan. Another delegation,<sup>5</sup> headed by the Interior Secretary, was sent to India and Bangladesh preparatory to the proposed reform. The delegation returned with a definite recommendation to amend the Police Act of 1861.

Several foreign missions to Pakistan also echoed the need for police reforms in Pakistan. A British delegation headed by Sir Richard Barrat, the Chief Inspector of Constabulary of the United Kingdom, which visited Pakistan from 21 to 26 January 1990, recommended that the entire philosophy of policing in Pakistan needed to be changed in the manner suggested by the Police Committee of 1985. The delegation observed:

*The central problem surrounding police...in Pakistan is that the present system was created many years ago under colonial rule and has not been refined or evaluated to keep pace with the changing face of the country in the last decade of the twentieth century....Police...throughout Pakistan have clung to the role envisaged by the Police Act of 1861, in which the main functions were the maintenance of law and order and preservation of the status quo by methods of suppression and control.*

A UN Mission led by Vincent M. Del

## 1985

The year the Police Committee in Pakistan was mandated to examine whether the existing police system based on the Police Act of 1861 was capable of meeting the growing law and order challenges, especially in Pakistan’s major urban centers.



Muhammad Bilal

<sup>1</sup> The governor-general’s office returned the bill apparently for rectification of certain typographical errors, but it seems that this was a ploy to gain time, as the governor-general’s fast deteriorating health was making it increasingly impossible for him to attend to his official duties.

<sup>2</sup> They felt that as, by then, Karachi had ceased to be the capital of Pakistan, the issue was no longer relevant.

<sup>3</sup> The author was a member/secretary of the 1985 Police Committee.

<sup>4</sup> It is worth recalling that Bangladesh—which was East Pakistan until 1971—had already changed the 1861 system of policing in Dhaka (1976), Chittagong (1978) and Khulna (1987).

<sup>5</sup> The author was part of this delegation.



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“People perceived the police as agents of the powerful, not as members of an organization publicly maintained to enforce rule of law. The police needed to be reorganized into a modern, contemporary organization capable of policing free societies.”

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Buono, UN’s Interregional Advisor for Crime Prevention and Criminal Justice, which visited Pakistan from 26 March to 10 April 1995, made a number of observations including the following:

*Since 1960, there have been eleven separate committees or commissions established by governments in Pakistan and four international missions requested by the Government of Pakistan which have recommended major reforms of policing in Pakistan. These have for the most part been ignored and the remedies suggested have been unimplemented. Had the proposed reforms been undertaken, much of the present crisis could have been avoided....The present police system, which has been allowed to deteriorate so badly by successive governments and been so abused for political patronage, has not yet completely broken down due to the dedication, integrity, initiative and professionalism of a large number of individual officers and constables. In spite of their best efforts, policing will collapse not only in Karachi but also in other parts of the country unless law enforcement institutions are strengthened immediately.*

It recommended that Pakistan’s political leadership should declare, as fundamental policy, that an effective, viable, independent but publicly accountable police was crucial to the development of stable democratic government institutions.

A team of experts from the Japanese police, which visited Pakistan in April 1996, recommended that the police should envisage itself as a public service institution. It also recommended that police reforms in Pakistan should focus on building trust between citizens and the police. It identified the following action areas to be crucial in building trust between citizens and the police: (1) the creation of institutional structures that ensure political neutrality and democratic control of the police; (2) the proper sharing of responsibilities between the federal government and the provincial governments; (3) the adoption of unified chain of command; and (4) the establishment of recruitment and selection system of personnel based on merit.

Based on the Japanese team’s report, Pakistan’s Good Governance Group of the 2010 Programme recommended that Pakistan’s police forces be depoliticized, and their recruitment, postings, transfers, training and career development, ensured on merit.

A team of experts from Colombia emphasized the urgency of these and similar reforms. It observed in a report on Sustainable Peace in Karachi (1999): “If a professionally competent, politically neutral and democratically controlled Karachi Metropolitan Police Force is not formed, there will probably be no police reform or reconstruction of the public sector, both of which are essential elements for sustainable peace.”

### 1999–Present

In November 1999, the government decided to set up the Focal Group on Police Reforms.<sup>6</sup> It asked the Focal Group to suggest how to restructure the police. The Focal Group submitted its recommendations in February 2000. These were enthusiastically received and intensely debated by members of civil society as well as the media.

The National Reconstruction Bureau (NRB), which was set up with the mandate to, among other things, recommend measures for ensuring good governance and depoliticization of state institutions, deliberated on various aspects of the Focal Group’s blue print of police reforms and formed a Think Tank on Police Reforms that con-

<sup>6</sup> The author was a member of the Focal Group on Police Reforms.

sulted with the police and stakeholders from the government, private sector and civil society.<sup>7</sup>

While deliberating on the Focal Group’s recommendations, the Think Tank noted that Pakistan’s police had increasingly been called upon to act as agents of the political executive rather than of a democratic state. Selective application of law against opponents, whether due to political expediency or at the behest of persons of influence, became the norm rather than an exception. Political and personal vendettas were waged and won through manipulation of the instruments of state. Whatever safeguards existed against the floodgates of pressure, inducement or threat from criminals or ethnic, sectarian or other powerful elements were virtually obliterated. As a result, people perceived the police as agents of the powerful, not as members of an organisation publicly maintained to enforce rule of law. The police needed to be reorganized into a modern, contemporary organization capable of policing free societies, not *natives*.

Key issues debated by the Think Tank included: (1) How should the Pakistan Police be organized in order to best meet the law and order challenges of the 21st century? (2) What model would be most suited in bringing about a radical change in the high level of police-public estrangement? (3) How can we “police the police”—that is, subject the organization to effective democratic control, and yet ensure its opera-

tional neutrality, among other things?

As a result of its members’ discussions, the Think Tank identified the following critical steps toward police reform:

1. The police hierarchy needs to be made responsible not only for the organization and the administration of the police force, but also for other matters connected with maintenance of law and order. The fractured chain of command will need to be fully restored so that policing operations could no longer be subjected to extra-departmental partisan influences.
2. The police needs to be insulated from political interference, and apolitical public safety commissions at the national, provincial and district levels could meet this objective. These independent bodies would be assigned to oversee critical aspects of police functioning—approve the annual plan of the police and monitor delivery of performance targets. They would also be involved in selecting police chiefs.<sup>8</sup>
3. It is crucial to bring police under a system of external accountability that enjoys public confidence. This could be achieved by establishing an independent statutory body called the Police Complaints Authority. All serious complaints against police should fall within the purview of this authority.
4. The role, duties and responsibilities of the police need to be redefined so that public service takes precedence over all other considerations, and the prevention and detection of crime is carried out in view of its social purpose. The voluntary support and cooperation of citizens in preventing and detecting crime was recognized, and the police would do well to act proactively in ushering an era of community policing in Pakistan.
5. Police professionalism needs to be enhanced through the introduction of functional specialization, in separating the police’s investigative and “watch and ward” functions. This would ensure quality investigations by a cadre of spe-

**“Putting the customer first” and responding to public expectations of what a good police force would be like will improve public confidence in the police.**



Muhammad Bilal

**Police professionalism can be enhanced through training programs and performance audits.**

<sup>7</sup> The NRB’s Think Tank on Police Reforms comprised senior police administrators who knew the police best—what worked, what didn’t, and how police reforms should be launched. The Think Tank sought the view of the judiciary, and experts of other criminal justice subsystems. It held discussions with top business leaders who had used innovative management practices to turn their organizations into successful enterprises. It consulted public administration experts who knew how best to apply the principles of reinventing public sector organizations to improve police services. The author was a member of the Think Tank.

<sup>8</sup> The proposed independent bodies would be patterned after the Japanese public safety commissions. Commenting on the improvement in police behaviour that resulted after the introduction in 1947 of the public safety commission system in Japan, David Bayley, a noted social scientist and police historian thus observes:

*The fact is that a transformation did occur in police behaviour in Japan in a relatively short period of time immediately after World War II. It is associated with democratization and in one of the most prized developments of the post war period. Japan’s contemporary record of excellence with respect to police behaviour is striking not only in relation to the United States but also in relation to its own past.*

**Law enforcement modernization is one of the greatest challenges confronting us, a challenge that can and must be met. There are no short cuts, and no easy answers.**

cialist investigators. The measure will also be a major step toward introducing modern technologies in police work and establishing standard criminal investigation practices.

6. An independent inspectorate of inspections tasked with conducting performance audits of the police should be established. This would enable the government and other stakeholders to receive an independent assessment of police performance.
7. "Putting the customer first" and responding to public expectations of what a good police force would be like will improve public confidence in the police. Historically, senior officers in the police hierarchy have been reluctant to recognize the need to view police forces as organizations that are fundamentally no different from any other enterprise or business. In particular, they have tended to not push for internationally accepted compensation levels, and have not actively sought to change oppressive working conditions, which are a common excuse for poor police performance.

These steps were considered while drafting the new Police Order of 2002.<sup>9</sup> Although not all principles were entirely accepted, the reforms in the new Police Order

will, if properly implemented, enable police to function in a new environment, free from the debilitating effects of old outmoded colonial system of policing designed in 1861 to control the "natives." However, the implementation process is inseparably tied to changes in the wider institutions of society as well as the provision of adequate manpower and financial resources, especially at the level of police stations. Without a realistic police structure, adequate compensation and benefits<sup>10</sup> and adoption of effective accountability and other measures, the outcome of any structural reforms will remain elusive.

Law enforcement modernisation is one of the greatest challenges confronting us, a challenge that can and must be met. There are no short cuts, and no easy answers. Like an old Chinese saying, a journey of a thousand miles begins with the first step. Let us take the first steps with commitment and determination and complete the journey. There is not a moment to lose.

<sup>9</sup> Under the new law, various public safety commissions will evaluate police performance for the delivery of targets, while also acting as "sounding boards for local opinion." There would be a system of independent performance audit of police performance. The head of the police would be operationally independent, but would be accountable to the community. The investigation of criminal cases will be the responsibility of a distinct cadre of specialist investigators. The external oversight of serious complaints of police excesses will lay the foundation of eventual transformation of police from a coercive arm to an accountable and responsive service enjoying confidence and trust of the people.

<sup>3</sup> These would include allowances, provision of accommodation, an eight-hour workday and a day off each week.

## Organization and Administration of Pakistan Police

Each of Pakistan's provinces has control over its police forces. Although the federal government exercises no direct control over the provincial police forces, it can take over the administration of a province (and therefore, control over the provincial police) in situations of grave emergency. In cases of internal disturbances that are beyond the provincial government's control, the federal government also exercises its authority.

At the provincial level, the inspector-general serves as chief of the police forces. He or she is assisted by such number of additional inspectors-general, deputy inspectors-general and assistant inspectors-general of police as the provincial government may determine as necessary.<sup>1</sup> Police forces under the district level are answerable to the inspector-general and his or her deputies. For convenient administration, three to four districts have been grouped into a police "range." Each range is placed under the control of a deputy inspector general of police.

At the district level, the district superintendent is the head of the police forces. Each district has been divided into three to four sub-divisions, and each sub-division has been placed under the charge of a sub-divisional police officer (SDPO). An SDPO,

who is either an Assistant Superintendent of Police or a Deputy Superintendent of Police, supervises police stations located within the jurisdiction of a sub-division and is directly responsible to the district superintendent of police.

Each police station is under the charge of a police officer with the rank of inspector, known as the Station House Officer. Under each Station House Officer are sub-inspectors, assistant sub-inspectors, head constables and constables. Among the district police's functions is the investigation of criminal cases. The district police retain a prosecution branch that prosecutes cases in courts of magistrates.<sup>2</sup> In some districts, however, government attorneys have been appointed to prosecute such cases. —DR. MUHAMMAD SHOAIB SUDDLE

<sup>1</sup> Until recently, each village in a rural police station had one or more village watchmen who assisted the police in performance of law and order duties. Today, the village police is practically defunct.

<sup>2</sup> There are sessions courts and courts of magistrates that try criminal cases within each district. A district and session judge heads the district judiciary, but a district magistrate controls executive magistrates that try cases punishable up to three years' imprisonment. Criminal cases in sessions courts are prosecuted by public prosecutors, and not by the district police.

# OPEN FORUM

## On Improving the Police's Role and Performance in Protecting Human and Economic Security: Ideas in Police Reform



Larry Ramos

Participants consider how community involvement in police reforms translate into concrete benefits to police forces and society.

### Approaches to Police Reform

There are several models that may be used to approach police reform:

- *Criticism of the Police*: Criticizing the police and demanding reforms is generally not an effective approach and may breed backlash from the closely-knit police organization.
- *The "Santa Claus" Model*: Under this approach, the police are given funding for equipment and other resources so that they can perform better. This model frequently fails to reform the underlying structure of the police and the existing problems continue to persist once the donations stop.
- *Engaging the Police*: This model seeks to bring a non-threatening reform agenda to the police, which empowers them to pursue reforms by providing them with appropriate information and incentives.

### Depoliticization of the Police

- Police reform cannot be left entirely to the police, nor should it be left entirely to the politicians. The best approach involves both politicians and the police working together. The community must also be involved in critical decision-making about police reforms.
- Police appointments should not be politically controlled, but should be delegated to an independent board or commission, which either has representation from multiple parties, or is completely apolitical boards.
- Police chiefs must be given fixed tenure. It is important that the chief feels that he is secure in his position, otherwise he will focus on maintaining his position and will not be motivated to pursue reforms. For example, in an effort to curry favor with his political superiors, he may recruit personnel based on social considerations and recommendations, instead of based on merit.
- The intervention of civil society to stop political influence on the police is important. Foreign-funded NGOs can play an important role, but domestic civil society must also be involved in order for police reforms to be sustainable. Community involvement in human rights activism can also support police reforms.

### Levels of police accountability

There must be two levels of police accountability: internal and external.

- An independent internal accountability mechanism, such as a police complaint authority, should be accessible to both the police and the community.
- Other branches of the criminal justice system, including the prosecution and the judiciary, must be reformed so that these institutions can act in concert as an external accountability mechanism.



# Police Effectiveness and Accountability: Ideas to Launch Police Reform

## The Philippine National Police: Transformation and Reform

GEN. EDGARDO AGLIPAY

*Director General, Philippine National Police*

When I began my career, the police was part of the Department of National Defense. On 13 December 1990, Congress passed into law Republic Act No. 6975, “An Act Establishing the Philippine National Police under a Reorganized Department of the Interior and Local Government, and for other Purposes,” which made the PNP a civilian entity under the Department of the Interior and Local Government (DILG). The law created a police force national in scope and civilian in character, which was administered and controlled by the National Police Commission.

The primary duty of the police force is to serve and protect members of the community. The community and the police force have reciprocal rights and obligations. The community has the right and privilege to demand that the police provide a safe and secure environment. On the other hand, the community has the responsibility to support and assist the police in many ways. Most crimes are solved only with the cooperation of the community, as it provides the information that guides the investigation process and leads to the solution of the crime. But, of course, the community can perform its role effectively if a credible police force exists. One of the primary goals of our reform agenda is to establish and foster the collaboration of the professional police force with the community.

### Transforming the PNP

The PNP reform program is now in its diagnostic and program formulation phase. With technical assistance from the United Nations Development Programme (UNDP) Governance Portfolio, we have embarked on a

comprehensive diagnostic study and formulation of a multi-year PNP transformation and public investment program. We envision this program to be in keeping with the PNP’s vision of a professional, dynamic, and highly motivated police force working in partnership with a responsive community towards the attainment of a safe place to live, work, and invest in.

Last year, we conducted several focus group discussions where our police officers and civilian stakeholders worked together to identify and analyze the issues and problems confronting the PNP and to identify workable solutions to these problems. This exercise provided us with diagnostic material based on the experience, perception, and perspective of the stakeholders and claim holders. For example, there is a tension between high community expectations of the police and the resources available to meet those expectations. Currently, our police to population ratio is 1:1400, which is far too low to meet the demands place on the police. Thirty percent of our policemen do not have firearms. Also, we have only fulfilled 9 percent of our communication needs and 60 percent of our mobility needs. In order to meet community expectations for police performance, we must provide the police with increased resources.

A multi-stage technical assistance project will assess precisely what reforms are necessary. The project will undertake a holistic assessment of the PNP institutional framework, operating system, and its human, physical, technological, and financial resources, and conduct a SWOT (Strengths Weaknesses Opportunities Threats) analysis of the PNP. On the basis of these assessments, the technical assistance project will then define the direction and focus of the PNP transformation program. In keeping with articulated direction and focus, the project will identify and define the various reforms that will achieve the PNP vision, and ensure that the PNP transformation program complements the reforms to the other pillars of the criminal justice system.<sup>1</sup>

The technical assistance project will produce (a) a diagnostic study of the PNP transformation program, and (b) a pilot

<sup>1</sup> In the Philippines, the pillars of the criminal justice system include the community, the police, the prosecutors, the courts, and the penal system.

**1:1,400**

The Philippine police to population ratio.

**30%**

The percentage of Philippine policemen who do not have firearms.

**9%**

The percentage of communication needs that have been fulfilled.

**-36%**

The approval rating of the Philippine National Police.

project called “Safer Philippine Cities and Communities” for implementation in selected cities before its national implementation.

The PNP transformation program adopts a holistic and seamlessly integrated approach that: (a) addresses policy and legislative reforms by updating law and criminal law enforcement; (b) rationalizes the government’s law enforcement institutional framework relevant to the PNP’s functions; (c) undertakes a comprehensive reengineering of the PNP’s organizational structure, staffing, operating systems, technologies, and resources; and (d) builds capabilities of the PNP personnel and institutes appropriate reforms to the motivational, integrity, and competence systems to ensure the recruitment and maintenance of quality police manpower. The program will implement reforms to improve the PNP’s resource base and resource management system, reduce resource-related politicization, and improve resource generation and management. It will considerably upgrade criminal management technologies, both in relation to the crime information management system and police equipment.

As earlier noted, one of the specific initiatives of the transformation program is the “Safer Philippine Cities and Communities” pilot project. This project will test a preparatory and coordinated approach in the city and community levels to maintain a culture of peace and to prevent and combat crime. Some of the project’s core components are crime mapping, community crime analysis, and environmental design. It adopts a location-specific community layout plan to prevent crime. This will include measures such as street lighting, increased police presence, and converting dark unused places into well-lit parks.

Other project initiatives include the adoption of a community economic development program to mobilize the business sector, the local government, and the national government agencies to improve employment, encourage entrepreneurship and manage credit. We will implement mecha-

“One of the primary goals of our reform agenda is to establish and foster the collaboration of the professional police force with the community.”



LARRY RAMOS

**Gen. Edgardo Aglipay**  
**Director General**  
**Philippine National Police**

*General Edgardo Aglipay is the chief of the Philippine National Police. He entered and graduated from the Philippine Military Academy. He earned a degree in military arts and sciences from the U.S. Army Command and General Staff College at Fort Leavenworth, Kansas, U.S.A. He went on to obtain an M.A. in Business Administration from the University of the Philippines and an LL.B. from the Ateneo de Manila. As a young lieutenant, he was awarded the Gold Cross Medal. He was adjudged the best sector commander of the Metropolitan Command for four consecutive years. Under his leadership, the Laguna PC/INP Command was adjudged the best provincial command in the Philippines in 1989. He was also adjudged as the best provincial director in 1991. Under his command, the special action force was awarded the best national operational unit in 1994. As regional director, he was commended for successfully securing the Asia Pacific Economic Council Summit in Subic, Olongapo as Subic Task Force Commander in 1996.*

nisms to address social issues such as providing drug rehabilitation services and community counseling for youth offenders. The project will also focus on providing adequate policing and surveillance, using collaborative policing with the community to ensure a 24-hour police patrol for the entire community. We will encourage community participation and initiate a community-based information dissemination program in parishes, schools, community organizations, and *barangays*.<sup>2</sup> We will request local governments to enact regulations to create an environment conducive to peace. Our project will require the participation of various stakeholders: the business sector, local government units, schools, civil society groups, and the community partners of the PNP.

### **Police Initiatives**

The PNP chiefs have initiated independent projects to improve the police force. In my capacity as the Police Director General, I decided to adopt the strategic goals set by my predecessor, former Police Director General Hermogenes E. Ebdane, Jr. for organizational reform, neighborhood partnership, education, and training. I decided to adopt his program after reviewing a survey conducted by the Ordoñez Commission<sup>3</sup> which found that the people want their policemen to be

<sup>2</sup> A *barangay* is the smallest local government unit in the Philippines and is very similar to a village. Municipalities and cities are composed of *barangays*.

<sup>3</sup> The Philippine National Police Reform Commission, chaired by former Justice Secretary Sedfrey Ordoñez, was created in 2003 to address major grievances in the police force.

**Most of the members of the PNP, especially the supervisors and leaders, were former military men who began their service during the Philippine Martial Law years. Our goal is to change the mindset of the police, to make them feel that they are servants of the people and not the other way around.**

friendly and humble, visible, effective, and law-abiding. Currently the PNP has a bad public approval rating, -36 percent, as compared to -27 percent approval rating for Congress.

To address these concerns, I have come up with a project called **CARE**, which stands for **Courtesy, Action, Results, and Example**. *Courtesy* means every policeman must show respect and basic courtesy to every citizen, especially the common man. *Action* requires visible policemen enforcing the law to the fullest. Every policeman is accountable for any failure in the delivery of police services to the people in his area of responsibility. *Results* require all police stations to make an inventory of unsolved cases, including the list of criminal syndicates and wanted persons. Each police station must resolve at least five percent of unsolved cases per month. The police are no longer rated on the basis of how good their crime statistics are. Instead, they are rated on how well they comply with the requirement that, every month, they apprehend 5 of every 100 wanted persons, solve 5 unsolved cases, and imprison or otherwise render 5 out of every 100 criminals incapable of committing crimes. Finally, the police chiefs lead the organization by example. PNP Commanders should be exemplars of what a policeman should be physically, mentally, and morally. We must embrace humble public service as an example to our police force and avoid wasting police resources by, for example, using unnecessary motorcycle escorts. Most of the members of the PNP, especially the supervisors and leaders, were former military men who began their service during the Philippine Martial Law years. Our goal is to change the mindset of the police, to make them feel that they are servants of the people and not the other way around. Therefore, its leaders must lead not by rule but by example and by maintaining good relationships with the people.

### **Conclusion**

This is just the beginning of the PNP's transformation program and we are committed to implementing the next stage. While many reform efforts have been implemented in the past, this is the first well-planned, well-designed, and well-sequenced series of reforms that will achieve our vision to provide our people with a safe and secure environment.

## **Implementation of Police Reforms in Bangladesh**

**ASM SHAHJAHAN**

*Former Inspector General of Police, Bangladesh*

**O**ne of the most important issues for police reform and other law reform efforts is implementation. Once the reform programs have been formulated, once the laws have been rewritten, how can we ensure that the reforms take effect?

Many of our laws as they currently stand, if followed, would constitute reforms in effect. Our constitution emphasizes that everyone should be treated equally and that all decisions should be made without fear or favor. If this could be achieved, we would be halfway to achieving the reforms we desire. However, the laws and regulations are full of exceptions and loopholes so that, to the extent that they are enforced at all, discretion becomes the rule. There are several ways in which the implementation of our laws as they currently exist as well as future reform efforts can be strengthened:

- *Community Involvement:* Successful police reform programs promote a sense of community ownership and participation by those affected by reforms. The police and the community must consult with one another and work together in order to achieve effective reform. The demand for access to justice must spring from the people affected.
- *Transparency:* In order for the community and the police to work together and have mutual respect, police recruitment and interim review must be transparent and merit-based.
- *Political Neutrality:* The police must be insulated from political pressures and other influences of those with vested interests.
- *Accountability:* The police must be held strictly accountable for any breach in their code of conduct. Accountability and oversight mechanisms must be applied to all ranks of the police force.

- *Adequate Resources:* The police need adequate financial and technical resources and improved working conditions to provide them with a functional environment. We should focus not on the conditions of the high-ranking officers but those of the police stations. The police officers cannot perform their jobs effectively if they do not have a good working environment with the necessary supplies and equipment.

Any change in the police force or in society at large affects morale, but we must not let this discourage us. Instead, we should encourage changes in attitude and continue to move forward. We should strengthen our police force by ensuring transparency, consulting with the community, and remaining consistent and committed to our program of reform.

### **Access to Justice and the Urgency of Police Reform: A View from Bangladesh**

**MD. ASHRAFUL HUDA, PPM**

*Inspector General of Police, Bangladesh*

**O**ne challenge confronting the police force in Bangladesh is its lack of adequate resources. This lack of resources hampers police performance. It is hard to expect a poor policeman to chase a criminal and apprehend him using only a .303 mm rifle and a worn-out jeep, which, until recently, were used by the Bangladesh police. The present democratic government has provided the police with improved weapons and vehicles in spite of limited resources available. Modern automatic and semi-automatic weapons have replaced the .303 mm rifles that were first issued during the Second World War, and a huge fleet of new cars has replaced our worn-out vehicles. But many other reforms are needed.

Crime investigations are so expensive that the cost to investigate a single crime frequently exceeds the entire annual budget allocation for a police station. Under these conditions, the economic and personal interests of poor people are less likely to be protected than those of the rich. Cor-

rupt practices are encouraged. In response to these problems, more funds have been made available to all the police stations in the country for criminal investigations. The government has also addressed the lack of access to justice for the poor by passing the Legal Aid Services Act in 2000.

The police force in Bangladesh is not only under-funded but also understaffed. Other developing countries with socio-economic conditions similar to those in Bangladesh have a police-to-population ratio of 1:600 and 1:700, yet the police-to-population ratio in Bangladesh is 1:1300. I would be the happiest man if we achieve a police-to-population ratio of at least 1:1000.

Despite these shortcomings, the Bangladesh police has recovered from its public image crisis. We, as a public-service-minded organization, are trying to be more responsive to citizen complainants, to pay special attention to the rights and privileges of women and children, and to deal with offenses committed against women and children more carefully. In order to do this, we try to motivate our members and develop pride in the profession. We recognize that to ensure the success of this endeavor, we will need a good working environment, logistical support, the latest technology, a minimum means of subsistence, and training.

One area of reform that is close to my heart is the development of better relations between the police and the media. The police needs to improve its relationship with the media because media can play a significant role in bringing the police and public closer. It is unfortunate that the press may at times misinterpret the police's views. Nonetheless, it is worth the effort to bridge the gap between the police and the public.

I believe that a free and civilized country must guarantee the rights of its citizens. This requires democratic policing based on human rights, transparency, equality, accountability, and clarity. The police must continue to become more pro-active, people-friendly, motivated, dependable and most especially, sensitive to the needs of women, children, and senior citizens. We need to improve our response time, apprehend convicts, acquire skills for effective investigations, and prosecute criminals before the courts of law. We need to reorient our legal, structural, and organizational fo-

**The police must continue to become more pro-active, people-friendly, motivated, dependable and most especially, sensitive to the needs of women, children, and senior citizens.**



Anamul Haque Anam

**Sensitivity to the needs of children is one major requirement from the police.**



**Md. Ashraful Huda, PPM**  
Inspector General of  
Police, Bangladesh

“One area of reform that is close to my heart is the development of better relations between the police and the media. The police needs to improve its relationship with the media because media can play a significant role in bringing the police and public closer.”

*Md. Ashraful Huda, PPM is the Inspector General of Police of Bangladesh.*

cus from the colonial premises to modern democratic norms and concepts. This large-scale reform requires funding, expertise, time, and uncompromising political commitment. These are the areas where we can benefit from assistance and cooperation

from friendly nations, development partners, and donor agencies. The Asian Development Bank (ADB) is positioned to play a leading role in this process.

We must appreciate that in today’s global era, policing is no longer merely a national issue. In this age of the information superhighway, free trade, open economies, free borders, and increasing regionalism and internationalism, present-day policing must also take advantage of opportunities for global cooperation. I can assure you that we are eagerly looking forward to such cooperative efforts.

The government of Bangladesh and the police force seek to ensure a crime-free society for the whole nation. Given adequate support, the continued commitment of the government, and the efforts by the individual members of the police, we will be able to face the challenges to implementing police reforms.

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## OPEN FORUM

# On Enhancing Police Effectiveness and Accountability: Ideas to Launch Police Reform

### Challenges to Police Reform

- Police reform is an integral part of wider public sector reforms. It should be considered a developmental investment and a necessary complement to other public service reforms. The goal for police reform, as for other public sector reforms, should be to render the institution effective and efficient.
- Police reform should not focus exclusively on increasing the size of the police force. There is no direct correlation between a larger police force and better law enforcement.
- A balance between appropriate respect for police authority and trust in the police force must be struck in order for the police to be able to effectively enforce the law. The public should be mindful of the fact that the police will enforce the law impartially. The public should not, however, fear abuse in the hands of the police.
- Police testimony needs to be accepted as credible in court. One of the reasons why the criminal conviction rate in Pakistan has been very low, is that police testimony had low credibility. In the Philippines, the Philippine National Police (PNP) addressed a similar credibility problem by creating a separate unit called the Scene of the Crime Operations (SOCO), composed of criminology graduates. The local police would be responsible for cordoning off the scene of the crime, while the gathering of evidence and taking of witness statements would be delegated to the SOCO. The investigator and the SOCO would then collaborate in preparing the case with the prosecutor.

### Strategies for Community Policing and Involvement

- Community Policing means partnership between the community and the police, with the understanding that it is the joint responsibility of the police and the community to maintain safety and security. The community has the duty to support the police and the police have the duty to listen to the community. There

must be mechanisms in place so that members of the community can communicate with the police. The police must understand and appreciate that safety and security can be more effectively maintained in cooperation with the community.

- In the Philippines, the PNP law gives the local leaders the authority to choose their policemen and even chiefs from a selection provided by the PNP. Community participation is fostered by local peace and order councils, which have representatives from civil society as well as government offices, and operate at every level, from the municipalities through the national government.

The PNP works with religious leaders and ecclesiastical communities to educate the people on the ill effects of criminality and drugs. The PNP has also requested that citizens report the presence of criminals. Community leaders have been trained on how to disseminate information, how to prevent crime in their community, how to identify what information is useful to the police, and how to gather and transmit this information to the PNP.

### **Civilian Oversight**

- Former and current chiefs of police both emphasized the need for effective internal and external oversight mechanisms and civilian oversight bodies. In certain developed countries, the chiefs of police have not been supportive of civilian oversight bodies and have been active and effective in getting rid of them.

Donor organizations should be aware that civilian oversight bodies are a very controversial issue. The police is effected whenever a civilian oversight body exposes police misconduct such as torture or custodial deaths. Police frequently do not like civilians telling them what to do, as they believe that they have superior knowledge and specialization in the field.

- Civilian oversight is an important factor to support police accountability, but should be limited to the policy level and the prioritization of programs. It should not include providing input on operational procedures, which should be left to the professional judgment of the police themselves.

### **National Police Commissions**

#### **THE PHILIPPINES**

- The National Police Commission is a collegial body composed of a Chairman and four regular commissioners. The powers of the Commission include:
  - a. Exercising administrative control over the Philippine National Police;
  - b. Developing policies, rules, and procedures to improve police services;
  - c. Establishing, examining, and auditing the standards for performance, activities, and facilities of police agencies throughout the country;
  - d. Preparing a police manual prescribing rules and regulations for efficient organization, administration, and operation, including recruitment, selection, promotion and retirement; and
  - e. Establishing a system of uniform crime reporting.

#### **PAKISTAN**

- A National Commission is composed of twelve members, six of which are members of the Parliament, with both political parties equally represented. The bipartisan approach sends a message that policing is not a politically driven issue. A three-member selection panel comprised of the president, the prime minister, and lead by the chief justice of the supreme court, selects the remaining six. The president nominates one member of the Commission, the prime minister nominates another, and the panel must to agree unanimously on the nominees.

Police or public safety commissions are one element of a police reform program, but even constitutional bodies like the Philippine National Police Commission have not been fully effective in providing services to the people. Such commissions may be more flexible and effective if they were bodies created by statute rather than by the Constitution, as it is easier for the legislature to amend the law, than it is to amend the Constitution. However, given the power and independence of the police, a commission may not provide a sufficiently direct check on the police's power to maintain administrative control of the police force.

### **Political Pressure and Public Accountability**

- Political pressure is a problem faced by the police of many countries, particularly Bangladesh, Indonesia, Pakistan and the Philippines. While the Philippine National Police Commission supervises the administrative

and the operational aspects of the PNP in order to minimize political influence, the fact is the Commission itself is made up of politicians who select the police force leadership. To minimize the effects of political involvement, the PNP engages in community dialogue and strives for transparent operations. These mechanisms keep the issues in the open and encourage the public to engage in dialogue with the police, thus preventing politicians from exerting unchecked influence over the police.

Political interference with police investigations prevents effective deliverance of justice, as shown by a UNDP study. Political interference takes several forms. For example, in Bangladesh police First Information Reports (FIR) detailing crimes are not accepted in any police station without political clearance. This allows politicians to prevent the investigation of certain crimes.

### **Protection of Vulnerable Groups**

- Women, children and the poor make up the groups most vulnerable to the deficiencies in the police institutions. For example, in Bangladesh, between eight- and nine-hundred women and children have been imprisoned despite insufficient evidence, simply because they did not have adequate representation and the resources to defend their rights.
- Several countries have taken these vulnerable groups into consideration when launching or implementing reforms:
  - a. In the Philippines, the PNP established a women's and children's desk ten years ago. Investigations of women and children are now conducted in a separate room by specially trained police officers. There have also been changes in the procedure of examining rape victims, so that the police now utilize a system supported by the United Nations.
  - b. In Indonesia, the INP established a special council inside the police investigation office to provide services to vulnerable groups, including women, children, and the elderly. All female officers are required to undergo special training to deal with female victims. Over 4,000 male officers have also undergone sensitivity training to better process crimes involving victims who are members of vulnerable groups.

### **Donor Involvement**

- Donors are involved in police reform efforts in various ways in many countries. Donations are not always as beneficial as they should be. Lack of donor coordination with the local government, competition among donors, and self-interested donor agendas can impair the efficacy of donor support. There are few evaluations of donor support for police reform. Without comprehensive follow-up evaluation, donor agencies and the recipient countries are vulnerable to repeating mistakes or renewing ineffective programs.
- For example, the Organization for Security and Co-operation in Europe (OSCE) started a large-scale police reform program three years ago, in which Kyrgyzstan, an ADB DMC, was the host of the flagship program. The program was poorly designed and within a few months' of its launch triggered a vehement protest by civil society and non-governmental organizations against the program. Reform programs will be much more successful if they build on past experiences and lessons learned by previous reform efforts.

ADB emphasizes the connection between law enforcement the reduction of poverty and economic development. The study of lessons learned in effecting police reform in Pakistan, Bangladesh, and other countries will be crucial in designing and implementing future reform programs in these countries and elsewhere.

