

Immigration and Refugee Board of Canada

[Home](#) > [Research Program](#) > [Responses to Information Requests](#)

Responses to Information Requests

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's [Refworld](#) website.

30 November 2011

PAK103867.E

Pakistan: Police corruption; the authorities responsible for receiving complaints against the police, including their effectiveness; the procedures to submit a complaint; police training programs
 Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Sources report that there is corruption within the police force in Pakistan (US 8 Apr. 2011, 1; TI 1 June 2010, 5). The United States (US) Department of State indicates that First Information Reports (FIRs), which provide police with the legal basis for detaining a suspect, are sometimes filed by authorities without "supporting evidence to harass or intimidate" detainees, or are not filed unless the complainant pays a bribe (8 Apr. 2011, 19). The US Department of State also reports that police officers have detained relatives of suspects to pressure them into surrendering (8 Apr. 2011, 19).

According to Freedom House, police officers have been implicated in "extortion" and the use of "excessive force" (Freedom House 2011). The Human Rights Commission of Pakistan (HRCP) also indicates that "excessive use of force" is used during citizen protests (2010, 77). Human Rights Watch reports that police officers are also implicated in home demolitions and "forced evictions" (Jan. 2011, 2).

Sources indicate that police commonly detain people arbitrarily (Freedom House 2011; Human Rights Watch Jan. 2011, 2). According to the HRCP, the media reported 174 cases of illegal detention by police in 2010 (HRCP 2010, 76). Sources indicate that some detainees are "tortured" while in custody (ibid.; Human Rights Watch Jan. 2011, 1; Freedom House 2011), and that female detainees report sexual abuse (ibid.; US 8 Apr. 2011, 19). The US Department of State indicates that some detainees have been killed while in police custody (8 Apr. 2011, 2). According to media reports gathered by the HRCP, in 2010, 338 "so-called suspects" were killed in "police encounters," of which 25 resulted in investigations due to protests by family members (2010, 76). Sources report that police also conduct extra-judicial killings (HRCP 2010, 76; Human Rights Watch Jan. 2011, 2; Freedom House 2011). The HRCP indicates that, in 2010, "in a number of cases," police officers were told to pay fines by the court for illegally detaining people (2010, 76-77).

A report written by the Commonwealth Human Rights Initiative (CHRI) and the HRCP indicates that police are "poorly paid, which is a major reason for rampant corruption and inadequate performance" (CHRI and HRCP May 2010, 61). According to the report, in 2009, the Prime Minister of Pakistan stated that police officers would receive a pay raise (ibid.). Sources report of pay increases to police in the following provinces: Punjab (ibid.; *The Nation* 16 Apr. 2009), Sindh (*Daily Times* 13 Sept. 2011; *Pakistan Today* 13 Sept. 2011), and Khyber Pakhtunkhwa (ibid. 16 Jan. 2011). In June 2010, according to the Pakistani news agency Plus News Pakistan, the government stated that police in Balochistan would also receive a pay increase (22 June 2010).

Legal Framework for Complaints Against Police

In correspondence with the Research Directorate, a lawyer indicated that complaints against police fall under different laws (Lawyer 6 Nov. 2011). The lawyer indicated that in 2002, a new section, Section 22-A (6) (iii), was added to the *Criminal Procedure Code* (CrPC), 1898 to give "sessions courts" jurisdiction over complaints being heard by high courts (ibid.). This section provides sessions judges with the following authority:

[A] Sessions Judge acting as ex-officio Justice of Peace can issue appropriate directions to the police authorities on a complaint regarding non-registration of a criminal case, transfer of investigation from one police officer to another, and neglect, failure or excess committed by a police [officer] or neglect or failure by a police authority in relation to its functions. (ibid.)

However, according to the lawyer,

[w]hile exercising jurisdiction under [S]ection 22-A(6), CrPC, an ex-officio Justice of the Peace is only to activate the available legal remedy or procedure so that the grievance of the complaining person can be attended to and redressed, if found genuine, by the competent authority of the police. (ibid.)

The lawyer indicates that under Article 199 of the country's constitution, complaints against "police excesses" are also under the jurisdiction of high courts (ibid.). According to the lawyer, high courts address the following types of complaints:

1. [C]omplaints about unjustified harassment by the police in the absence of any criminal case having been registered against the aggrieved person;
2. [C]omplaints regarding failure of the police to register a criminal case despite commission of a cognizable offence having been reported to it;
3. [C]omplaints pertaining to failure by the investigating officer to add appropriate penal provisions to an FIR or a cross-version of the accused party;
4. [C]omplaints about failure by the investigating officer to record a cross-version of the accused party;
5. [C]omplaints regarding failure to arrest an accused person nominated in the FIR or in the cross-version of the accused party;
6. [C]omplaints pertaining to unfair, biased and improper investigation and, thus, seeking transfer of the investigation; and
7. [C]omplaints about failure to finalize investigation of a criminal case and to submit a Challan, i.e. police report under [S]ection 173 of CrPC within a reasonable time. (ibid.)

Public Safety Commissions

The *Police Order of 2002* calls for the establishment of public safety commissions at the district, provincial and federal levels to deal with complaints against police (Pakistan 14 April 2008; International Crisis Group 14 July 2008, 6). According to the lawyer, the *Police Order of 2002* is only applicable in Punjab and Khyber Pakhtunkhwa provinces (6 Nov. 2011), since the provinces of Balochistan and Sindh repealed the order and reverted back to the *Police Act of 1861* (8 Nov. 2011).

Sources indicate that the *Police Order of 2002* has not been fully implemented (Lawyer 6 Nov. 2011; *The Nation* 2 July 2011; International Crisis Group 12 Oct. 2011, 12; HRCP 2 Nov. 2011). For example, the lawyer points out that there are "no public safety commissions in existence" (6 Nov. 2011). The International Crisis Group states that the bodies that were supposed to be established by the *Police Order of 2002* "were either not constituted, or if they were formed, were never fully authorized" (12 Oct. 2011).

Police Department Complaints Mechanisms

Sources indicate that there are mechanisms within the police departments for receiving complaints against police (HRCP 2 Nov. 2011; Pakistan 9 Nov. 2011). In a telephone interview with the Research Directorate, a representative of the High Commission of Pakistan in Ottawa said that to defend their own interests, local police stations might not accept a complaint against a fellow police officer (ibid.). He said that a complainant should go to the authority one level higher than the local police stations and submit a complaint to the regional police office (ibid.). He added that if the regional office does not accept the complaint, the complainant may contact the senior police superintendent or the inspector general (ibid.).

The lawyer corroborates the statement that a grievance can be submitted to the "higher authorities" within the police force (Lawyer 6 Nov. 2011). He explained that to submit a complaint within the police department, such as to the police superintendent or the head of the city police, a complainant must submit an application (ibid.). He added that the complainant does not need to have a lawyer to submit the application (ibid.). However, according to the lawyer, submitting a complaint to the higher level police authorities is usually a "futile exercise" that "does not work" in a "great majority of cases" (ibid.). Moreover, *The Nation* states that complainants receive "humiliating treatment" at police stations (2 July 2011). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Courts

The representative of the Pakistan High Commission stated that receiving assistance from a lawyer "may be effective" in having a complaint heard (Pakistan 9 Nov. 2011). According to the lawyer, to submit a complaint against the police before a court, "one has to file [a] petition under [S]ection 22-A before the Sessions Court" or, in "extra-ordinary circumstances," submit the complaint directly to the high court under Article 199 of the constitution (6 Nov. 2011). In a telephone interview with the Research Directorate, an HRCP representative who is in charge of receiving complaints of human rights violations stated that although submitting a complaint in court is possible, a complainant must have money to pay a good lawyer, and many people cannot afford a lawyer (HRCP 2 Nov. 2011). The HRCP representative added that the court may "on the rare occasion" provide some "relief," such as filing a petition to stop harassment by the police; however, he said that in practice, courts usually do not help the complainant (ibid.). The lawyer corroborates that even if courts rule that police authorities must take action, these rulings are not implemented for the "majority of complainants" (6 Nov. 2011).

Citizens Police Liaison Committees

The Citizens Police Liaison Committees (CPLCs) report "acts of misconduct or neglect of duty on the part of any police officer" (n.d.). However, according to the lawyer, the CPLCs cannot "take any action against the police," but rather "pass on the complaint to police authorities" (8 Nov. 2011). The lawyer indicates that the CPLC in Karachi serves the function of a "post office" between the police and the public and that it is "not effective against police excesses" (8 Nov. 2011). The lawyer also states that the CPLCs "mainly serve the business classes in a limited way" (8 Nov. 2011). Corroborating information was not found among the sources consulted by the Research Directorate.

Media

According to the Pakistan High Commission representative, complaining to the television or radio might be an effective way to get a complaint addressed, since the media might call the police to ask them about the incident, or, if broadcast, the story might inspire someone else to take action (Pakistan 9 Nov. 2011). In 2010, Plus News Pakistan reported that after footage of the police using "torture" was broadcast on television, the Supreme Court ordered the closure of police "torture cells in private houses in the jurisdiction of various police

stations," and the revival of district public safety commissions (14 Apr. 2010). The HRCP also reports of a television broadcast of police brutality in 2008, following which the court expressed its "dismay" that senior police officers had defended the police officers involved in the incident (2010, 77).

Ombudsmen

According to the lawyer, ombudsmen are present in every province of Pakistan (Lawyer 8 Nov. 2011). However, the lawyer states that although ombudsmen can receive complaints against the police, "they are not effective" (ibid.). Media sources indicate that a civil society debate on police reforms in June 2011 resulted in demands for the appointment of a police ombudsman that would process complaints made against the police (*Dawn* 23 June 2011; *The Nation* 2 July 2011).

Effectiveness of Mechanisms to Submit Complaints Against Police

The Irish Refugee Documentation Centre reports that, according to Right Vision News, in 2010, 88 policemen and officers were penalized and 21 were dismissed for wrongdoing (Ireland 12 Oct. 2011). Corroborating information could not be found by the Research Directorate within the time constraints of this Response.

The HRCP representative stated that the police in Pakistan are "very corrupt" and that police favour each other (2 Nov. 2011). He added that people are often "coerced" into withdrawing their complaints (HRCP 2 Nov. 2011). According to him, it is "very rare" that the complaints procedures work (ibid.). He indicated that only people with significant financial resources or people that "know the right people" might be able to push a complaint through the system, but this is not possible for the "common man" (ibid.). He also said that although he is in charge of receiving and processing complaints, he has never seen a case where the police "have taken [the] blame" and taken appropriate action (ibid.).

Police Training

According to the joint CHRI and HRCP report, there are police training schools in all provinces of Pakistan which provide basic and specialized training to constables and assistant sub-inspectors (CHRI and HRCP May 2010, 35). More specifically, the CHRI and HRCP indicate that there are five police training schools in Punjab, three in Khyber Pakhtunkhwa, five in Sindh, and one in Balochistan (ibid.). The CHRI and the HRCP indicate that training on human rights and anti-corruption, along with several other subjects, is provided to assistant police superintendents (ibid., 38-39). A training manual developed by the Government of Pakistan's Law, Justice and Human Rights Division in 2006 includes a training module on public safety, oversight, and grievance redress, as well as one on the exercise of powers by police and public grievances (Pakistan 2006, 64, 76). Information on the implementation of these training modules could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

References

- Citizens Police Liaison Committee (CPLC). N.d. "Notified Functions." <<http://www.cplc.org.pk/content.php?page=10>> [Accessed 21 Oct. 2011]
- Commonwealth Human Rights Initiative (CHRI) and Human Rights Commission of Pakistan (HRCP). May 2010. Asad Jamal. *Police Organisations in Pakistan*. <[http://www.hrcp-web.org/pdf/Police_Organisations_in_Pakistan\[1\].pdf](http://www.hrcp-web.org/pdf/Police_Organisations_in_Pakistan[1].pdf)> [Accessed 21 Nov. 2011]
- Daily Times* [Lahore]. 13 September 2011. "Increase in Salaries of Sindh Police Announced." <http://www.dailytimes.com.pk/default.asp?page=2011%5C09%5C13%5Cstory_13-9-2011_pg12_13> [Accessed 21 Nov. 2011]
- Dawn* [Karachi]. 23 June 2011. Azizzullah Sharif. "Call for Appointment of Police Ombudsman." <<http://www.Dawn.com/2011/06/23/call-for-appointment-of-police-ombudsman.html>> [Accessed 4 Nov. 2011]
- Freedom House. 2011. "Pakistan." *Freedom in the World 2011*. <<http://www.freedomhouse.org/template.cfm?page=22&country=8108&year=2011>> [Accessed 31 Oct. 2011]
- Human Rights Commission of Pakistan (HRCP). 2 November 2011. Telephone interview with a representative.
- _____. 2010. *State of Human Rights in 2010*. <<http://www.hrcp-web.org/Publications/AR2010.pdf>> [Accessed 25 Oct. 2011]
- Human Rights Watch. January 2011. "Pakistan." *World Report 2011: Events of 2010*. <http://www.hrw.org/sites/default/files/related_material/pakistan_3.pdf> [Accessed 1 Nov. 2011]
- International Crisis Group. 12 October 2011. *Reforming Pakistan's Prison System*. Asia Report No. 212. <<http://www.crisisgroup.org/en/regions/asia/south-asia/pakistan/212-reforming-pakistans-prison-system.aspx>> [Accessed 1 Nov. 2011]
- _____. 14 July 2008. *Reforming Pakistan's Police*. Asia Report No. 157. <<http://www.crisisgroup.org/en/regions/asia/south-asia/pakistan/157-reforming-pakistans-police.aspx>> [Accessed 1 Nov. 2011]
- Ireland. 12 October 2011. Refugee Documentation Centre. "Information on Police Corruption in Pakistan." <<http://www.unhcr.org/refworld/pdfid/4ea009a62.pdf>> [Accessed 25 Oct. 2011]
- Lawyer. 8 November 2011. Correspondence with the Research Directorate.

_____. 6 November 2011. Correspondence with the Research Directorate.

The Nation [Lahore]. 2 July 2011. D. M. Baloch. "Police Ombudsman." <<http://nation.com.pk/pakistan-news-newspaper-daily-english-online/Opinions/Letters/02-Jul-2011/Police-Ombudsman>> [Accessed 5 Nov. 2011]

_____. 16 April 2009. "Raise Announced in Punjab Police Salaries." <<http://www.nation.com.pk/pakistan-news-newspaper-daily-english-online/Regional/Lahore/16-Apr-2009/Raise-announced-in-Punjab-police-salaries>> [Accessed 21 Nov. 2011]

Pakistan. 9 November 2011. Pakistan High Commission in Ottawa. Telephone interview with a representative.

_____. 14 April 2008. *National Report Submitted in Accordance with Paragraph 15 (A) of the Annex to Human Rights Council Resolution 5/1: Pakistan.*(A/HRC/WG.6/2/PAK/1) (European Country of Origin Information Network) <http://www.ecoi.net/file_upload/1227_1231713669_pakistan1.pdf> [Accessed 27 Oct. 2011]

_____. 2006. Law, Justice and Human Rights Division. *Police Reforms in Pakistan: Opportunities for Citizens. A Training Module.* <http://www.crcp.org.pk/PDF%20Files/TrainingModule_PoliceReforms.pdf> [Accessed 21 Nov. 2011]

Pakistan Today [Lahore]. 13 September 2011. Qasi Azif. "Sindh's Cops Get a Pay Raise." <<http://www.pakistantoday.com.pk/2011/09/sindh%E2%80%99s-cops-get-a-pay-raise/>> [Accessed 21 Nov. 2011]

_____. 16 January 2011. "Reward for KP Police, 50% Raise in Salaries." <<http://www.pakistantoday.com.pk/2011/01/reward-for-kp-police-50-raise-in-salaries/>> [Accessed 21 Nov. 2011]

Plus News Pakistan. 22 June 2010. "Pakistan: Balochistan Raises 100% Salaries of Police, Levies, BC". (Factiva)

_____. 14 April 2010. "Pakistan: SC Directs Interior Ministry to Revive DPSC." (Factiva)

Transparency International (TI). 1 June 2010. *National Corruption Perception Survey: TI Pakistan 2010.* <<http://www.transparency.org.pk/report/ncps%202010/ncps2010A5.pdf>> [Accessed 4 Nov. 2011]

United States (US). 8 April 2011. Department of State. "Pakistan." *Country Reports on Human Rights Practices for 2010.* <<http://www.state.gov/g/drl/rls/hrrpt/2010/sca/154485.htm>> [Accessed 31 Oct. 2011]

Additional Sources Consulted

Oral sources: Attempts to contact a representative of the Citizens Police Liaison Committee in Karachi, a human rights journalist, and an advocate of the Supreme Court of Pakistan were unsuccessful.

Internet sites, including: Amnesty International; European Country of Origin Information Network; Pakistan – National Police Academy, National Police Bureau, National Police Management Board; United Nations Refworld.

[Click here for tips on how to use this search engine.](#)

Date modified: 2013-07-17 [Top of Page](#)

The attached reproduction is a copy of an official work that is published by the Government of Canada. The reproduction has not been produced in affiliation with, or with the endorsement of the Government of Canada.