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The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRAORDINARY

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PART I : SECTION (I) — GENERAL
Government Notifications

L.D.B 2/2005.

CONSTITUTION OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

RULES made by the National Police Commission by virtue of the powers vested in it under Article 155FF read with Article 155 FFF of the Constitution.

Chairman,
National Police Commission.

Colombo,
10th August 2012.

Rules

1. These Rules may be cited as the “Rules of Procedure (Investigation of Public Complaints against Police Officers or the Police Force) 2012”.
2. Members of the public or any person aggrieved by an act or omission committed by a police officer or the police force in carrying out his or its duty may lodge any complaint against such officer or the police force with the National Police Commission (hereinafter referred to as “Commission”) and seek appropriate redress in accordance with the law.
3. Every complaint received by the Commission shall be recorded in a Register according to the Province and District and acknowledged within seven days of the receipt thereof. The complaint and related documents, if any, shall be securely maintained by the Commission.
4. The Commission shall make every effort to conclude investigations under Segment “C” of the Schedule to these Rules within thirty days and investigations under Segment “A” and “B” of the Schedule within sixty days of the receipt of a complaint.
5. The Commission may with the co-operation and the assistance of the Inspector-General of Police, obtain assistance for any officer of the Commission to visit any police station in order to inspect any person in the custody of the police or to question and examine such person and examine statements made to the police by such person or other relevant statements and also to obtain copies of any such statements or other related documents or information as it deems necessary.

6. The Commission may, with the cooperation and the assistance of the Public Service Commission and the Inspector-General of Police, require any Police Officer in charge of a Police Station, an Assistant Superintendent of Police of a Police District, a Superintendent of Police or a Senior Superintendent of Police of a Police Division or a Deputy Inspector-General of Police in charge of a Range or a Senior Deputy Inspector General of Police of a Province as the case may be to give assistance to the Commission in the investigation of complaints lodged under Rule 2.

7. The Commission may, with the cooperation and the assistance of the Inspector-General of Police and the Public Service Commission obtain the services of police officers who shall be released to the Commission to assist the Commission in the investigation of complaints lodged under Rule 2.

8. Upon the receipt of the report of the officer of the Commission who carried out the investigation the Commission shall determine whether any redress be granted to the aggrieved person in terms of the law and what action to be taken against the police officer or officers, found to have committed the wrongful act or omission, and forward its determination together with such report to the Public Service Commission or the Inspector - General of Police as the case may be, for necessary action.

9. The Commission shall follow up all actions taken by the Inspector - General of Police or the Public Service Commission as the case may be on the reports of the Commission.

10. Where these Rules are silent in respect of any matter or procedure, the Commission may decide on the procedure as appropriate for any specific matter.

11. The Rules of procedure (Public Complaints) 2007 made by the National Police Commission under paragraph(2) of the Article 155G of the Constitution and published in *Gazette* Extraordinary No. 1480/8 of January 17, 2007 are hereby rescinded.

SCHEDULE

Segment “A”

1. Acts in violation of Human Rights.
2. Allegations of torture or cruel, inhuman or degrading treatment or injury to a member of public in Police care or custody by any action of a Police Officer.
3. Death of a person in Police care or custody.
4. Fabrications of cases and making false reports or statements to court.
5. Cognizable offences, committed by Police Officers.
6. Interference, intimidation and threat to victims and witnesses directly by themselves or by deployment of intermediaries, in complaints under investigations; or in respect of disciplinary inquiries or court cases.
7. Any attempt to coerce, intimidate or subvert evidence or reports of Medical Officer or any other Public Officer in submitting false documents or engage in dereliction of duties of such officers.
8. Gross abuse of power, neglect of duties or acts bringing disrepute to the Police Service.
9. Illegal arrest and detention.

Segment “B”

1. Assault, intimidation, abuse or threat.
2. Refusal, failure, postponement to record a statement required to be made to the Police.
3. Making deliberate distortions in statements recorded.
4. Failure to maintain records, erasing or otherwise altering the records.
5. Exhibiting partiality towards members of political parties or any other party in carrying out official duties.
6. Miscarriage of justice resulting from misconduct by a Police Officer.
7. Fatal road traffic accident in which a Police Officer or a Police vehicle is involved.
8. General inefficiency, lapses, indiscipline or any other similar cause of the Police Service, Senior Deputy Inspector Generals of Provinces, Deputy Inspector Generals of Ranges, Senior Superintendents of Police or Superintendents of Police of Divisions, Assistant Superintendents of Police of Districts and Officers In Charge of Police Stations.
9. Willful institution of defective or incomplete criminal charges against the accused persons.

Segment “C”

1. Refusal to record complaints.
2. Undue delay in making available certified copies of statements made to the Police by any person on payment of the usual charges.
3. Discouraging complainants or witnesses from making statements.
4. Use of abusive words, threats or intimidation on complainants or witnesses.
5. Inaction or partiality by the Police in taking action on complaints made.

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