**Operational Independence with More Accountability**

Reform in the police structure is long overdue

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It is said that the War of Independence of 1857 determined the fate of the policing structure within the Raj. Apparently around that time the British were considering various possible policing models to be introduced in British India, and were more tilted towards the London Metropolitan Police Model, but the fear of another uprising, decided in favour of the harsher Irish Constabulary Model, which was geared towards control of the ‘foreign’ local population, with lesser accommodation for ‘human rights’. It is this model that we inherited in 1947. In this background it is perhaps natural that the police are perceived not to be people friendly, but more worrisome is that they are considered to be not up to the mark in performance of their main function of crime detection and control.

There is a general consensus that reform in the police structure is long overdue. The important question to consider is what is the problem that needs to be reformed? On this the opinion is divided; generally police officers consider political interference as the main cause, in other words, lack of operational independence. While many in civil society and the general public consider alleged corruption and misuse of authority by some in the lower ranks and consequent public fear of the police, as the main areas that require reform. These are both important issues, and at some level they may even be interconnected, but they are still fairly distinct to require to be dealt with separately. Admittedly the police have a tough job. In addition to their traditional mandate to detect and control crime, there is counter terrorism.

The police in Pakistan, including the Punjab police, have made tremendous sacrifices in the fight against terror, and many valiant jawans and officers have made the ultimate sacrifice of laying down their lives in this struggle. The nation is grateful to them for this and salutes them. In addition, several initiatives have been taken in recent years to improve public service and professional efficiency; however, there are still persistent issues of high crime rates and problems of ‘thana culture’.

In spite of the fact that various attempts have been made to improve this perception it continues to exist across the country. The PTI government has announced that it would bring reforms in the Punjab police, based on its ‘success’ in police reforms in K-P, although there is divided opinion on how successful this has been.

Perhaps the main reform of the K-P police was that the Inspector General was made independent from political pressure. The police have traditionally complained of political interference as the biggest hurdle in the way of performance of their duties. They claim that if outside pressure is taken off, and their pay structure and service conditions improved, their performance will go up, and the corruption levels in the service will go down. There is no quarrel with giving operational independence to the police, and improving service conditions of the jawans. However, greater independence should go hand in hand with greater accountability.

Within the province, each tier should be given operational independence from their own hierarchy and allowed security of tenure and independence of authority, and held responsible for the targets assigned to each officer for crime control and law and order maintenance. And every officer in charge of an area should be held responsible for any violations of the rights of the common citizen by his subordinates.

The 1861 Police Act was geared in favour of internal accountability, and did not provide for external accountability mechanisms. This is against the principle that power always should go hand in hand with accountability, otherwise it can be misused. And given the ‘thana culture’ in our country, the potential for abuse has always been real. I think it would be in the interest of the police hierarchy itself to push for strong external accountability mechanisms, as it would in the long term protect them.

The devolution plan introduced the concept of public safety commissions, which was never fully operationalised, but the safety commissions were perceived by its detractors to be symbolic rather than effective. The detractors of the scheme were of the opinion that it was to give independence to the police, without any check on their power. If this was the case, then we need to consider alternative external control mechanisms.

There could be police ombudsmen at the federal and provincial level, or there could be police complaints authorities at the federal and provincial levels. Whichever model is adopted, it should be strong and effective. External accountability if properly done will take care of political interference as well as undue protection of errant service men.

With regard to the perception of police instilling fear in the common man, one important symbolic step should be that police officers should no longer wear uniforms. Uniform is the symbol of the military and paramilitary forces, not of the civil police. In most advanced countries, only the police constable on duty wears uniform, the seniors and those in investigation and administrative posts do not. Uniform is a colonial hangover and should be done away with, except for the jawans.

Reform does not consist of shifting of power from one to the other powerful group in society, reform means diluting power across the board and making the citizen and law, powerful. Reform means subjecting power to the rule of law and accountability. Let us hope that the intended reforms in the Punjab police go some way in that direction. The police and the government both have a responsibility in this regard.

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