



## AN OBSTACLE TO POLICE REFORM: BREVITY OF TENURES

Tariq Parvez

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### About the Author

Tariq Parvez is Member Board of Advisers, IPR. He is former director general of Pakistan's Federal Investigation Agency and former national coordinator of the National Counter Terrorism Authority. He joined the Police Service of Pakistan in 1973, retiring in 2008. In 2013, Parvez was caretaker home minister of the Punjab provincial government.

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## 1. INTRODUCTION

The recent transfers of the Inspector General of Police (IGP), Sindh province and the police chief of Karachi city, after only five and nine months, respectively, for reasons other than inefficiency, has been a matter of great public consternation. The adverse impact of these premature transfers, on the ongoing massive operation in Karachi against suspected terrorists and criminals, does not appear to be of much concern to the provincial authorities, who ordered the transfers.

The reason for the transfer of the IGP, reportedly, was his unwillingness to go along with the provincial government in a multi-million dollar purchase of police equipment, without following the prescribed procedure and ensuring transparency. Another reason, apparently, was that he started posting officers on merit instead of on recommendations of the Chief Minister.<sup>1</sup> The Karachi city police chief was removed, ostensibly, as stated by the provincial government, in the pursuance of a court decision, but according to some, for the fact that in the ongoing campaign against the terrorists and criminals, he was enforcing the law, across the board, and not sparing those terrorists/criminals who had their patrons in the political parties which are in power in the province.<sup>2</sup> Premature transfers of police leaders has been a norm all over the country and is indicative of the deeper systemic malaise of brief tenures in police in Pakistan and their adverse impact on police effectiveness.

Police in Pakistan is confronted by a large number of serious challenges like high crime rates, widespread organized crime, numerous incidents of terrorism etc. While the police is making a serious effort to deal with the prevailing law and order situation, a number of factors continue to weaken the efficacy of this endeavor,



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like political interference, endemic corruption, poor police community relations, inadequate police resources etc. One area that is normally ignored, but is very important, however, is the brevity and unpredictability of the tenures of police leadership at different levels. As far as stability of tenures is concerned, the basic principle is that the public institutions given a responsibility, have to be given reasonable time to perform and deliver. That is why, most democratic constitutions lay down a fixed period for the government to deliver on their promises made to the electorate. The same is true for the leaders of other government institutions. Police is no exception, particularly, when the challenges are much more serious than those of normal policing, as in Pakistan.

Generally speaking, policing nowadays is becoming an increasingly complex challenge in terms of new crimes, fast pace development of technology and growing public demands for greater accountability and transparency. Having a police that keeps pace with these trends effectively, is a major question all societies have to answer. According to some, one of the important predictors of effectiveness of police in evolving complex situations is the effectiveness of police leadership and as such the need for effective police leadership, in countries like Pakistan, is greater than ever.<sup>3</sup>

Research has found support for the assertion that police chief performance and police department performance are linked in important ways.<sup>4</sup> As far as leadership effectiveness is concerned, an important factor, *inter alia*, is the stability of the leader's tenure.<sup>5</sup> A police leader selected on merit through a transparent process and given a reasonable tenure, is more likely to be effective than the one selected arbitrarily by political leadership, for an uncertain tenure, dependent on the goodwill of the political masters. The importance of stability of tenure of police leadership has been accepted as a best practice internationally also. The tenure of the Commissioner of Police of the highly acclaimed London Metropolitan Police has been fixed by law to be five years.<sup>6</sup> The Police Chief of New York has an average tenure of four years. The tenure of Director FBI, as per law, is ten years.<sup>7</sup> On the basis of this, one can presume that the reasonable tenure of police leadership in Pakistan ought to be anything between three to five years. This report examines the average tenures of police leaders at different levels and the impact of this on the ability of the police to deal with the challenges of policing in today's Pakistan. It is the first specific published study on the subject in Pakistan.

## 2. EXISTING SYSTEM OF POLICING

At the time of its independence in 1947, Pakistan decided to continue with the pre-independence Police Act 1861, which was framed by the British for policing a colony. This Police Act continued to be the basis of the police system in Pakistan, with some minor amendments till 2002. In 2002, President Gen Pervez Musharraf decided to have a police law which forms the basis for having a police that was politically neutral, operationally autonomous, professionally competent and meaningfully accountable.

To achieve that objective, a new law was framed called Police Order 2002 to replace the Police Act 1861. All the provinces adopted Police Order 2002, except for Islamabad Capital Territory, which did not do it because of its peculiar constitutional status. When elections were held, under Gen Musharraf, in 2004, the political parties which formed governments in the provinces as well as at the federal level, prevailed on him to do away with a number of provisions of the law. Those sections of law that made police politically neutral and granted operational autonomy to the office of Provincial Police Officer were done away with.<sup>8</sup> Later, after the next general elections in the country, in 2008, the political parties which formed the provincial governments made further changes in this police law, to regain arbitrary political control over police. In fact, two provinces i.e. Sindh and Baluchistan decided to revert back to the Police Act of 1861, with some amendments while the other two i.e. Punjab and KPK opted for Police Order 2002, with certain amendments.

Police in Pakistan is organized at the provincial level and there are seven Police forces in the country totaling approximately 400,000 personnel (giving an average of one Police Officer for 450 persons). The largest Police force is of the province of Punjab (177,000) and the smallest is of Gilgit Baltistan 5000.

As per Police Act 1861 (amended), presently prevalent in two provinces i.e. Sindh and Baluchistan and the Islamabad Capital Territory (ICT), the police is headed by an officer called the Inspector General of Police. The province is divided into a number of geographical administrative units called Divisions, Districts, Sub divisions and Police Stations headed by Deputy Inspectors General of Police, Superintendents of Police, Sub Divisional Police Officers and the Station House Officers respectively. The law gives total control to the provincial government to select and remove the police chiefs, at the provincial, divisional and district levels, as per its discretion.<sup>9</sup>

In the other two provinces where Police Order 2002 is in force, the chief of the police is called the Provincial Police Officer. The province is divided into a number of geographical administrative units called Regions, Districts, Sub divisions and Police Stations headed by Regional Police Officer, District Police Officer, Sub Divisional Police Officer and Station House Officer respectively. Realizing the need to have more senior officers in bigger cities due to the complexity of the policing challenges there, Police Order 2002 created new posts called Capital City Police Officer (CCPO) for the provincial capitals and City Police Officer (CPO) in bigger cities having more than half a million population.

In both the systems, the police station is the basic police unit that interacts 24/7 with the community. There are 1700 police stations in the country, giving an average of one police station

catering a population of approximately 100,000. While the entire police hierarchy in both the systems is very structured, the tiers which are considered more important from the police operations point of view are the Province, District and the Police Station. It shall be appropriate to confine our discussion to stability of tenure in these three posts, due to their significance in terms of crime control, dealing with the local communities and counter terrorism.

Since police departments are provincial level organizations, the provincial police chiefs are the ones who are responsible for the overall working of the police department and who set direction for the entire department, in terms of policy and strategy. The next important tier is the district, which is the crucial tier of both the police and civil administration. District Police Officers(DPOs) are the effective commanders at the district level. The postings/transfers/control of the police station is done by the DPO, and thus he has a significant impact on the overall quality of policing in the district. The third tier, the police station, is the grassroots level police unit which registers and investigates all criminal cases. It is the police unit that is, geographically speaking, the nearest to the community and interacts 24/7 with them. In fact, according to some, the relationship between the police and the community depends on the quality of policing at the police station level. Most blame the corruption, highhandedness and incompetence at the police station level, to be largely responsible for the prevalent mistrust and alienation between the police and the community in Pakistan.<sup>10</sup>

On the issue of stability of tenure, as far as the Police Act 1861 (updated version) is concerned; there are no provisions about selecting and removing of police chiefs or guaranteeing any stability of tenure. The Act, however, gives the overall superintendence of the police department to the provincial government. In actual practice, the provincial government nominates the provincial police chief, out of a panel of three police officers sent to them by the Federal Government. The Provincial Police Chief holds the post at the pleasure of the Provincial Chief Minister, and can be transferred any time without assigning any reason or giving any chance to him to explain his position. The Chief Minister is the elected head of the provincial administration, and normally selects and removes Provincial Police Chiefs on the basis of political expediency or corrupt motives rather than public interest, as illustrated in the two recent transfers mentioned in the introduction. It is a very arbitrary system, which not only tends to breed sycophancy in police chiefs but also makes impartial law enforcement difficult.

As far as the system of appointing and transferring of Superintendents of Police, who are in charge of the districts, is concerned, this is done by the Provincial Chief Minister, in his total discretion. In this, however, he does get the input of the Inspector General of Police, but mostly follows the advice or requests of the local leadership of his political party or his own judgement. The postings and transfers of SHOs (Station House Officers), who are in charges of the police station, is supposed to be made by District Superintendent of Police, as per Police Rules of 1934. In reality, however, most of them get posted by local political leaders, through District Superintendent of Police, who, mostly, himself is beholden to the local political leadership for his posting in the district, and more often than not, is willing to oblige them.

## **2.1. Police Order 2002 provisions related to Stability of Tenure**

On the issue of stability of tenure the Police Order 2002 has the following provisions:

### **2.1.1. Selection of Provincial Police Chiefs**

The federal government proposes a panel of three officers and the provincial government appoints one of the officers in the panel as the Provincial Police Officer (PPO).<sup>11</sup>The original Police Order 2002 had set up National Public Safety Commission to prepare the panel of Police Officers on the basis of their suitability for the post of PPO. This was done to ensure the short listing of candidates for the post of PPO, by a nonpartisan national level body. This role of National Public Safety Commission was amended by an amendment by the political governments. Also, in the Police Order 2002, the term of Office of a PPO/CCPO has been fixed as three years.<sup>12</sup>

The PPO can be removed by the Federal or Provincial government whenever they consider appropriate, without assigning any reasons or affording an opportunity to the police officer concerned, to explain his position. In the original Police Order 2002, the political authorities had to give reasons for the premature transfers of police chiefs. This too was amended subsequently by the successive political governments.

### **2.1.2. Posting of City Police Officer and District Police Officer**

According to the Police Order 2002, the Provincial Police Officer may post a City Police Officer for a city district and the District Police Officer in a district (with the approval of) the Government.<sup>13</sup> In reality, this is being done by the Chief Minister of the province. The term of office of City Police Officer or District Police Officer, as the case may be, shall be three years from the date of his posting.<sup>14</sup>

Under exceptional circumstances due to exigency of service or on grounds of misconduct and inefficiency which warrant major penalty under the relevant rules, the City Police Officer or District Police Officer may be transferred, with the approval of the government, before completion of the term of office<sup>15</sup>.It is pertinent to mention that whether the province is following the Police Act 1861 or Police Order 2002, the actual procedure of appointing the Provincial Police Chiefs, District Police Chiefs and police station incharge is normally done at the behest of the political leaders. The provisions of Police Order 2002 about fixing the tenure of three years are totally ignored in reality,even in the provinces where they follow this particular law on police.

## **3. AN ANALYSIS OF TENURES AT DIFFERENT LEVELS**

As stated above, the stability of tenures at different levels of police leadership is crucial for enhancing police effectiveness. At the level of IGP, time is needed to understand the different dimensions of the law and order situation, followed by formulation of policies and subsequent implementation of these policies in the province. If the average tenure of Provincial Police Chiefs is less than a year, it is not possible for them to be able to formulate and implement their policies and evaluate the impact. This affects the performance of the police at the provincial level. Moreover, if the IGP's selection and removal is the sole discretion of the Chief Minister, he is more likely to

pander to wishes of the Chief Minister rather than administer the police as an impartial instrument of law.

At the district level, the District Superintendent of Police, is the effective commander on the ground and has to implement the policies of the IGP, in the district. Again, if the average tenure of this post is not more than a few months, with the sword of transfer always hanging over him, his emphasis is more on pleasing the local political bosses for his survival in that post, than on improving the quality of policing for the community . Of course, if he is corrupt, then being aware about the likely brevity of his tenure, he indulges in corruption from the word go.

At the level of the police station, an unpredictable tenure of a couple of months of the SHO breeds corruption, indifference to the needs of the community, and lack of professionalism in preventing and detecting crimes. He knows that by the time, the supervisors are going to ask him about the investigation of cases or increase in crime, he is most likely to be posted out.

The sum total, thus, of brief tenures, stretching not to more than a few months, in the entire police department breeds corruption, sycophancy, indifference to the community needs, professional incompetence, poor accountability ,erratic supervision and ad hoc approach to the law and order situation.

### **3.1. Average tenures of Police Officers**

Research was carried out to calculate the average tenures of posting of police officers at different levels, particularly at the provincial, district and the police station levels. Statistics were collected from different provincial police departments, to work out the averages. The police departments which provided the figures were reluctant to be quoted; therefore no specific references are made here about the exact police source which provided this data.

#### **3.1.1. Average tenures of Provincial Police Chiefs**

The statistics provided by the offices of provincial police chiefs of all the four provinces indicated that the average period of posting of a Provincial Police Chief from Jan 2011 to Dec 2013 was seven and a half months. Sindh had six IGPs in these three years giving an average tenure of six months. KPK had four IGPs in three years giving an average of 9 months. Baluchistan had six IGPs in three years giving an average of six months. Punjab had four IGPs in three years giving an average of nine months. This gives an average tenure of 7.5 months for a Provincial Police Chief.

#### **3.1.2. Average tenures of Capital City Police Officers**

This applies to the four provincial capitals i.e. Lahore, Karachi, Quetta and Peshawar. According to record shared by the offices of the CCPOs/Addle IGPs of the four provincial capitals, it transpired that the average tenure of a police chief of capital city was seven months. In Lahore, the capital of the biggest province of Punjab, 8 Officers were posted as CCPO Lahore in three years giving an average of 4.5 months. Similarly, 9 Officers were posted as CCPO Karachi in three years giving an average of 4 months. In KPK, five Officers were posted as CCPO Peshawar in three years giving an average of 7.2 months. Quetta had five CCPOs in three years giving an average tenure of

7.2 months. This gives an average tenure of seven months for the Police Chiefs of the provincial capitals.

### **3.1.3. Average tenures of District Police Officers**

There are 117 districts in all, in the four provinces and the ICT. An analysis was carried out of the tenure of District Police Officers in the 35 districts of the province of Punjab, in the year 2013, and the average period of posting was found to be less than six months. Discussions with the police chiefs of other provinces revealed that more or less the same period was the average tenure in the districts of the other three provinces also. In the capital cities, the area is divided into a number of divisions which are headed by the Superintendents of Police and play a pivotal role in the management of the capital city police. A study of the tenures of the divisional SPs in Lahore revealed that the average tenure in 2013 of the SPs was only four months. The District Police Officer in the districts and the Divisional SP in the capital cities is the commander of the mid-level and very important tier of police administration. To expect him to plan and act proactively to deal with the complex policing problem, within six months is unrealistic, particularly when he is not sure when he will be posted out, and has to keep the local political leaders happy by acceding to all their demands to stay posted in the district.

Not only that, the brief tenures discourage the young police officers for taking local initiatives to improve policing. A number of District Superintendents of Police took local initiatives in their respective districts like community policing, setting up alternate dispute resolution mechanisms, opening up special female police officers desks in male police stations to attend to complaints by females etc. These initiatives were discontinued as soon as the officers were transferred, and since the period of the posting of the officer was in terms of a few months, the time was inadequate for the initiatives to take roots, although these were appreciated by the concerned communities.

### **3.1.4. Average tenures of Station House Officers**

As stated earlier, the cutting edge of the police administration in the province is the police station and therefore, its incharge, the Station House Officer plays a crucial role in determining the quality of policing at the grassroots level. In Karachi, there are 96 Police stations and the average period of posting of an SHO in Karachi during the last three years was less than three months. Another study of the 706 Police stations of the biggest province, Punjab, reveals that the average tenure of SHO in 2012 was three months. The impact of an average tenure of three months as in charge of a police station, in terms of crime control, community relations, knowledge of the area and the people is not difficult to imagine.

An interesting exercise was carried out in one of the police divisions of Lahore to have a holistic view of the extent of brief tenures in police. The police division is headed by an officer of the rank of Superintendent of Police, assisted by the Sub Divisional Police Officers who are of the rank of Deputy Superintendent of Police and have the immediate responsibility of supervising the work of the police station. In this police division, selected for analysis, there are four police subdivisions and ten police stations. During 2013, the police division was commanded by three SPs i.e. the average tenure of each was four months. These SPs were assisted by SDPOs who had an average

tenure of six months. The average tenure of the SHOs of the ten police stations was 3.8 months. Going further down the hierarchy in the police station, the SHO is assisted by a Moharrir, who is responsible for the record keeping and management of the case property. The average tenure of the moharrirs in the ten police stations was six months. So what does it all add up to?

We have a team of police officers at the beginning of the year and none is sticking around by the end of the year! A number of revolving doors! The commander of Lahore Police, the CCPO, is there for only five months, the Police Division Commander is there for four months, the immediate supervisor of the cutting edge, the police station, is there for six months, the in charge of the police station is there for less than four months, the custodian of the police station record is there for only six months! It seems in the capital city of Lahore, during the year, the police leadership is constantly in the process of either joining the new assignments or leaving the old ones, with hardly any time to settle down and plan to take initiatives or be bothered about what the public thinks of their performance. There is no team, dedicated to carrying out organizational goals or implementing policies of the top police leadership at the ground level. While it can be stated that the state of affairs, in all the provincial capitals are more or less the same as Lahore, it can be said with certainty, on the basis of discussions with the various police officers of Karachi, that the tenures are even shorter in Karachi with the 'revolving doors' converting into 'swirling doors'. The impact of this on the quality of policing is not difficult to fathom!

Thus, it is seen that the malaise of short and unpredictable tenures afflicts all the police departments of the country and exists at all ranks, especially the important tiers of Provincial Police Officer, District Police Officer and the Station House Officer.

#### **4. REASONS FOR BREVITY OF TENURE**

It is clear from the above that the tenures of police leadership in Pakistan, from the rank of Inspector General of Police to that of Station House Officer has been less than a year, for the last many years. There are many reasons for this, but the major ones are as follows;

##### **4.1. Political interference**

Political interference in police administration has been generally perceived as the main stumbling block in the honest and transparent working of the police in Pakistan.<sup>16</sup> This political interference also leads to frequent and premature transfers of police officers for political reasons. As per recent reports in the press, a Regional Police Officer and a District Police Officer were transferred after fourteen months and ten months of their postings, for not accommodating the demands of the local political leaders of the political party in power.<sup>17</sup> This is primarily due to the political subculture which is based on the belief that an important component of successful politics in Pakistan is the use of police as an instrument by the political party in power to intimidate its opponents and favor its supporters, besides being sources of corruption. The interest of the community is subordinated to the interest of the political party in power. The powers to transfer, appoint, and promote police officers are being exploited, by the political parties in power as weapons and rewards for compliance, and have come to represent something entirely different from the original intent of basic administration and healthy career growth.<sup>18</sup>

Another dimension of this is that there are police officers, running after the political leaders with promises to do the politicians' bidding, to get posted to the plum posts.

## **4.2. Corruption**

The phenomenon of corruption is common to most countries in the region. This is true for police in Pakistan too. In fact, according to the Transparency International's Corruption survey of 2013, the police and the Land Revenue departments were perceived as the most corrupt departments in the country.<sup>19</sup> According to some, the political governments not only tolerate corruption, but actually encourage it, with an eye on short term political gains.<sup>20</sup> Command level officers are often chosen on the basis of their willingness to comply with illegal orders, flout the law or harass political opponents. In exchange, the same officers are given license to indulge in corruption, with their illegitimate gains shared among fellow officers and their political masters.<sup>21</sup> Political control over the posting and transfers of police officers has become an important source of corruption, with political leaders accepting bribes to have police officers of their choice posted to plum posts and getting rid of them, if they do not do their bidding. Also, a frequent turnover of police officers at different levels means more opportunities for corruption and money making for those who manage their postings. If a post is up for grabs after every few months, the chances of increasing the rates of corruption are multiplied. But to say that only the political leaders are corrupt would be partially true. There are elements within the police departments also, from the highest to the lowest, who indulge in corruption. While the police leadership have in their midst, officers who have unimpeachable integrity, but understandably, a corrupt political leadership would only select the most corrupt amongst the police leadership to lead the provincial police forces. This sets in motion a chain of corruption right down to the lowest levels of police hierarchy. Another breed of police leadership that is getting popular these days with the political leadership is the 'honest but spineless' type. The advantage of this choice is that the political leadership can always point to the impeccable integrity of the provincial chief to support their commitment to integrity, and at the same time, also resort to corruption through the subordinate police officers. The provincial police chief, though honest personally, does not object, because he is too weak to protest.

## **4.3. Transfers on flimsy grounds**

Another reason for the brevity of tenures is the tendency to transfer officers on flimsy grounds, at times to ward off public pressure in some specific case or due to an arbitrary management style. In one of the provinces, a Superintendent of Police was transferred because in his district one motor cyclist was accidentally killed by a kite twine. He was held responsible for laxity in enforcement of the ban on kite flying in the province. Cases of a District Police Officer, an officer of the rank of Superintendent of Police, and the Regional Police Officer, with the rank of Deputy Inspector General of Police, being transferred for not giving 'protocol' to the legislators of the ruling party in the province, have already been quoted<sup>22</sup>. The practice of arbitrarily removing police officers, however, is not confined to the political leaders and the senior police leadership are also blamed by the subordinate police officers for transferring them on the basis of personal likes/dislikes.

#### **4.4. Inability of the Police leadership to stand up to political pressures**

The senior police leadership, at times, fails to defend their subordinates whom the political leaders want to be transferred or posted due to their own political interests. There was a case in Quetta in 2013, where a political leader wanted the transfer of a Superintendent of Police because the latter did not allow his armed guards to enter the provincial assembly premises. The then CCPO Quetta, took the stand that the SP was simply following his orders of not allowing the legislators to take their armed guards inside the premises, and should not be transferred. Due to the strong stand of the CCPO, the CM was forced to cancel his orders to transfer the SP. Unfortunately, the police leadership acquiesce in most of the orders of the CMs to protect their own postings.

#### **4.5. Lack of credible accountability mechanisms**

The result of lack of credible accountability mechanisms results in addressing the complaints against the police, by ordering the transfer of police officers instead of carrying out enquiries to ascertain facts and then proceeding against the accused police officers. Similarly, there are no institutional safeguards for police officers who are victimized by early transfers on unjustifiable grounds. Reportedly, in one of the districts, police officers in a police station were arrested on the orders of the CM, to ward off public pressure in a case which had been projected by the media as one of police negligence. Later investigation by the police, as well as by the judiciary on the orders of the Supreme Court, proved the charges against the police to be false. There are no institutional safeguards to protect the police officers from such cases of victimization by political leaders or their own superiors.

### **5. IMPACT ON POLICE PERFORMANCE**

To enable the police to perform their legal role to the satisfaction of the society, the police leaders, particularly at the provincial level have a crucial role to play. Unless the provincial Police Chief is selected on merit through a transparent process and given a reasonable tenure with full control over his subordinates, the police cannot optimize its capability to tackle the challenges of modern policing.

In his brilliant report on police administration, Driscoll highlights the importance of tenures of Police leadership “a single police commissioner in command of them, long enough to secure their loyalty and confidence and to inspire them.”<sup>23</sup> Conversely, brief tenures mean inability of the Police Chief to win the loyalty and confidence of his department or to inspire them to confront the difficult and at times risky challenges of terrorism, and crimes etc. It is more like a team, with a high changeover rate of players during the match.

Short tenures at the level of the province and the district breed an ad hoc response to dealing with the policing problems. Long term planning, or having the big picture is often a casualty. This results in a work ethic of postponing policy decisions requiring long term implementation. Institution building suffers at the hands of expediency.

This is also the reason why some very good initiatives taken by some officers to improve quality of policing at the district level could not outlive the officers who initiated these and the next officer did away with these initiatives.<sup>24</sup> If the officer, who took these initiatives, had been allowed to stay at his post for a couple of years, these initiatives, which had been appreciated by the local communities might have taken roots and survived.

Short tenures also affect quality of supervision by senior officers. When one is aware of the strong likelihood of being posted out within months, one is more interested in firefighting than meaningful supervision of subordinates. Not only that, accountability is diluted and one finds it difficult to fix responsibility for police inefficiency or misconduct. When the tenure of postings is in months and is for all ranks, then either somebody is in the process of settling down or moving out! Holding them accountable becomes difficult resulting in an increasingly irresponsible and corrupt conduct amongst the subordinate police officers, particularly at the police station level.

Another negative fall out of short tenures is the likely adverse impact on the quality of police investigations of serious cases. The police officer, who starts an investigation into a case of serious crime like terrorism, is aware that he will, most probably, be not the one to complete the investigation of the case, so he tends to be careless and superficial. The officer who succeeds him, can justifiably say that the one who initiated the investigation spoiled it. Resultantly, either the accused are not arrested or they go scot free due to poor investigation and the public suffers, with the rate of acquittals in serious cases being as high as 80%.

Brief tenures also lead to disinterest in interacting with the local community, collecting knowledge about the community, its geography, crimes, criminals and most importantly, supporters or sympathizers of terrorist networks. The level of interest of someone who knows he is going to be there for a few months is bound to be different from somebody who knows that he will be around and held responsible for crime for at least, couple of years.

No reform to improve the police at the grassroots level can succeed, without giving a reasonable tenure to the SHOs to deliver. For instance, Punjab province took an initiative to set up model police stations in the province, with a view to establish centres of excellence in policing<sup>25</sup>. The initiative, though conceptually sound, has not been able to make an impact in the community, and one important reason for its failure is that the SHOs were transferred after a few months like ordinary police stations, not giving them enough time to know the area, community, crime patterns, and criminals and develop measures to grapple effectively with the challenge. Their approach was adhoc, focused more on survival than performance.

In a society like Pakistan, where the people distrust the police, the community would like to know more about the police officer before they start cooperating with him to combat crime. But before that happens SHO or the District Superintendent of Police is gone. The alienation gap between the police and the local community can never be bridged as long as the local police officers have brief and unpredictable tenures.

Since Pakistan and India inherited the same British designed police system at the time of their independence in 1947 from Britain, it would be pertinent to see how the system is viewed in India.

In August 1979, the Indian National Police Commission stated that “transfer and suspension are two weapons frequently used by the politician to bend the police officers down to his will”.<sup>26</sup> The Supreme Court of India also observed that frequent and arbitrary transfers, besides "demoralizing the police force" and "politicizing the personnel" constitute a practice that is "alien to the envisaged constitutional machinery".<sup>27</sup> As a result, ‘political control’ of policing has eroded internal chains of command, obstructed police functioning, and ensured that responsibility for wrongdoing is hard to pin on any one body or individual.<sup>28</sup>

The Supreme Court of India ruled that the political pressure on the top bureaucrats of India could be reduced by assuring them of an assured minimum tenure in posting. ‘Fixed tenure of bureaucrats will promote professionalism, efficiency and good governance. Much of the deterioration in the functioning is due to political interference’<sup>29</sup>. If they have a fixed tenure, the Police chiefs will have no fear in the exercise of their functions, as they do not have to be under the threat of being transferred or removed. Clear provisions should however be laid down for the removal from office of Police Chiefs. They should be removable for unsuitability or other causes or proven misconduct.<sup>30</sup>

## **6. WAY FORWARD**

Brevity of tenure of police leaders at different levels of police hierarchy is primarily a manifestation of the desire of political leadership to control the police. While there is no denying the fact that as elected representatives, the political leaders have a responsibility to ensure public safety, this becomes problematic, however, when the elected representatives use this leverage over the police to further their personal political objectives rather than ensuring impartial enforcement of law.

This calls for striking a careful balance between legitimate ‘supervision’ of the police by the political executive and the need to have a police which is operationally autonomous, to be able to implement law impartially. Police officers must be shielded from undesirable and unwanted interference in posting and transfers. There has to be some neutral mechanism to ensure it. An effort was made in this direction in the Police Order 2002, by setting up non partisan National Public Safety Commissions, Provincial Public Safety Commissions and District Public Safety Commissions. Also, the Police Order 2002 prescribes fixed tenures of certain posts. The two provinces in Pakistan which have adopted Police Order 2002, should implement these provisions in letter and spirit as a starting point to manage political interference in police.

In the other two provinces and the Islamabad Capital Territory, which still stick to an updated version of Police Act of 1861, it is proposed to have legal provisions to ensure political neutrality of police and fixed tenures, included in the police law.

This can be achieved by a sustained and comprehensive advocacy campaign to highlight the linkage between brief tenures, poor police performance and political interference in police administration. While it is likely that the experiment of political non interference in police working, being carried out in KPK province might generate its own momentum for police reform in other

provinces, the demand for stable tenures in police has to be made the focal point of the advocacy campaign by the Civil Society Organizations and the media.

Effective and speedy accountability should go hand in hand with stability of police tenure. Independent Police Complaints Authorities, as stipulated in Police Order 2002, to be created to deal with complaints of the public against the police, so that the department is not stuck with corrupt and inefficient police officers. Also, there is a need for the police leadership to make their internal accountability mechanisms more speedy, effective and credible to win the confidence of the community and also ensure justice to the police officers complained against.

It is obvious from the above that the brief and unpredictable tenures of police leadership at different levels in Pakistan, is a serious impediment to improving the overall police performance. Addressing the issue of brevity of tenure of police, therefore, is considered to be an important starting point for any meaningful effort for a holistic police reform. Without this, changing the much maligned 'Thana' culture, at the grass roots level, is likely to be, what it has been so far, a pipe dream!

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