

SOP
ALTERNATE DISPUTE
RESOLUTION (ADR) IN
SINDH POLICE



OFFICE OF THE
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All Addl: IGP in Sindh.

All DIsGP in Sindh.

Subject: STANDARD OPERATING PROCEDURES ALTERNATE DISPUTE RESOLUTION (ADR) IN SINDH POLICE

Enclosed find herewith a copy of SOP regarding Alternate Dispute Resolution (ADR) in Sindh Police, for information, compliance and onward circulation among your all subordinate offices, please.

Encl. (10 Leaves).

Capt® Faisal Abdullah, PSP
AIGP/Operations,
For Inspector General of Police,
Sindh, Karachi.

Copy forwarded to the following for information, please.

1. All AIsGP in CPO, Sindh.
2. PS to IGP/Sindh.
3. PS to DIG/Headquarters, Sindh.
4. PSO to DIGP/Operations, Sindh.

Encl. (10 Leaves).

10/6
14/06/19

Annexure-B

Issuing Branch AIGP/Operations, CPO

Dated: June 2019.

Classification: Operations.



Standard Operating Procedure (SOP)

**Alternate Dispute Resolution (ADR)
in Sindh Police**

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“O ye who believe!

Stand firmly for righteousness.

*And let not your personal enmity prevent you
from being just.*

Surely! Justice is the nearest to piety.

Indeed! Your Lord knows all that ye do.”

The Quran 5:08

MESSAGE OF QUAID -E- AZAM



WITH FAITH, DISCIPLINE AND SELFLESS DEVOTION TO DUTY,
THERE IS NOTHING
WORTHWHILE
THAT YOU CANNOT ACHIEVE!

QUAID-E-AZAM MUHAMMAD ALI JINNAH

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FOREWORD

It gives me immense pleasure to launch the Dispute Resolution Committees in the Criminal Justice System of Sindh as an Alternate Dispute Resolution (ADR) mechanism.



This program shall enhance community mobilization through prompt settlement of petty disputes generating a positive change in the perception of Police Station culture.

The field officers are expected to spread the concept of Alternate Dispute Resolution to all the concerned stakeholders i.e. Police officers, general public etc. and raise the awareness regarding its utility and working mechanism.

I pray for its success and hope that ADR Mechanism will significantly contribute in improving the overall service delivery of Sindh Police.

1. OBJECTIVE

To facilitate the common man in getting his petty issues resolved amicably through an alternate process of justice involving members of the civil society.

2. NEED ANALYSIS.

The concept of modern policing revolves around facilitation of public and preserving the energies of police personnel for core police functions. Alternate Dispute Resolution provides a mechanism through which community engagement is achieved successfully in resolution of petty disputes besides enabling police to concentrate more on the real threats to the peace of society. The analysis of work pouring in the police station reveals broadly three categories of work i.e. public facilitation services, civil/minor disputes of the citizens and finally Police endeavors against occurrence of crime, maintenance of law & order and investigation of heinous cases. As public facilitation services have been gradually taken out of the police station environment, therefore there is a need to devise a mechanism for resolving the petty disputes thus making Police Station staff more focused and responsive toward the challenges of prevention and detection of heinous offences and terrorism. With the introduction of ADR, the Police will be able to focus more on the hard core aspects of policing i.e. prevention of crime, terrorism and investigation of heinous cases instead of involving itself in non cognizable issues, civil dispute & minor criminal cases.

Besides the courts are also over-burdened and under-resourced. Therefore, whenever petty issues involving non-cognizable offences get forwarded to civil courts from the Police, the involved parties find themselves following a long and expensive process of justice. The delay in dispensation of justice, causes a feeling of frustration, humiliation and despondency.

Moreover, since such issues (mostly of civil nature) do not get timely resolved, they usually end up in a criminal activity with the aggrieved party taking the law in its own hands. A petty wage issue turns into a criminal act when the aggrieved person attacks the owner. Similarly, a simple divorce or custody issue often ends up resulting in a spate of murder.

Considering the above factors the ADR mechanism provides the system through which community gets relatively quick relief.

3. ADR MECHANISM IN SINDH POLICE

Considering the utility of ADR, Sindh Police has also devised a mechanism for ADR implementation. This mechanism includes establishing Dispute Resolution Committee (DRC) in each Police Station of the Province. A complete detail of composition, working and functions of these committees is given below:-

I. STRUCTURE OF DISPUTE RESOLUTION COMMITTEE

The Dispute Resolution Committee (DRC) shall consist of 21 members representing a cross-section of the community including professionals, lawyers, retired judges, retired civil and military officers, educationists, religious scholars, journalists & businessmen. Adequate representation of females shall be ensured. The members will not be paid any remuneration for their services. The Committee membership shall not be permanent and members will join and leave up on their will. If the Committee feels that any of the member is not participating fully, it may request the District SP through SDPO to replace them. The overall working of DRCs will be organized and planned by the Secretary elected from among the members. Each Committee will be divided into different panels consisting three members each.

As far as possible each panel shall include a lawyer to ensure conformity of law in working of DRCs. These DRCs will operate in Police Stations where a dedicated Committee Room shall be established for their functioning. A Police Officer of the concerned police station will be appointed as a support staff to maintain record of working and decisions of the Committee. The DRCs will function in close liaison with the concerned SDPO and District SP.

II. ELIGIBILITY OF DRC MEMBERS

- i). The member should be a resident / domiciled of the district.
- ii). The member should be non political and not serving in any official or elected capacity.
- iii). The member should be an experienced, balanced and mature individual.
- iv). The member should be well-respected and enjoying good repute in the community.

III. SELECTION OF DRC MEMBERS

- i). The District SP in consultation with the civil society will request prominent and well-reputed personalities of the community to join the Committee. The reactivation of Criminal Justice Coordination Committee shall also be explored. As it incorporates all the relevant stakeholders, therefore, this platform may be utilized effectively for selection of members of DRCs. Nomination of members from this set-up will add more credibility to the selection of members and on the whole to the working of ADR.
- ii). Any person, who is interested in becoming a member, may offer his/her services voluntarily

- iii). The District SP after due verification of credentials and eligibility may enlist him in the panel.
- iv). Any person who is enlisted on 4th Schedule shall not be included in Dispute Resolution Committees. Utmost care shall be taken in selection of members to avoid inclusion of tainted individual in Committees.

IV. FUNCTIONS OF THE COMMITTEE

i). Amicable Resolution of Disputes

All applications/complaints relating to non-cognizable and minor cognizable offences forwarded by the police through District SP will be resolved amicably on best-effort basis by the committees.

ii). Fact Finding Report

In case one of the parties does not opt for amicable resolution, the DRC will send its fact-finding report to the concerned SHO for taking further necessary legal action as per law.

V. ROLES & RESPONSIBILITIES OF THE SECRETARY

All willing members may work as a Secretary to the Committee on three-month rotation basis. SHO of concerned Police Station shall notify the Secretary of DRC. Following will be the duties of the Secretary:-

- i). Coordination of various activities of the DRC.
- ii). Formation of different panels in consultation with members.
- iii). Receiving applications marked to the DRC from the District SP and refer it to the panel members.

- iv). Preparing timetable and schedule for hearing cases by different panels of DRC.
- v). Maintaining a proper register containing complete record of all decisions of DRC.
- vi). Changing panel constitution if any of the party in a case has any reservation against member(s) of the panel.
- vii). Arranging a monthly meeting of the DRC for progress update and review with District SP.
- viii). Preparing bi-annual reports of all activities of DRC for the District SP.

VI. RESPONSIBILITIES OF THE POLICE LIAISON OFFICER

- i). Summoning both the parties and ensuring their attendance before the DRC.
- ii). Recording statements of the parties and documenting the proceedings. Providing guidance/advice to the panel members on legal issues.
- iii). Police Liaison Officer will be deputed by the SHO of concerned Police Station.

VII. LIMITATIONS OF THE COMMITTEE MEMBERS

- i). The members would not agree to take up any case that is sub-judice unless both the parties give a written consent before the District SP.
- ii). The members shall not involve themselves in complicated civil cases.

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- iii). The members shall refrain from recommendations that are against the constitution of Pakistan and the law e.g; under-age marriages, vani, etc.

VIII. CODE OF THE ETHICS OF COMMITTEE MEMBERS

- i). If any of the Committee members becomes an office bearer of a political party, he will withdraw his membership from the DRC voluntarily or may be removed by the District SP.
- ii). Anyone found violating the Code of Ethics or found involved in any activity prejudicial to the spirit of DRCs may also be removed by the District SP. The member so removed may file a review before the District SP and appeal before the Range DIG.

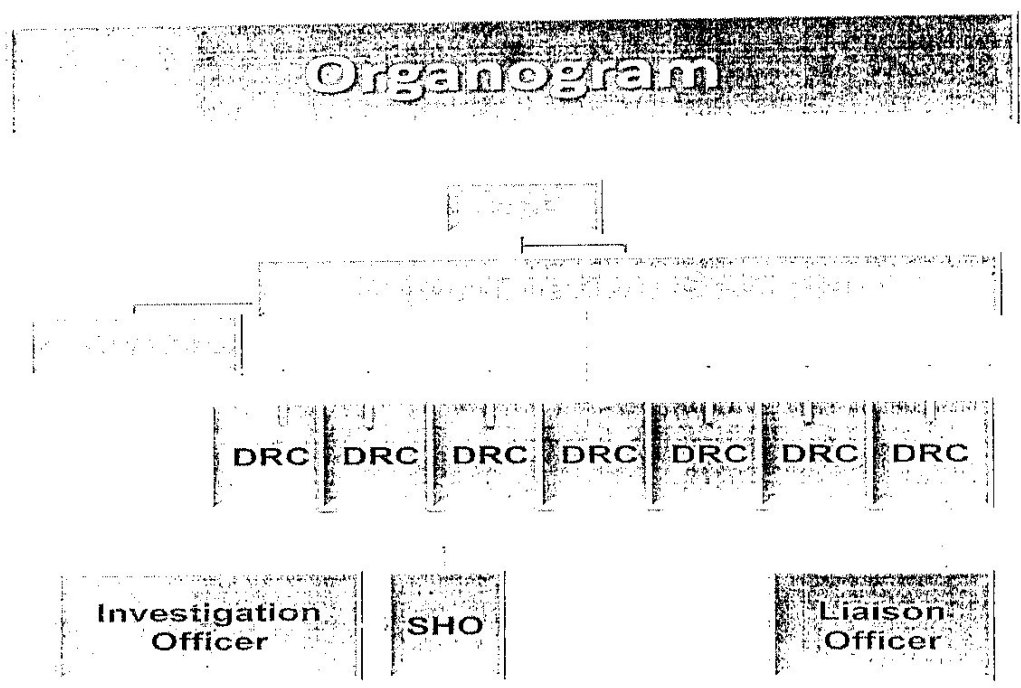
IX. MECHANISM FOR COMPLAINTS DISPOSAL THROUGH ADR.

- i). The complaints considered fit for ADR and received at the District Complaint Cell will be referred to the Dispute Resolution Committee of the concerned Police Station after the approval of District SP.
- ii). The complaints considered fit for ADR and received directly at the Police Station will be sent to District SP for approval regarding its resolution through Alternate Dispute Resolution (ADR).

X. CAPACITY BUILDING OF POLICE LIAISON OFFICERS.

- i). Range DIGs and District SsP will hold regular training sessions for Capacity Building of Police Liaison Officers.
- ii). Police Liaison Officers will be especially trained in fields of coordination and arranging negotiations.

XI. ORGANOGRAM





STANDARD OPERATING PROCEDURES ALTERNATE DISPUTE RESOLUTION (ADR) IN SINDH POLICE.

Disclaimer

Although the author has made every effort to ensure that the information in this book was correct at the time of its' publication, the author does not assume and hereby disclaim any liability to any party for any loss, damage, or disruption caused by errors or omissions, whether such errors or omissions result from negligence, accident, or any other cause.
