

Depoliticisation of police must for effective working of criminal justice system

Civil society, media urged to play role for implementation of Police Order 2001

Staff Report

KARACHI: Former Police and FIA Chief Dr. Shoaib Suddle on Monday called upon the civil society, media and lawyers community to jointly struggle for implementation of the laws especially the Police Order 2001.

Speaking as key note speaker at an Interactive Session on Police Reforms jointly organised by Pakistan Institute of Labour Education and Research (PILER) and Citizens Trust against Crimes at the office of Citizens Police Liaison Committee (CPLC), Karachi Dr. Suddle said that depoliticisation of police is a must for effective working of the criminal justice system in the country.

"Right are not given, they are taken," he said adding that the citizens activism through courts is an encouraging sign to ensure protection of rights given

under the Constitution. "Police Order 2002 is much better from the police laws in many countries", he claimed.

After the independence, Quaid-e-Azam Mohammad Ali Jinnah had pledged to introduce the Bombay Model police law in Karachi, but bureaucracy failed to fulfill that promise. Later, different commissions were formed to make a new police, which gave their recommendations but finally the 2001 law was passed. Before its fully implementation, the Police Order of 2001 was resisted by the politicians who said they needed SHO's to win elections in their areas, so the new law was not acceptable to them. Over 100 amendments were made in Police Order since its passage, he added.

He said the Article 143 of the Constitution makes it a federal law, also allows provinces to make amendments in the laws, but with



certain conditions. In Sindh the federal police law has been repealed and 1861 police law has been reintroduced. So now there is virtually a disorder in all provinces as Police Order is implemented only in Punjab province.

According to him law and order has always been provincial subject, but Police laws have been federal law and Police services are also at federal level. In 2003 the

Lahore High Court had given a verdict that federal Police Order 2001 has a validity to be implemented in all provinces.

According to him KP police law is much better. KP has depoliticized police and there is no role of the government in posting and transfer of police officers.

Kashif Paracha, General Secretary of Sindh High Court Bar Association said there is a judgment of SHC that

fundamental rights be taught in curriculum but it is not implemented yet. Implementation of laws is a big challenge in Pakistan, he added.

Besides, operational and administrative autonomy financial autonomy is also essential for police. Internal accountability system within police system is important, Paracha said.

Saud Mirza, former Sindh police chief said that before Pakistan there was strong police system in Sindh. He said during British period Police was under control of their officers. Charles Napier had passed an order that even if an Army officer violates laws Police could have arrested and tried it. A police officer namely Young Husband in Shikarpur gave punishment to two Army personnel, even he went to extent that provided corporal punishment to them. Later the

government sought explanation. "You have to make police independent and depoliticize and humanize it," he said.

Former CPLC Chief Nazim F. Haji dwelt at length the constraints of police system in Pakistan. He said it is outdated, arbitrary and whimsical with inadequate accountability, poor incentives, widespread corruption.

In is opening remarks, PILER's Karamat Ali said that police needs to be non-political. He said there is a need to overhaul of the entire system. Police system needs to work under Constitution and laws.

"We hope the fundamental rights, based on equality based citizenship be provided to all people irrespective of any difference of sex, religion and sect" he said.

CPLC Chief Zubair Ibrahim and other members of the CPCL also spoke on the occasion.