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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 2047/22 - 2017 නොවැම්බර් මස 28 වැනි අඟහරුවාදා - 2017.11.28

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PART I : SECTION (I) — GENERAL

Government Notifications

RULES OF PROCEDURE FOR PUBLIC COMPLAINTS INVESTIGATION

Rules of Procedure made by the National Police Commission by virtue of the powers vested in it under Article 155FFF of the Constitution.

P. H. MANATUNGA,
Chairman,
National Police Commission.

Colombo,
27th November 2017.

1. These may be cited as the “Rules of Procedure (Investigation of Public Complaints against Police Officers or the Police Service) 2017” ;
2. Any person who is aggrieved by an act of a Police Officer or Police Service may lodge a complaint with the Public Complaints Investigation Division (hereinafter referred to as PCID) or any of the Provincial Offices of the National Police Commission (hereinafter referred to as the Commission) for redress according to law.
3. Investigations regarding complaints referred to in Section 2 above shall be carried out on the direction of the Secretary of the Commission by an authorized officer designated as Director, Additional Director, Provincial Director or Investigation Officer appointed by the Commission.
4. There shall be a Provincial Director appointed for each Province who shall be in charge of the investigations into the public complaints received by the Provincial Office. He shall report direct to the Director, PCID at the Commission.
5. Any public complaint received against a Police Officer or the Police Service shall be acknowledged by an authorized officer within one week.



6. The Commission may appoint additional independent Investigating Officers, when necessary, to investigate public complaints. They will carry out their duties under the direction of the Director of the PCID.
7. The Commission may empower the Director, PCID, Additional Director, PCID, Provincial Director, or Investigating Officer or any other Officer appointed for the purpose to visit any Police Station to inspect any person in the Police cells and to question and examine such person/s and obtain any copies of statements made to the Police in respect of the complaint made by any other person and obtain copies thereof.
8. The Inspector - General of Police shall issue instructions to all Police Officers to assist the Public Complaints Investigation Officers appointed by the Commission by expeditiously providing all material required in the investigation of public complaints.
9. All Police Officers irrespective of their rank, shall assist the Director PCID, Additional Director PCID, Provincial Director PCID, or Investigating Officer, PCID or any other officer appointed for the purpose in conducting investigations regarding complaints referred to in Section 2 above, by providing reports or documents called for within two weeks. In the event the required report or assistance cannot be provided within two weeks, such Police Officer may obtain an extension of time by giving reasons.
10. Every effort shall be taken by the Commission to ensure that the investigation is completed within three months and to inform the complainant of the outcome of the investigation when requested by the complainant at any time, by sending a SMS, e-mail, fax, letter or when inquired personally.
11. In the event the complaint is not satisfied with the redress provided, he may refer the matter for review to the Secretary of the NPC. The opinion expressed by the Secretary after review shall be final and conclusive on the matter.
12. Where these procedres are silent in respect of any matter regarding the public complaint being investigated, the decision of the NPC shall be final and conclusive.
13. Action against Police Officers on matters arising out of the findings of Public Complaint investigations will be dealt with in accordance with the provisions of the Establishment Code and Departmental Orders made under the Police Ordinance and Government Circulars.
14. In the event of any evidence relating to a criminal offence is disclosed out of an investigation, such matters will be referred to the Inspector General of Police for further action according to the Criminal Procedure Code.
15. The Rules of Procedure (Public Complaints) 2012 made by the National Police Commission under Article 155FF of the Constitution and published in *Gazette Extraordinary* No. 1770/19 of August 10, 2012 are hereby rescinded.