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No: **569-644**-AIGP/Ops-Sindh/S-II/2019, Dated: **11** February, 2019

**S.O.P REGARDING VICTIM SUPPORT PROGRAM**  
**BY SINDH POLICE**

Sindh Police is stepping ahead to provide best possible policing services to the citizens and continuing the efforts to revamp the program of providing support to the victims of crime. The Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power states that a victim of crime is a "person who, individually or collectively, has suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of criminal laws operative within the State, including those laws proscribing criminal abuse of power".

**1. Introduction**

After the acts of violence, there are certain challenges faced by the victims (particularly women and children) including social norms of blaming the survivor rather supporting them, system of impunity for perpetrators and insufficient support system of state and society. Last a year around 2000 cases of violence against women have been reported in Sindh Province besides other victims of crimes. Victimization has effects on victims' emotional wellbeing, psychosocial problems, fear of safety and security, physical health, employment or higher education prospects and finances. Violent victimization has effects of developing anxiety, depression or confusion, sadness, anger, stress, suicidal thoughts and suicidal attempts.

Victim support program is adopted by various countries in the world for people who have been affected by crime and traumatic incidents. These programs are efficiently providing emotional support and practical help to the victims. Special services are required to support victims of crime including but not limited to murder, manslaughter, violence, domestic and sexual abuse, fraud, hate crime, antisocial behavior, and crimes against vulnerable people including children and youngsters. Victim support programs ensure that needs of the victims is met by justice system. There is a need to help victims of these crimes to cope and recover from the trauma of such incidents. The post traumatic needs of the victims could include emotional or psychological help, provision of information including the status of criminal proceedings, and financial help. There is a need to educate the victim about the complexities of the criminal justice system. It is imperative to ensure provision of emotional support to the victim during his/her engagement with the criminal justice system.

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## Objective

To devise a Government program through Sindh Police initiative for better services, that will provide information and help to persons who have suffered direct physical, emotional, or economic harm as a result of the of a crime. The main objective of the Sindh Police Victims Support Project is to help victims of various crimes to resume their normal lives through the provision of medical, psychological, social, and economic assistance. Counseling, training, and the development of emergency action plans to raise awareness while helping the victims themselves recover from the effects of violence.

### 2. Barriers to the Justice Process

The access to criminal justice system starts only when the victim reports to the Police or any other stakeholder. However a large number of incidents are not reported to the Police by one pretext or another. This may be because of the pressure from perpetrator, mistrust in Police and criminal justice system, concerns about the children/dependents, financial problems and social barriers. There is also an impression that approaching Police would bring more problems for victims.

### 3. Components of Victim Support Program

The program will facilitate the victims in following ways:

- a. Establishing an office designated specifically for victims to visit and get guidance about the process in friendly manner, updates on the progress of the case and information from police regarding their queries. Victims having a place to come and discuss their queries will enhance their sense of trust, provide them confidence and a sense of being heard. It will also reduce any sort of confusion and it will strengthen their trust in police and criminal justice system.
- b. Victims will be provided all sorts of safety and protection by contacting the victim support program officials and discussing their fears.
- c. The provision of emergency medical assistance and first aid to the victims.
- d. Police Victim support program will provide psychological counseling and support to the victims through a team of experienced mental health professionals.
- e. Different training program done by experienced and high ranking officers would be organized to spread awareness in the public and help them reduce victimization and re-victimization. The gap between police and common man will be minimized and common man will know the right ways to avoid any potential danger situation.
- f. The program will also help the victims by proving vocational training to victims if needed so that they can resume their routine life.
- g. It will help the victim in reporting the incident and overall dealing with the law and order, judicial system.

4. **Practices to be followed**

While dealing with the victims of crime the following practices to be adopted:

- a. Police officers should treat the victims with care, respect and dignity.
- b. The investigation in such cases should be robust and thorough.
- c. Using the proactive approach as soon as the Police is informed the officers should collect the evidences alongwith the survivor for better and strong prosecution.
- d. Body-worn video cameras may be used as videos and photographic records are valuable evidences.
- e. Female victims feel uncomfortable with the Police Officer of other gender. Therefore, presence of female police officer is essential in gathering relevant information for investigation and prosecution alongwith a better support to the victim.
- f. In all cases victim must be updated with the outcomes of the police enquiry.
- g. Victim should also be informed if the accused person is released from Police custody.
- h. Police officers to be trained and educated on dealing with the victims of crime.
- i. The victims to be provided amiable environment to reduce trust deficit of people on Police.
- j. In all situations due consideration towards the safety and security of the victims to be ensured.
- k. Strengthen 115 emergency services.
- l. Help line number for victims affected by crime, for confidential support and information.

5. **Rape Cases Victims**

Following things to be kept in mind by law enforcement officers:

- a. The investigation into the rape cases would be supervised directly by the officer not below the rank of SSP and following to be observed.
- b. As soon as the information about the rape case in any police station is received a reputable civil society organization for the purpose of legal aid and counseling must immediately be contacted.
- c. The Police Officer alongwith lady police officer must accompany the victim for medical examination etc. The officer must administer DNA test and preserve the DNA evidence with the forensic experts or MLO where necessary.

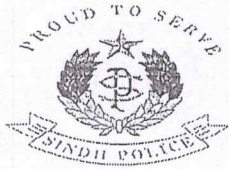


- d. The officer is bound to produce such victim preferably before the female magistrate for recording statement under u/s 164 CrPC.
- e. Except the offences occurred during night time, no victim will be kept at the Police Station during night time.
- f. The Police should keep all the record of the victim including the present and permanent addresses and advise the victim in case of change of particulars.
- g. When dealing with the victims of crime the Police officers should use courteous and easily comprehensible language.
- h. A relevant interview to take statements is taken without delay after a complaint about an offence has been made.
- i. The number of relevant interviews to take a statement are to be kept minimum.
- j. Victims are permitted to be accompanied by their chosen legal representative and a person of their choice.
- k. While interacting with the victim necessary arrangements to protect the privacy of must be ensured.
- l. The above points to be observed by the IOs and SHOs or dealing Officer in criminal cases which are not exhaustive and be practiced in addition to the normal procedures observed while dealing with such cases.

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SOP No.

1120-65

Issuing Branch: Secret Branch (AIG Operation)

Date: 6th March 2019

Classification: Operations - Arrest

**STANDARD OPERATING PROCEDURES & GUIDELINES**  
**ON**  
**POLICE POWERS OF ARREST IN COGNISABLE CASES.**

**Introduction:**

The Constitution of Pakistan guarantees fundamental rights to citizens. Infringement of an individual's liberty save in accordance with law is considered a serious violation of the rights as enshrined in the Constitution. The Criminal Procedure Code & the Police Rules 1934 authorize a police officer to arrest a person involved in a cognizable offence. This power to arrest is subject to the restrictions laid down in the relevant laws and the judgments of the superior courts. Arbitrary and unbridled use of this power results into complaints against police officers. There is need to have clearly spelt out guidelines for the police officers to regulate their power to arrest in accordance with the law.

**2. Objectives:**

- (A) To familiarize police officers with the relevant provisions in different laws about the power of arrest;
- (B) To make police officers aware of their responsibilities in dealing with the citizens accused of an offense;
- (C) To prevent abuse of authority & reduce complaints against police officers;
- (D) To protect and safeguard human rights;
- (E) To regulate Police conduct through internal accountability mechanism and prevent such matters being taken up by the superior courts.



### 3. Guidelines:

- 1) S.154 of Cr PC makes it mandatory for Station House Officer to register F.I.R when a complaint is received from the contents of which a cognizable offence is made out. There is a general perception that if a person is nominated in F.I.R he is to be arrested for further investigation of the case. This general perception is contrary to the spirit of Police Rule 26.1 and 26.2. Despite that the power to arrest has been misused by certain police officers resulting into unjustified deprivation of liberty of citizens and increased number of complaints against police officers.
- 2) The superior courts have laid elaborate guidelines for exercise of and restraint on such power of arrest. Two seminal cases Khizar Hayat & others V. IGP Punjab cited at PLD 2005 Lahore 470 and Sughran Bibi V. State PLD 2018 Supreme Court 595 have laid down principles to be followed by police officers when making arrest of a person alleged of an offence.
- 3) The police officers must follow the responsibilities laid down in the provisions in Police Rules 1934 related to arrest. They follow the principles laid down in Police Rule 26.1. General power of arrest. - 'Section 54, Code of Criminal Procedure, authorizes any police officer to arrest without a warrant any person who has been concerned in any cognizable offence or against whom a reasonable complaint has been made, or credible information has been received, or a reasonable suspicion exists, of his having been so concerned. The authority given under this section to the police to arrest without a warrant is, however, permissive and not obligatory. Whenever escape from justice or inconvenient delay is likely to result from the police failing to arrest, they are bound to do so; but in no other cases. The law allows a police officer to apply to a magistrate for a warrant or a summons instead of making the arrest immediately, and this discretion shall be exercised whenever possible and expedient. The law also allows a police officer in any bailable case to take security

under section 170 Criminal Procedure Code from an accused person to appear before a magistrate without first arresting him'.

- 4) The Police Officers, while exercising power of arrest, must strictly adhere to the Police Rule 26.2. Power to defer arrest, 'if the fact that suspicion rests upon a particular person has been kept secret, and there is no risk of his absconding, the police shall defer making the arrest until the investigation is sufficiently complete; but if any interference with the liberty of the accused person is necessary to prevent him from absconding, and the facts justify arrest, the police shall arrest him and shall not interfere with his liberty unless they arrest him'.
- 5) Mere nomination of a person in F.I.R is not a sufficient ground for arrest of a person alleged of an offence.
- 6) Arrest of a person accused of an offence is not mandatory but it is subject to evidence on record linking the accused with the crime alleged. The power to arrest is conditional upon fulfillment of the requisite legal requirements. A police officer may choose to exercise his power to arrest where there is reasonable suspicion of involvement in the offence. The words reasonable suspicion do not mean a mere vague surmise, but a bona fide belief on the part of police officer that an offence has been committed or is about to be committed.
- 7) A police officer may arrest a person accused of an offence against whom credible information has been received that he is concerned with the commission of such offence.
- 8) Where there is no urgency and the officer formulates an opinion that he should refrain from exercising his power to arrest without warrant, he may apply to the magistrate for issuance of a warrant of arrest.
- 9) A police officer should consider if there is need for immediate arrest or it can be deferred to a later date. The facts justifying an immediate arrest may include a possibility of the suspect escaping from justice or the inappropriate implications likely to result from police failing to arrest.



- 10) When I.O decides to defer arrest he shall obtain reasonable surety that the accused will not leave jurisdiction of the local police station without express permission and will join in the investigation wherever summoned till he is cleared from the charges and allegations or formally arrested in the cases.
- 11) It must always be remembered that delaying the arrest till formation of an opinion regarding *prima facie* correctness of the allegation against a suspect goes a long way in deterring false, frivolous and motivated complaints and also that there may not be adequate recompense or reparation for an unjustified arrest.
- 12) Where the circumstances so permit the person if arrested may be released on bail in a bailable offence after taking surety. In case of non-bailable offence if the Investigating Officer, during the course of investigation, formulates an opinion that there is insufficient evidence against the accused he may be bailed out under s.497 (2). Likewise, where the I.O formulates an opinion on the basis of cogent evidence that the arrested accused is not involved in the offence alleged he will be released on a surety in accordance with S.169 of the Criminal Procedure Code.
- 13) Officer making an arrest must inform his or her senior officer in hierarchy immediately. The senior officers shall verify all arrests directly or through an officer subordinate to them to ensure no person has been arrested without a reasonable justification.

#### 4. Capacity Building

The DIG Training will take appropriate steps to include the guide lines (SOP) in the training courses in the relevant module / subject.

#### 5. Disclaimer

This SOP is being issued for internal use within the Police department. Police officers involved in violation of the SOP shall be dealt with through Internal Accountability System. No officer shall be liable for any civil or criminal action for actions inconsistent with the provision of SOP.

Furthermore, Sindh Police and its officers shall not be responsible for any mistakes or inadequacies in the contents of the SOP.