

## Police and Policing in Pakistan<sup>1</sup>

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### Abstract

Policing in Pakistan underwent drastic changes after the introduction of a new police law the Police Order 2002. This article describes the existing police organization and structure in Pakistan. It also briefly analyzes the various police reforms done in Pakistan since the British era. Despite replacing the Police Act 1861 with the new law policing remains dysfunctional. The reasons for this are analysed and suggestions are made in a comprehensive conclusion.

### Keywords

Police, Policing, Law, Colonial Criminal Justice System, Police Order 2002, Police Reforms, Fraser Commission, Crime Situation, Security Issues, Post 9/11, War on Terror, Talibanization

Police are the first respondents to any breach of law in all civil societies. Police as an organization underwent dramatic changes throughout the world in the last two centuries, in a bid to keep pace with theories of good governance, new political ideals, modern technologies, and to respond to the social implications of urbanization and modernization. Similarly, policing the way police perform their job with their peculiar style and attributes has evolved through a variety of stages and shapes, right from the order-maintaining and riots-controlling policing to the problem-oriented policing, community policing, down to the present day terrorism-oriented community policing and intelligence-led policing, especially after 9/11, to name a few. Copious literature is available in the market on the history and development of police and policing in the modern world. However, little is available on the related subjects in Pakistan, as criminology or policing sciences have never been the topic of research and empirical studies in any educational institution or police training colleges, except a few periodic individual efforts.

This paper is an attempt to study the police and policing in the context of Pakistan. Pakistan is a federation of four provinces (Sindh, Punjab, North-west Frontier Province and Baluchistan) and two federally controlled territories (Islamabad Capital Territory, and the Tribal Areas, commonly known as FATA- Federally Administered Tribal Areas). The third federally administered territory of Northern Areas has recently been given the status of autonomy through a Presidential Order in 2009. The total area of Pakistan is 796,095 sq. km and the

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current estimated population is 170 million (2009). The Constitution of Pakistan 1973 stipulates that in the provinces the responsibility for crime prevention and control and the administration of justice primarily rests with the respective provincial governments. That's why police are under the control of the provincial government for all practical purposes. The federal government, however, has jurisdiction over matters of such as the enactment of criminal laws, the training of certain categories of criminal justice personnel, and research, apart from the direct law and order responsibility it has for the federally controlled territories (Shoaib Suddle, 1995). Though in all federation systems such arrangements are inevitable, yet at times, it gives rise to problems of dichotomy, authority, resources allocation, autonomy and overriding effects of certain laws. Pakistani police have suffered a lot in this respect, especially after the new Police Order 2002, promulgated by the military ruler Gen. Pervez Musharraf and after Pakistan joined the war on terror in the wake of 9/11 attacks. Both decisions have far reaching effects as far as the police department is concerned. We will discuss it shortly.

### **Police Structure & Organization**

Pakistan inherited the colonial criminal justice system from the British Rule in India. Since the partition of India in 1947, Pakistan has a rigid police structure, mostly hierarchical and vertical in nature and based on command and control system. At the top is the Inspector General of Police in a province and a Deputy Inspector General of Police in a region or range, who is assisted by a Superintendent of Police (SP) in a district. Below him is the Deputy or Assistant Superintendent of Police who commands the subdivision or tehsil (sub district level), and below him is the Station House Officer (SHO) who is incharge of a police station, mostly in the rank of Inspector or sub-inspector. After the Police Order 2002, most of this nomenclature is changed. The IGP is now called the Provincial Police Officer (PPO), the SP is renamed as District Police Officer (DPO) and the DIG in the big cities is given a new role and authority under the new title of Capital City Police Officer (CCPO). The Investigation is being separated from the prevention or watch and ward and has its own chain of command right from police station level to the SP (Investigation) and Additional Inspector General of Police (Investigation) at the top, however, subject to the general command and control of the SHO in a police station, of a DPO in a district, of a DIG in a region and of the PPO in the province. Prosecution is altogether cut off from the police and is now an independent department under the new Prosecution Ordinance 2005. The various levels of entries to the police and the tree of organizational structure is given in diagram No. 1

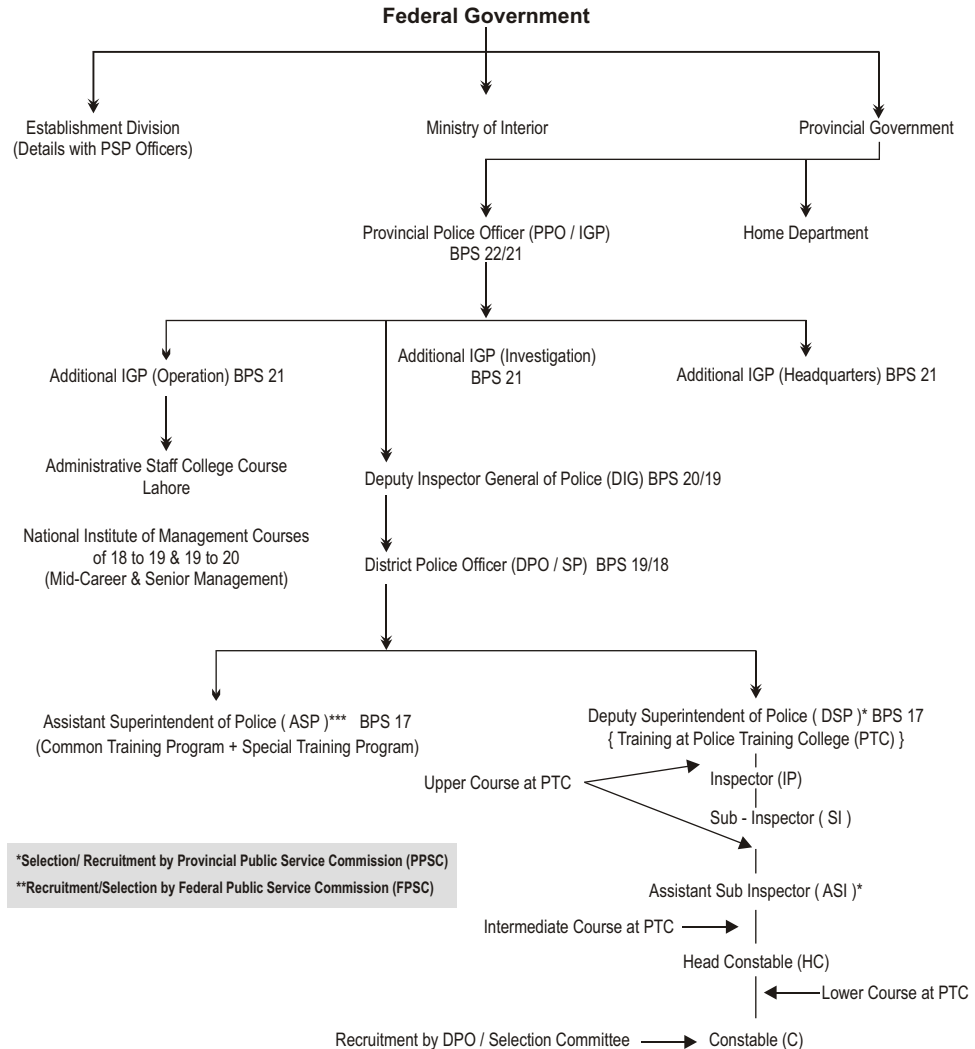


Diagram No. 1.

### Police Organization and Administration with Special Reference to Recruitment and Training.

The total strength of the police in all the four provinces and the allocated budget for them are shown in Table I and II respectively. The police normally are not happy with the available strength and budget and a demand for more recruitment and funds allocation is always on the top of the police agenda.

Table: I Sanctioned Police Strength for 2008 - 09

Rank	Punjab	Sindh	NWFP	Balochistan	Total
PPO / IGP	1	1	1	1	4
Addl. I.G.P	18	6	2	4	30
DIG	38	18	13	13	82
AIIG / SSP	37	18	10	32	97
SP / Addl. SP	215	102	66	47	430
ASP	65	333	17	5	420
DSP	797		182	222	1201
Inspector	3457	1551	442	542	5992
Sub-Inspector	15121	4190	1779	1545	22635
Assistant Sub-Inspector	12602	9146	1948	2467	26163
Head Constable	17732	15105	6201	7463	46501
Constable	117537	68074	37994	23529	247134
<b>Grand Total</b>	<b>167620</b>	<b>98544</b>	<b>48655</b>	<b>35870</b>	<b>350689</b>

Source: Office of the Director General, National Police Bureau, Islamabad, Pakistan.

Table: II Total Police Budget in Pakistan. (Figures in Millions Rupees)

Area	Establishment	Other Expenditure	Development	Total
Punjab	24500.750	4740.84	1375.24	30616.830
Sindh	21521.460	4773.86	500.00	26795.320
NWFP	5585.622	972.80	636.82	7195.2420
Balochistan	3761.380	303.36	0.00	4064.740
<b>Total</b>	<b>55369.212</b>	<b>10790.86</b>	<b>2512.06</b>	<b>68672.132</b>

Source: Office of the Director General, National Police Bureau, Islamabad, Pakistan.

## Police Reforms in Pakistan

The history of reforms in the police is very old and of course very interesting. The first excellent report on police reforms in the Indian subcontinent, in our view, was that of the Fraser Indian Police Commission of 1902-03. It says:

*“The perusal of the Report of the English Constabulary Force Commissioners of 1839 inspires the Commission with hope that, if police reform in England, initiated by Sir Robert Peel, has converted the state of things described therein as existing sixty years ago into the state of things*

*now existing in the country, earnest efforts to reforms the police in India may in due time produced incalculable benefit” (p.36).*

Since then dozens of reports were compiled and debated but the desired results of the police reforms never come true to the expectations of the general public as well as of academics and researchers. The story of police reforms in Pakistan is basically a story of the police image. Almost all of the more than two dozen commissions and reports since 1947 start with some basic ailments in the police like inefficiency, malpractices, lack of scientific investigations, political interference, public distrust and colonial characteristics, so a rationale for police reforms is developed on these lines. Some think that the high crime rate is the *raison d'être* of the recent police reforms which we will discuss shortly, others think that it is basically the police integrity problems which demand a drastic shift in our policing policies and approaches. Amongst the various reasons given by Zubair and Ivkovic (2004) for the police misconduct in Pakistan before the new police law was enacted, it was stated that:

“The successive governments have been unable to muster the political will to reform the administrative structure of the police department in Pakistan. The original police laws and rules are almost a century old and require a complete overhaul to provide for the appropriate internal organizational accountability”.

But the problems of corruption, misconduct and complaints against the police have never been addressed successfully by the subsequent reforms and repeal of the century old colonial laws! Police are the reflection of a society and before studying the behaviour and culture of a police organization, we have to take into account the society itself with its history, traditions, composition, culture, level of development, education and economic prosperity (Fasihuddin, 2008).

Out of all of the commissions and their reports, the Report of Abbas Khan (ex. Inspector General of Police, Punjab) became very famous, which also contains the recommendations of the Japanese Police Mission of 1996. This report recommended, *inter alia*, the replacement of the Police Act, 1861 by a new police act, formation of Public Safety Commissions and establishment of a National Police Agency. It was basically influenced by the style, culture and structure of the Japan Police. Later on, many officers, reforms activists and analysts started a kind of movement for introducing a democratic police service in Pakistan. The Police Commission Report of 1985 was thus overshadowed by the Report of the Focal Group on Police Reforms in 2000. The Group after giving a bleak picture of the existing law and order situation, criticizing the obsolete Police Act of 1861 and outdated Police Rules of 1934, complaining about the absence of any meaningful research in police and objecting to the protection of criminals by influential politicians, underlined the following major concerns as a rationale for bringing drastic structural and functional changes in the police. It was suggested that reforms are necessary to:

- i. Restore security, justice and establish rule of law.
- ii. Safeguard the citizens against abuse of authority by police and other vested power groups.
- iii. Minimize extraneous interference, mainly political.
- iv. Enhance operational capabilities alongwith improving the credibility of police through the use of due process.
- v. Institutionalise community participation.
- vi. Strengthen prosecution thereby ensuring speedy justice.

The re-organization of the police in light of these major concerns was proposed by the Focal Group as a system or service, which shall be:

- i. Democratically controlled and politically neutral.
- ii. Non-authoritative.
- iii. People-friendly and responsive to their needs.
- iv. Honest and having respect for rule of law.
- v. Professionally efficient.

After a great deal of debate across every nook and corner of the country, a final draft was promulgated by the government of Gen. Pervez Musharaf as Police Order 2002. It has now completely changed the structure of the police in Pakistan, though the said law has become a moot point due to political reasons and as it is subject to day to day changes and amendments due to one or other pretext. The initial salient features of the new Police Order 2002 are:-

- i. Detailed description of Responsibilities and Duties of the Police.
- ii. Reconstitution and Re-organization of the existing police force, with separate wings for prevention and investigation wings and other specialized units.
- iii. Formation of Public Safety Commissions at District, Provincial and National levels.
- iv. Establishment of Police Complaint Authorities at District, Provincial and Federal levels.
- v. Establishment of Criminal Justice Coordination Committee at District Level.
- vi. Establishment of National Police Management Board.
- vii. Establishment of National Police Bureau.
- viii. So many other qualitative and quantitative changes.

Whether it was a step forward or a jump backward is yet not clear and after seven years of the new police law, many are not happy the way these reforms were introduced without considerable spadework in terms of the capacity problem of the existing police to absorb the implications of the new police law, unleashed, wittingly or unwittingly, by such a drastic and direct grafting from the modern and highly developed police systems in the west to an under-developed, semi-tribal, semi-democratic and transitional society such as Pakistan. The sad event is that of the subsequent amendments to the new police order in a couple of months, which altogether changed the whole idea of the police reforms. A pioneer of police reforms, ex- Inspector General of Police and who worked closely with the National Reconstruction Bureau (NRB) in drafting and implementation of the new police law, Mr. Afzal Ali Shigri bitterly responded to these subsequent changes to the original law. In an article, 'Dismantling the Police Command Structure' he observed:

“The Police Order 2002 was a genuine attempt to address, inter alia, the problem of strengthening the internal organization of police so that it could grow into a cohesive and effective force....Unfortunately this law was never implemented... The Government, instead of moving towards a progressive and modern law, has embarked on revising the provisions that depoliticize police. Its amendments are even worse than the 1861 Police Act, harking back to the Subadari System by Sher Shah Suri in the sixteenth century that was meant to protect and enhance the power of the ruler. The destruction of command structure of a modern police force and its total subservience to the political bosses will have dreadful results for the country”. (Daily *The News*, December 3, 2005).

In a comprehensive report by International Crisis Group on 'Reforming Pakistan's Police,' it was noted that “Amendments to the Police Order have watered down provisions that held some promise of reform, including mechanisms for civilian accountability and internal discipline, as well as guarantees for autonomy and safeguards against political interference in the posting, transfer and promotion of police officials. ----

With public confidence in the police at an all-time low, reform will be difficult and require time, patience and resources, yet it is a task the new governments at the centre and in the provinces will ignore at their peril, as militant violence reaches new heights” (Asia Report N° 157 dated 14 July 2008).

The opponents of the reforms have some valid observations like the non-framing of new police rules or non-implementation of the Police Order, yet we think that instead of rolling backing the reforms process, we need more reforms, and we should concentrate on the lessons learnt during the process. Scrapping the reforms will create greater problems than it would solve. Contrary to the opposition of the police reforms, some moderate thinkers and NGOs are trying to safeguard and protect the system from further setbacks and confusion. For example, the Consumer Rights Commission of Pakistan (CRCP) in collaboration with the Asian Development Bank organized some public forum debates of all the stakeholders on the topic of 'Police Reforms: New Legal Framework and Issues in Implementation'.

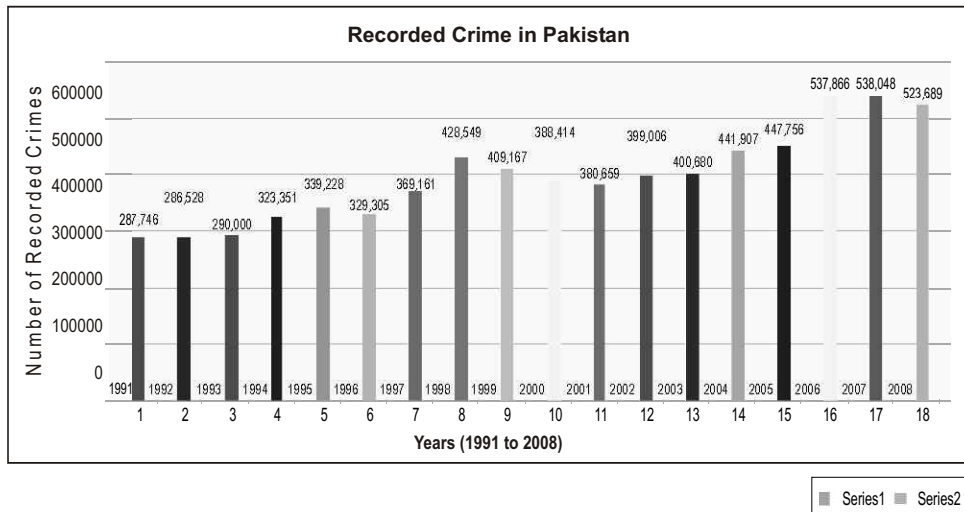
They found many good discussion points for the consideration of the stakeholders and suggested to build ownership of reforms, and create awareness and consensus on the issue. “The Police reforms appear not to have mustered enough public support. This is partly due to almost absence of open public debate on the Police Order 2002 and its implementation”, the report has rightly suggested. We would close this discussion with the apt remarks of another analyst who is also an ex-Inspector General of Police and a well-known writer and criminologist:

“The police is rightly considered to be the top player in crime control and the establishment of law and order. And in this it is generally said that the police in Pakistan have much to do. When you ask senior police administrators why this be so, they come up with many quite valid reasons like bad recruitment, inadequate training and lack of adequate facilities etc. That these arguments are generally 'fair comment' has been underlined by various commissions and committees set up from time -to-time. The Police Order 2002 has addressed many such issues, but the full impact of the Order will not be visible for many years and that only if the Order is allowed to take effect in its true intent and if money is made available as per the roadmap of its implementation. Because in this country the police are given resources on a 'as-and when available' basis” (Mohib Asad, 2009).

### **Pakistan's Crime Situation**

As an integral and important part of the law and order machinery, police all over the world are trying desperately to measure up to the task of prevention and detection of crimes. The genesis and growth of crime is, therefore, relevant to a better understanding of police, its role and performance (Chaudhry, 1997). Pakistan's crime situation has never been a pleasant one as not only the ordinary crimes are very rampant but also bouts of extra-ordinary situations, agitations and riots like that of 1958 and 1968, the external migration like the three millions of Afghan refugees in 1980s and like the recent effects of the war on terror in shape of serious security threats and another three millions of Internally Displaced Persons (IDPs) from tribal areas and Malakand Division down to the cities, often aggravate the crime scenario, however, rarely proper research and analyses are conducted in this respect. Crime figures are available with comments only from 1947 to 1981, but no such efforts have been seen after this by the Ministry of Interior. The total recorded crimes in 1947 were 74, 104 and 152,782 in 1981 with a crime rate of 247 per 100,000 population in 1947 and 182.2 in 1981. This can be attributed to the volatile situation in the post-independence scenario in 1947. If we study the recorded crimes from 1991 onwards, it seems that the crime tide has never been gone down considerably. Astonishingly, the police reforms were initiated in a time (2001) when the official crime figures were going low and which steadily went up after the promulgation of the new police law in 2002. It is still on the rise. Figure 1 shows ample proof that police reforms of 2002 were not crime-centered only. There must have been so many other good reasons for it.





Sources: Office of the Director General, National Police Bureau, Islamabad, Pakistan (Figure 1)

Though there are many shortcomings in and aspersions about the police-collected data, yet it is the only officially available data so far in Pakistan. There are some important points to be remembered about crime data in Pakistan:

- i. Mere statistics do not convey the seriousness of any particular crime. The trends and levels are two different things. No one can claim with authority that the compiled record of crime/ statistics is the complete picture of our national crime data.
- ii. The official data in Pakistan is not verified by alternative means like victimization survey, self-report surveys, hospital admissions, and cause of death data or at least counter checked by the data compiled by the free media. Exchange of information indicators amongst the various components of the criminal justice system like prison, probation, prosecution, courts and police is another problem in Pakistan to get an authentic and consolidated data.
- iii. In most cases people don't go to the police stations due to one or other reasons, and even the police feel reluctant to register cases due to work overload and performance checks by the seniors. This is not uncommon in Pakistan.
- iv. The police data is compiled by the National Police Bureau and in most cases the data from specialized units for some heinous crimes like money laundering, cyber crimes, drugs issues, terrorism, white-collar crimes and children and women abuses, etc are not included in the format of the National Police Bureau. Specialized agencies have their own record. (Fasihuddin, 2008).

## Police and Recent Security Issues in Pakistan

Pakistan joined the war on terror after the 9/11 attacks in the USA. The 'students-cum-rulers-cum-fighters' (now collectively called Taliban) became a serious threat to the very integrity and solidarity of the country. Pakistan, in order to crack down on these 'non-state actors' and to comply with the international commitments, became a staunch ally (though to some it was a Hobson choice) in the war on terror, and since 2003 has lost about 2000 army personnel and more than 100 pro-government tribal chieftains, in chasing the foreign and local militants in the rugged terrain of tribal areas, especially adjacent to Afghan borders. Pakistan moved more than 100,000 security forces to these areas with more than 1100 check posts. Though a protracted war in the tribal areas, Pakistan pursued its policy of 3Ds (development, dialogue and deterrence) in FATA. Pakistan's anti-terrorism and counter-insurgency policy oscillated between the heights of periodic peace deals with local militants and tribal population, and military operations against the miscreants, militants, terrorists and Taliban the various names they are called with. (Fasihuddin, 2009) During the breathing space of peace deals and at places where the security was weak, the militants extended their sphere of influence by a variety of techniques and tactics, commonly known as talibanization. Taliban as retaliation and to engage the security agencies in other places, carried out a series of terrorist activities throughout the country, including suicide bombing, mines and improvised explosive device (IED) blasts, target killing and kidnapping of high profile officials. The worst setback and reprisals from these militants were received in the North-west Frontier Province, the Province of Baluchistan and the cities of Islamabad. Rawalpindi and Lahore during 2005-09. As an example, we would like to quote the statistics for one province i.e; the NWFP, which is the most affected province and adjacent to most of the tribal territories and where the military operations have been going on in most of its northern and southern districts. Table III and Table IV show the details of the total terrorist and suicide incidents with the human losses inflicted on security forces as well as civilians. To some analysts, the number and extent of casualties and damages are far more than the official figures.

Table: III Details of Terrorist Activities in NWFP (Period: 2004.6.2009)

Years	No. of Cases Registered	Person Killed					Person Injured				
		Police	FC	Army	Civil	Total	Police	FC	Army	Civil	Total
2004	27	6	1	2	4	13	3	3	7	58	71
2005	1	0	0	0	0	0	0	0	0	0	0
2006	38	18	0	0	55	73	24	0	0	121	145
2007	359	62	32	62	253	409	172	89	162	592	1015
2008	524	117	25	52	408	602	256	86	88	885	1315
1.1.2009 to 8.6.2009	337	58	13	38	194	303	153	42	121	658	974
<b>Grand Total</b>	<b>1286</b>	<b>261</b>	<b>71</b>	<b>154</b>	<b>914</b>	<b>1400</b>	<b>608</b>	<b>220</b>	<b>378</b>	<b>2314</b>	<b>3520</b>

Source: Office of the Additional Inspector General of Police (Investigation) NWFP Peshawar.

Table: IV Detail of Suicidal Cases (Period: 2004.8.6.2009)

Years	No. of Cases Registered	Person Killed					Person Injured				
		Police	FC	Army	Civil	Total	Police	FC	Army	Civil	Total
2006	4	2	0	4	44	50	2	0	12	75	89
2007	28	45	23	57	210	335	54	43	137	351	585
2008	30	30	7	25	219	281	92	43	65	450	650
1.1.2009 to 8.6.2009	13	13	2	26	95	136	51	34	85	239	409
<b>Grand Total</b>	<b>75</b>	<b>90</b>	<b>132</b>	<b>112</b>	<b>568</b>	<b>102</b>	<b>199</b>	<b>120</b>	<b>299</b>	<b>1115</b>	<b>1733</b>

Source: Office of the Additional Inspector General of Police (Investigation) NWFP Peshawar.

After 9/11, Whites (2007) observes that:

“Departments have been forced to revise training, deployment, and communication strategies and to create counterterrorism units within their departments. Police now provide extra patrol and guard around critical infrastructures such as power plants, food and water sources, and transportation hubs. Police departments now receive briefings from federal authorities in the FBI and Homeland Security about potential threats and terrorist plans garnered through electronic surveillance and interrogations of incarcerated terrorists.”

Also, there was much criticism of the American intelligence failure prior to 9/11 which is evident from the observations of the 9/11 Commission Report, however, new laws were promulgated, new departments were established and new policies and strategies were adopted to cope with the menace of terrorism in the USA, the UK and other developed world. On the contrary, police in Pakistan were not ready to face such a horrible challenge as they have never been recruited or trained and equipped for anti or counter terrorism actions. To cope with such a situation police have to work hard; enhance their professional capabilities; and mobilize and reinforce their ranks with new vision, leadership and commitment. Police, at the moment, need drastic overhauling, huge financial support, capacity-building trainings and a realistic model of intelligence-led-policing (Fasihuddin 2009). Though some actions have been taken as protective measures against terrorist acts and some morale boosting initiatives for the local police are introduced by the respective provincial governments, yet no comprehensive anti-terrorism policy at a national level is available till date. No extra resources allocation for the police departments, and more than that no tangible individual or institutional endeavors have been visibly noticed for a comprehensive and empirical research on terrorism or suicide attacks or a thorough documentation and analysis of the reported cases. This gap of knowledge or gap of understanding gives rise to many missing links in our approach to address the issue of terrorism and human bombings in Pakistan. An indigenous research in Pakistan will be a more relevant document for all stakeholders of the war on terror. (Naushad, 2009).

Hassan Abbas (2009) has suggested some recommendations for improving the police performance which in his opinion are crucial for counterinsurgency and counterterrorism success. These include implementation of Police Order 2002 in letter and spirit; increased salaries and better service conditions for lower ranks; establishing Citizen-Police Liaison Committee (CPLC) throughout the country on the pattern of CPLC Karachi; up gradation of National Police Bureau to the level of a resourceful think-tank and effective coordination amongst intelligence agencies and the community for a better model of intelligence-led policing. Most of his

recommendations are theoretical and hold good, but more practical initiatives have been suggested by Naushad Khan (2009), Fasihuddin (2008, 2009) Mohib Asad (2009), Abdul Khaliq Shaikh (2009) and others in order to bring changes in the existing police culture, police training and education, police welfare, police structure and functions, police administration and leadership. The aim and objectives of these suggestions are, enhanced police professionalism; effective and quick service delivery; improved public image; decreased crime rate; increased public satisfaction of security; absence of stories of police excesses, torture and human rights abuses; career and capacity-building opportunities for the officers; creation of specialized units within the police based on modern techniques and scientific investigation; and above all, a sense of police- friendly environment with greater respect and dignity for the department.

## Conclusion

Police performance can be assessed only in relation to particular goals and criteria of success. Deciding what the objectives and priorities of the police should be, however, is inevitably a contested, political matter. This suggests that there can not be any definitive, once-and-for-all-time statement of the goals of policing (Reiner, 1998). Many police chiefs were once asked some specific questions relating to their organizations and functions and the situations which often have agitated their minds. In response to a question about the greatest challenge facing police today, the Australian Federal Police Commissioner Mick Keelty, replied:

“I think the greatest challenge is to meet the expectations of stakeholders, including both the community and government. Sometimes the expectations of the community and government are not aligned... and the police are therefore caught in the middle. The challenge is to balance these stakeholder interests while at the same time maintaining the organization” (Fleming, 2009).

If we compare this statement with the outcome of a survey of lower and middle rank police officials in the NWFP, who stated that the biggest challenge to them is terrorism, religious militancy and suicide attacks (30% in total of the respondents) (Fasihuddin 2009), it becomes clear that the higher police leadership is sensitive and cognizant of policy matters related to community satisfaction and political agendas of the governments, whereas the lower and middle managers are concerned with the imminent field issues such as attack on their and public life and property. This needs an immediate bridge and consideration by policy makers and police leadership. This is not uncommon in Pakistan where exists a gulf between the high police leadership and the lower ranks and file. All our efforts for modernization and sophistication of the police will fall short of any tangible results, if not coupled with democratization of the police in Pakistan. Even less achievements will be praised high if there is rule of law, accountability, fair play, transparency and single-mindedness across the hierarchy of the police organization.

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