

ENDNOTES

- 1 South African Police Service website, Police-Population Ratio:
http://www.saps.gov.za/_dynamicModules/internetsite/buildingBlocks/basePage4/BP444.asp as on 3 September 2005
- 2 Van Zant, E (2005) "Better Policing: Tackling the problems besetting the Bangladeshi police services means overcoming a long history and great shortage of funds", *ADB Review*: http://www.adb.org/Documents/Periodicals/ADB_Review/2005/vol37-2/better-policing.asp as on 3 September 2005
- 3 Venkatesan, J. (2002) "Law Commission suggests changes in arrest law", *The Hindu*, April 11:
<http://www.hinduonnet.com/2002/04/11/stories/2002041101821200.htm> as on 30 May 2005. Also see Law Commission of India (2001) *One Hundred and seventy seventh report on law relating to arrest*:
<http://lawcommissionofindia.nic.in/reports/177rpt1.pdf> as on 30 May 2005
- 4 Bureau of Democracy, Human Rights and Labour (2005) *Country Reports on Human Rights Practices: Cameroon*:
<http://www.state.gov/g/drl/rls/hrrpt/2004/41592.htm> as on 30 July 2005
- 5 Commonwealth Human Rights Initiative (2003) *Roundtable Conference on Police Reform in East Africa: A Report*, p. 35
- 6 Ghana Center for Democratic Development (2004) "Public See Police As Corrupt - (CDD Ghana) Survey":
http://www.cddghana.org/news_article.asp?nid=19, as on 30 July 2005
- 7 Bureau of Democracy, Human Rights and Labour (2005) *Country Reports on Human Rights Practices: Mozambique*:
<http://www.state.gov/g/drl/rls/hrrpt/2004/41617.htm>, as on 20 May 2005
- 8 European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (2003) *Report to the Government of Cyprus on the Visit to Cyprus carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 22 to 30 May 2000*, Strasbourg, 15 January, pp. 11-12
- 9 Ejang Tebug, O (2005) "Witnesses testify how policeman 'roasted' suspect", *Post Newspaper online*:
http://www.postnewsline.com/2005/04/witnesses_testi.html as on 30 July 2000
- 10 ____ (2005) "Mozambique: Penal and courts system reform needed to improve human rights record", *IRIN News*, May 11:
http://www.irinnews.org/report.asp?ReportID=47066&SelectRegion=Southern_Africa&SelectCountry=MOZAMBIQUE, as on 11 May 2005
- 11 Uganda Human Rights Commission (2002) *Annual Report 2001-2002*, pp. xiii and 102-103
- 12 Police Complaints Authority of Trinidad and Tobago (2003) *Seventh Report May 01, 2002 - September 30, 2003*, p. 10:
http://www.pca.gov.tt/pca/about/PCA_%20Annual_Report_2002-2003.pdf as on 3 August 2005
- 13 Samad, S. (2003) 'A first-hand account of an arrested BD journalist', *South Asia Tribune*, Issue No. 29, Feb. 10-16.
- 14 Nembhard, A. (2004) "Ombudsman to Investigate Policemen on Allegations of Torture and Attempted Murder", *AMANDALA Belize*, 27 June.
- 15 Human Rights Watch (2005) *Commentary on Prevention of Terrorism Bill 2005: Human Rights Watch Briefing Paper*, p. 5:
<http://hrw.org/backgrounder/eca/uk0305/uk0305.pdf>, as on 2 August 2005
- 16 Peter, L (2003) "Jamaica acts over police abuse", *BBC News Online*:
<http://news.bbc.co.uk/1/hi/world/americas/2975722.stm> as on 30 July 2005
- 17 Amnesty International (2002) *Security forces in Nigeria: serving to protect and respect human rights?*, AI Index: AFR 44/023/2002, p. 13: <http://web.amnesty.org/library/index/engaf440232002>, as on 15 May 2005
- 18 Bureau of Democracy, Human Rights and Labour (2005) *Country Reports on Human Rights Practices 2004: Nigeria*, United States Department of State: <http://www.state.gov/g/drl/rls/hrrpt/2004/41620.htm> as on 7 September 2005
- 19 Amnesty International (2001) "Urgent Action - Jamaica: Fear for safety: Family of Janice Allen", 16 May 2001, AMR 38/014/2001: <http://web.amnesty.org/library/Index/ENGAMR380142001?open&of=ENG-JAM> as on 25 May 26, 2005; Amnesty International (2002) "Urgent Action - Jamaica: Further information on fear for safety: Family of Janice Allen", 5 November 2002, AMR 38/021/2002: <http://web.amnesty.org/library/index/ENGAMR380212002?open&of=ENG-JAM> as on 25 May 2005
- 20 Jamaicans for Justice (2004) "Janice Allen and Police Accountability", *Justice Writes* 2004.03.29:
http://www.jamaicansforjustice.org/Documents/Justice_writes/2004/2004.03.29%20-%20Janice%20Allen%20&%20Police%20Accountability.doc as on 23 May 2005
- 21 Oneworld South Asia (2003) *In Pakistan, the Police Shoots to Kill*: <http://southasia.oneworld.net/article/view/65493/1/> as on 15 May 2005
- 22 Amnesty International (2004) "Jamaica: five years of impunity must come to an end", *Amnesty International Press Release*, AI Index: AMR 38/016/2004:
<http://web.amnesty.org/library/Index/ENGAMR380162004?open&of=ENG-325> as on 1 September 2005
- 23 Peter, L (2003) "Jamaica acts over police abuse", *BBC News Online*:
<http://news.bbc.co.uk/1/hi/world/americas/2975722.stm> as on 30 July 2005

- 24 The Transparency International (TI) Global Corruption Barometer 2004 survey was carried out in 64 countries among more than 50,000 people. 11 Commonwealth Countries were included in the survey: Cameroon, Canada, Ghana, India, Kenya, Malaysia, Nigeria, Pakistan, Singapore, South Africa and United Kingdom
- 25 Ghana Center for Democratic Development (2004) "Public See Police As Corrupt - (CDD Ghana) Survey": http://www.cddghana.org/news_article.asp?nid=19, as on 30 July 2005
- 26 Transparency International (2004) *The Kenya Bribery Index 2004*: <http://www.transparency.org>
- 27 Transparency International (2004) "Corruption is rampant in 60 countries, and the public sector is plagued by bribery says TI", *Corruption Perceptions Index 2004*: <http://www.transparency.org/cpi/2004/cpi2004.en.html#cpi2004>
- 28 Newham, G. (2002) *Tackling Police Corruption in South Africa*, Research report written for the Centre for the Study of Violence and Reconciliation: <http://www.csvr.org.za/papers/papoli14.htm> as on 12 April 2005
- 29 Cumming-Bruce, N (2005) "Report finds Malaysia's police corrupt and abusive", *International Herald Tribune*: <http://www.ihf.com/articles/2005/05/16/news/malaysia.php> as on 2 August 2005
- 30 ____ (2004) "Charges laid in Toronto drug squad probe", *CBC News*, 7 January: <http://www.cbc.ca/story/canada/national/2004/01/07/police040107.html> as on 23 May 2005
- 31 ____ (2004) "Court documents detail allegations against cops", *CBC News*, 20 January: http://toronto.cbc.ca/regional/servlet/View?filename=to_drugsquad20040120 as on 23 May 2005
- 32 ____ (2004) "New scandal envelops Toronto police", *CBC News*, 20 April: <http://www.cbc.ca/stories/2004/04/19/canada/ttopolice040419>, as on 23 May 2005
- 33 ____ (2004) "More charges in kickback scandal", *CBC News*, 5 July: http://toronto.cbc.ca/regional/servlet/View?filename=to_copcharges20040705, as on 23 May 2005
- 34 ____ (2002) "Police top 'corrupt' South Asia list", *BBC News*, 17 December: http://news.bbc.co.uk/1/hi/world/south_asia/2584735.stm as on 27 June 2005
- 35 Joshi, G.P. (2003) *Police Practices: Obstructions to Poor People's Access to Justice*, The Commonwealth Human Rights Initiative, p. 11
- 36 Bureau of Democracy, Human Rights and Labour (2005) *Country Reports on Human Rights Practices: Pakistan*, U.S. Department of State: <http://www.state.gov/g/drl/rls/hrrpt/2004/> as on 2 September 2005
- 37 Government of Papua New Guinea and Institute of National Affairs (2004) *Report of the Royal Papua New Guinea Constabulary Administrative Review Committee to the Minister for Internal Security Hon. Bire Kimisopa*, p. 37
- 38 ____ (2004) "Gun license scandal", *Jamaica Gleaner*, February 6: <http://www.jamaica-gleaner.com/gleaner/20040206/cleisure/cleisure1.html> as on 26 May 2005
- 39 ColomboPage News Desk (2004) "Bribery Officials arrest senior DIG Senevirante Banda", *ColomboPage* (Sri Lankan Internet Newspaper), September 22. Figure in Sri Lankan rupees: Rs. 3 million
- 40 Home Office (2004) *Building Communities, Beating Crime: A better police service for the 21st century*, cm 6360, London HMSO, p.140: http://www.dcpa.police.uk/ShowPDF.cfm?PDFName=wp04_Police_Chapter6.pdf, as on 1 August 2005
- 41 Equal Employment Opportunities Trust (2004) *Working towards a new multicultural-style Police organisation*: http://www.eeotrust.org.nz/peoplepower/view_case_print.cfm?id=27 as on 5 September 2005
- 42 Home Office (2004) *Statistics on Race and the Criminal Justice System 2003*, p. 27: <http://www.homeoffice.gov.uk/rds/pdfs04/s95race2003.pdf> as on 30 May 2005
- 43 TRNC (Turkish Republic of Northern Cyprus) *Press News Spots: Turkish Cypriot Prisoners are Complaining*, 16 July: <http://www.trncpio.org/ingilizce/DOSYALAR/news/july/16%20%20july%202004.htm>, as on 19 May 2005
- 44 Report of the United Nations Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance, (2004) *Mission to Guyana and Trinidad and Tobago*, UN Doc E/C.4/2004/18/Add.1, p. 2
- 45 Human Rights and Equal Opportunity Commission (2003) *Face the Facts - Questions and Answers about Refugees, Migrants and Aboriginal and Torres Strait Islander People*, pp. 43-44: http://www.hreoc.gov.au/racial_discrimination/face_facts/pdf/fff.pdf as on 1 August 2005
- 46 Weatherburn, D (2003) "Long arm of the law comes up short with blacks", *Sydney Morning Herald*: <http://www.smh.com.au/articles/2003/10/14/1065917413172.html?from=storyrhs> as on 1 September 2005
- 47 Australian Institute of Criminology (2003) *Australian deaths in custody by jurisdiction, 2003*: http://www.aic.gov.au/research/dic/stats/all-num_jur-2003.html as on 1 September 2003
- 48 ____ (2005): "South Africa: Human Rights Commission slams San rights violations", *IRIN News*, 7 March: http://www.irinnews.org/report.asp?ReportID=45953&SelectRegion=Southern_Africa&SelectCountry=SOUTH_AFRICA
- 49 Police Accountability: http://www.policeaccountability.co.za/CurrentInfo/ci_detail.asp?art_ID=243 as on May 6, 2005
- 50 Bureau of Police Research and Development (2004) *Data on Police Organisations in India*, Ministry of Home Affairs, Government of India
- 51 Section 376 (2)(a) Indian Penal Code read with Section 114A of Indian Evidence Act
- 52 Amnesty International (2004) *Annual Report: Bangladesh*, p. 149

- 53 Commission of Inquiry into Police Conduct, Department of Internal Affairs, Government of New Zealand: <http://www.cipc.govt.nz> as on 30 May 2005
- 54 Sekhonyane, M. and Louw, A. (2002) "Violent Justice; Vigilantism And The State's Response", Monograph No. 72, April, Institute for Security Studies, South Africa: <http://www.iss.co.za/PUBS/MONOGRAPHS/No72/ExecSum.html> as on 2 September 2005
- 55 Prakash Singh v Union of India, Writ Petition (Civil) No. 310 of 1996
- 56 Commission on Human Security (2003) *Human Security Now: Final Report of the Commission on Human Security*: <http://www.humansecurity-chs.org/finalreport/English/chapter1.pdf> as on 30 May 2005
- 57 The Independent Commission on Policing for Northern Ireland (1999): *A New Beginning: Policing in Northern Ireland -The Report of the Independent Commission on Policing for Northern Ireland*, p.18: <http://www.belfast.org.uk/report/chapter04.pdf> as on 20 May 2005
- 58 Section 38 (1), *Police (Northern Ireland) Act 2003*
- 59 This section is adapted from Bayley, D. (2001) *Democratising the Police Abroad: What to Do and How to Do It*, National Institute of Justice, US Department of Justice, Washington, pp 11-15; Bruce D. and Neild R. (2004) *The police that we want: a handbook for oversight of police in South Africa*, Center for Study of Violence and Reconciliation, Johannesburg, and Open Society Justice Initiative, New York; and Stone, C. E. and Ward H. H.(2000) *Democratic policing: a framework for action*, Policing and Society, Vol. 10, number 1, p 36
- 60 YouGov Survey Results, Public Trust, prepared for the Daily Telegraph in February/March 2003: http://www.yougov.com/asp_besPollArchives/pdf/TEL020101018_2.pdf as on 20 May 2005
- 61 2003 General Social Survey on Social Engagement (2003) cycle 17: *an overview of findings*: <http://www.statcan.ca/english/freepub/89-598-XIE/89-598-XIE2003001.pdf> as on 23 May 2005
- 62 Global Facilitation Network for Security Sector Reform: http://www.gfn-ssr.org/good_practice.cfm?id=27&p=13 as on 17 May 2005
- 63 Article 3, United Nations (1948) *Universal Declaration of Human Rights (UDHR)*
- 64 See Annexure A for the seven core treaties and the provisions regarding policing
- 65 The African Charter on Human and People's Rights or Banjul Charter was adopted in 1981 and all Commonwealth African countries are part of the regional Charter. The African Commission on Human and People's Rights is the institution created under the Charter to promote and protect human rights in the African context and interpret the Banjul Charter. The American Convention on Human Rights was adopted by the members of the Organisation of American States in 1969, which made the Inter-American Commission on Human Rights more effective and created the Inter-American Court on Human Rights. Of the Commonwealth Caribbean countries, only Barbados, Dominica, Grenada and Jamaica have actually ratified or acceded to it and only Barbados has also accepted the jurisdiction of the Inter-American Court. The European Union is the main regional body for Europe and the most important human rights document in the region is the European Convention for the Protection of Human Rights and Fundamental Freedoms, which entered into force in 1953 and has been ratified by the Commonwealth countries of UK, Malta and Cyprus.
- 66 18 countries from Africa, 4 countries from the Caribbean and 3 from Europe
- 67 United Nations (1948) *Universal Declaration of Human Rights (UDHR)*, Preamble
- 68 United Nations (1979) *Code of Conduct for Law Enforcement Officials*, Article 2: http://www.unhchr.ch/html/menu3/b/h_comp42.htm as on 23 May 2005
- 69 UN General Assembly (1979) *Resolution 34/169*, December 17, para 9: <http://www.un.org/documents/ga/res/34/a34res169.pdf> as on 25 May 2005; United Nations (1979) *Code of Conduct for Law Enforcement Officials*, Articles 1, 2, 5 and 8: http://www.unhchr.ch/html/menu3/b/h_comp42.htm as on 23 May 2005
- 70 UN General Assembly (1979) *Resolution 34/169*, December 17: <http://www.un.org/documents/ga/res/34/a34res169.pdf> as on 4 August 2005
- 71 The 1990 UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the 1979 UN Code of Conduct for Law Enforcement Officials were both adopted by UN General Assembly resolutions. Resolutions adopted by the General Assembly and other UN bodies do not have the formal, legal and political status of the conventions or treaties and cannot be enforced by domestic courts of law. However, States' compliance with the resolutions demonstrates responsibility to the international community of nations.
- 72 United Nations (1990) *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials*, Principle 24: http://www.unhchr.ch/html/menu3/b/h_comp43.htm as on 25 May 2005
- 73 Amnesty International (2004) *Guns and Policing: Standards to prevent misuse*: http://www.controlarms.org/documents/guns_and_policing_report.pdf as on 25 May 2005
- 74 INTERPOL General Assembly (1956) *Constitution of INTERPOL*, Article 2: <http://www.interpol.org/Public/ICPO/LegalMaterials/constitution/constitutionGenReg/constitution.asp> as on 25 May 2005
- 75 INTERPOL General Assembly (1949) *Resolution No. 3*: <http://www.interpol.int/Public/ICPO/LegalMaterials/FactSheets/FS06.asp#2> as on 23 May 2005

- 76 Commonwealth Heads of Government (1991) *Commonwealth Harare Declaration*, Zimbabwe, 20 October 1991: <http://www.thecommonwealth.org/whoweare/declarations/harare.html> as on 25 May 2005
- 77 Commonwealth Heads of Governments (2003) *Abuja Communiqué*, Nigeria, 8 December 2003: <http://www.thecommonwealth.org/Templates/Internal.asp?NodeID=36177&int2ndParentNodeID=36668> as on 25 May 2005
- 78 Commonwealth Secretariat (2003) *Making Democracy Work for Pro-Poor Development*; Report of the Commonwealth Expert Group on Development and Democracy, p.xiv
- 79 Communique (2002) Meeting of the Commonwealth Law Ministers, St Vincents and the Grenadines, 18-21 November 2002
- 80 Currently no country is suspended from the councils of the Commonwealth, although Pakistan, which had been suspended until 2004, is still on the agenda of CMAG. Other countries that have previously been suspended include Zimbabwe, before it withdrew from the Commonwealth in 2003, Fiji and Nigeria.
- 81 United Nations (1948) *Universal Declaration of Human Rights (UDHR)*, Article 5
- 82 Malta, Mauritius and UK are the three Commonwealth countries which have ratified the Optional Protocol of the CAT. New Zealand, Cyprus and Sierra Leone have signed but not yet ratified this document.
- 83 United Nations (1990) *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials*, Principles 5 and 9: http://www.unhchr.ch/html/menu3/b/h_comp43.htm as on 25 May 2005
- 84 Principle 9 of the Basic Principles states "Law enforcement officials shall not use firearms against persons except in self-defence or defence of others against the imminent threat of death or serious injury, to prevent the perpetration of a particularly serious crime involving grave threat to life, to arrest a person presenting such a danger and resisting their authority, or to prevent his or her escape, and only when less extreme means are insufficient to achieve these objectives. In any event, intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life."
- 85 Section 49, *The Criminal Procedure Act, 1977* (South Africa)
- 86 Article 1 (b), INTERPOL General Assembly (2002) *Global Standards to Combat Corruption in Police Forces/Services*: <http://www.interpol.int/Public/Corruption/Standard/Default.asp> as on 25 May 2005
- 87 Article 7, United Nations (1979) *Code of Conduct for Law Enforcement Officials*: http://www.unhchr.ch/html/menu3/b/h_comp42.htm as on 25 May 2005
- 88 Article 4 (k), INTERPOL General Assembly (2002) *Global Standards to Combat Corruption in Police Forces/Services*: <http://www.interpol.int/Public/Corruption/Standard/Default.asp> as on 9 August 2005 and Article 6, United Nations (2003) *United Nations Convention Against Corruption*: http://www.unodc.org/unodc/en/crime_convention_corruption.html as on 9 August 2005
- 89 All Commonwealth Caribbean countries, with the exception of Barbados, have ratified the regional Convention against Corruption. Although the Commonwealth states of Lesotho, Namibia and Uganda have already ratified the 2003 African Union Convention on Preventing and Combating Corruption the Convention has not yet come into force.
- 90 ____ (2005) "Nigeria: More heads roll in crackdown on top level corruption", *IRIN News*: http://www.irinnews.org/report.asp?ReportID=46463&SelectRegion=West_Africa as on 23 May 2005
- 91 Commonwealth Heads of Governments (1999) *Durban Communiqué*, South Africa, 15 November: <http://www.thecommonwealth.org/Templates/Internal.asp?NodeID=35247> as on 26 May 2005
- 92 Commonwealth Heads of Governments (2003) *Aso Rock Declaration*, Nigeria, 8 December: <http://www.thecommonwealth.org/Templates/Internal.asp?NodeID=36177&int2ndParentNodeID=36668> as on 26 May 2005 and Commonwealth Heads of Governments (2003) *Abuja Communiqué*, Nigeria, 8 December: <http://www.thecommonwealth.org/Templates/Internal.asp?NodeID=36177&int2ndParentNodeID=36668> as on 25 May 2005
- 93 UN Human Rights Committee (2005) *Concluding observations of the Human Rights Committee: Kenya*, CCPR/CO/83/KEN (Concluding Observations/Comments), March 28: [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/CCPR.CO.83.KEN.En?OpenDocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/CCPR.CO.83.KEN.En?OpenDocument) as on 25 May 2005
- 94 The Human Rights Committee, the Committee against Torture, the Committee on the Rights of the Child, the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women, the Committee on Economic, Social and Cultural Rights, and the Committee on Migrant Workers
- 95 Human Rights Committee, Committee on the Elimination of Racial Discrimination, Committee against Torture and Committee on the Elimination of Discrimination against Women
- 96 The Economic and Social Council (ECOSOC) is a charter-based body of the UN. Among its responsibilities are encouraging universal respect to human rights, particularly through its subsidiary bodies such as the Commission on Human Rights and the Commission on Crime Prevention and Criminal Justice.
- 97 Sri Lanka has the second largest number of non-clarified cases of disappearances. See *Report on the visit to Sri Lanka by a member of the Working Group on Enforced or Involuntary Disappearances* (25-19 October 1999): E/CN.4/2000/64/Add.1 (21 December 1999). The Government of Sri Lanka had appointed 4 Commissions of Inquiry, all indicting the police and the military

- 98 See Committee Against Torture (2002); Sri Lanka: CAT Article 20 Examinations Re: Systematic Torture CAT/A/57/44(2002)
- 99 Although the new Constitution of The Gambia contains a provision for the Police Council, the National Assembly has yet to enact it. Sierra Leone, Ghana and Nigeria all have Police Councils, however, with The Gambia and Cameroon, it is the President who undertakes this function.
- 100 Ministry for Internal Affairs (2001) *White Paper on New Police Law - A Commentary*, August 2001
- 101 Section 1, *Police Services Act, 1990*, (Ontario Provincial Police)
- 102 Section 38(1), *Police (Northern Ireland) Act 2003*
- 103 Section 4.1(a), *Pakistan Police Order, 2002*
- 104 Sections 32(1) and (2) *Malaysia Police Act 1967 (Act 344)* and Rules & Regulations (as at 25 November 2002); and Section 43(1) *Uganda Police Act, 1994*
- 105 Section 34, *Special Powers Act, 1974* (Bangladesh)
- 106 Indemnity Act, (No. 20) 1982, certified on 20 May 1982, and Indemnity (Amendment) Act, (No. 60) 1988, certified on 17 December 1988, (Sri Lanka)
- 107 *Commonwealth Principles on the Accountability of, and the Relationship between the Three Branches of Government* (2004) Marlborough House, London
- 108 Recommendation of the Sierra Leone Truth Commission (2004) "Recommendations", *Sierra Leone Truth and Reconciliation Commission Final Report*: <http://www.ictj.org/downloads/SL.TRC.V2.3.Recommendations.pdf> as on 20 May 2005
- 109 The Independent Commission on Policing for Northern Ireland (1999) "Operational Responsibility", *The Report of the Independent Commission on Policing for Northern Ireland*, p. 5: <http://www.belfast.org.uk/report/chapter06.pdf>
- 110 Extract from the Findings of the Sierra Leone Truth Commission (2004) "The Antecedents to the Conflict", *Sierra Leone Truth and Reconciliation Commission Final Report*: <http://www.ictj.org/downloads/SL.TRC.V2.2.Findings.pdf> as on 20 May 2005
- 111 Amnesty International (2001) *Annual Report: Fiji*: <http://web.amnesty.org/web/ar2001.nsf/webasacountries/FIJI?OpenDocument>, as on 20 May 2005
- 112 Keith-Reid, R. (2001) "Can Natapei Hold Off Sope Until the Elections? Uncertainty and investigations in Vanuatu", *Pacific Magazine*: <http://www.pacificislands.cc/pm52001/pmdefault.php?urlarticleid=0032>, as on 20 April 2005
- 113 Chukwuma, I. (2005) "The Future of Police Reform in Nigeria", *Justice Initiatives*, OSJI, New York, 1 February, p. 12: http://www.justiceinitiative.org/db/resource2?res_id=102523 as on 25 May 2005
- 114 Home Office (2004) *Building Communities, Beating Crime: A better police service for the 21st century*, cm 6360, London HMSO
- 115 Canadian Association of Police Boards: <http://www.capb.ca/about/composition.shtml> as on 4 May 2005
- 116 Toronto Police Services Board: <http://www.torontopoliceboard.on.ca/complaints.htm> as on 12 August 2005
- 117 Section 108(1), *Constitution of Kenya 1963*
- 118 Kamau, N. (2003) "Former police chief speaks out on the 'Mwakenya' crackdown", *The Sunday Nation*
- 119 Finn, E. (2002) "A Partisan Police Department", *The Dominican.net*: <http://www.thedominican.net>
- 120 Mohammed, S. (2005) "Police reform plan won't work", *The Trinidad Guardian*
- 121 Misra, L. (2004) "Former intelligence top cop blows Modi's cover", 18 August, *The Times of India*, p. 13
- 122 Human Rights Watch (2002), "We Have No Orders to Save You": *State Participation and Complicity in Communal Violence in Gujarat*, p. 49
- 123 Section 4.2(1), *Police Service Administration Act 1990* (Queensland, Australia)
- 124 Section 24 (6a), *Police Act 1990* (New South Wales, Australia)
- 125 See seventeenth constitutional amendment: <http://www.priu.gov.lk/Cons/1978Constitution/SeventeenthAmendment.html> as on 27 July 2005
- 126 ____ (2005) "Set up Constitutional Council for Good Governance, says Police Commission Chief", *ColomboPage*, July 20: <http://www.colombopage.com/archive/July2001807UN.html> as on 27 July 2005. The chair of the Police Commission said "Today the police officers can work with their head high for we do not bow to any pressure and the police officers know that there is an authority to protect them."
- 127 ____ (2005) "Set up Constitutional Council for Good Governance, says Police Commission Chief", *ColomboPage*, July 20: <http://www.colombopage.com/archive/July2001807UN.html> as on 27 July 2005
- 128 Article 206 (1), *The Constitution of the Republic of South Africa, 1996 (Act 108 of 1996)*
- 129 Article 207 (2), *The Constitution of the Republic of South Africa, 1996 (Act 108 of 1996)*
- 130 Sections 25-26, *Police (Northern Ireland) Act 2000*
- 131 Government of Papua New Guinea and Institute of National Affairs (2004), *Report of the Royal Papua New Guinea Constabulary Administrative Review Committee to the Minister for Internal Security Hon. Bire Kimisopa*, pp. 38-39
- 132 Amnesty International (1999) *Zambia: Applying the Law Fairly or Fatally? Police Violation of Human Rights in Zambia*, AFR 63/001/1999, p. 35
- 133 Her Majesty's Chief Inspector of Constabulary (1999) *Police Integrity: Securing and Maintaining Public Confidence*. HMIC (2001) *Open All Hours*. HMIC (2003) *Diversity Matters*, London: HMIC

- 134 ____ (2004) "Report grades police forces", *The Guardian*, 14 June:
http://www.guardian.co.uk/uk_news/story/0,,1238603,00.html as on 25 May 2005
- 135 Loveday, B. and Reid, A. (2003), *Going Local: Who should run Britain's police?* London: *Policy Exchange*, p. 13-14
- 136 In consultation with the Association of Chief Police Officers (ACPO) and Association of Police Authorities (APA)
- 137 Home Office (2003) *Policing: Building Safer Communities Together*, HMSO, p.14
- 138 Section 208, *The Constitution of the Republic of South Africa*, 1996 (Act 108 of 1996)
- 139 Masuku, T. (2004), *Accountability systems in the South African Police Service*, draft report written for Centre for the Study of Violence and Reconciliation, Johannesburg
- 140 Sections 2 and 3, *South African Police Service Act*, 1995
- 141 Nqakula, C. (2005), *Budget vote debate*, Speech presented to the Extended Parliamentary Committee:
http://www.policeaccountability.co.za/CurrentInfo/ci_detail.asp?art_ID=243 as on 19 May 2005
- 142 Zeitune, J. (2004), *International Principles on The Independence and Accountability of Judges, Lawyers and Prosecutors: A Practitioner's Guide*, International Commission of Jurists, p. 1
- 143 The Government of Brunei Darussalam, *Constitution of Brunei*: <http://www.brunei.gov.bn/government/contitut.htm> as on 16 August 2005
- 144 Bloch, H. (2000), "Law and Disorder: General Musharraf's crackdown on Pakistan's judiciary signals a sinister turn in his regime", *Time Magazine*, Volume 155, No. 5: <http://www.time.com/time/asia/magazine/2000/0207/pakistan.judges.html> as on 6 May 2005
- 145 Human Rights Watch (2004), *In the Name of Security: Counterterrorism and Human Rights Abuses Under Malaysia's Internal Security Act*, p. 40
- 146 Judges have allowed petitions to be filed after the lapse of this time period, but the fact remains that this was done at the mercy of individual judges, and not as a matter of right.
- 147 Boko, D (2002) "Botswana", in N. Mwanajiti, P. Mhlanga, M. Sifuniso, Y. Nachali-Kambikambi, M. Muuba, and M. Mwananyanda (eds.), *Police Brutality in Southern Africa - A Human Rights Perspective*, Inter-African Network for Human Rights and Development (Afronet), Lusaka
- 148 *Joginder Kumar vs State of UP and Others* 1994 Cri.LJ 1981; and *D.K. Basu vs State of West Bengal* AIR 1997 SC 610
- 149 *Delhi Domestic Working Women's Forum V Union Of India & Others* 1995 (001) SCC 14
- 150 *BLAST vs Bangladesh* 55 DLR (2003) 363
- 151 Bruce, D. (2002) "South Africa", in N. Mwanajiti, P. Mhlanga, M. Sifuniso, Y. Nachali-Kambikambi, M. Muuba, and M. Mwananyanda (eds.), *Police Brutality in Southern Africa - A Human Rights Perspective*, Inter-African Network for Human Rights and Development (Afronet), Lusaka, p.109. USD 7.8 million = ZAR 50 million
- 152 McCulloch, J. and Palmer, D. (2005), *Civil litigation by citizens against Australian police between 1994 and 2002*, Report to the Criminology Research Council, Canberra, p. 3. USD\$69 million = AUD\$90 million and USD\$7.7 million = AUD\$10 million
- 153 McCulloch, J. and Palmer, D. (2005), *Civil litigation by citizens against Australian police between 1994 and 2002*, Report to the Criminology Research Council, Canberra, p. 26
- 154 Section 8B, *Internal Security Act 1960* (Malaysia)
- 155 *Mohamad Ezam bin Nor and Others v. The Chief of Police* (2002-4 M.L.J. 449)
- 156 *Nasharuddin bin Nasir v. Kerajaan Malaysia and Others* (2002-4 M.L.J. 617)
- 157 Human Rights Watch (2004), *In the Name of Security: Counterterrorism and Human Rights Abuses Under Malaysia's Internal Security Act*, New York, p. 34
- 158 Belize, Barbados, Grenada, Guyana, Jamaica, St Vincent & the Grenadines, and Trinidad & Tobago
- 159 Jahangir, A. (2003), *Mission to Jamaica, Addendum to the Report of the Special Rapporteur on extrajudicial, summary, or arbitrary execution* submitted pursuant to the Commission on Human Rights Resolution 2003/53, E/CN.4/2004/7/Add.2 at pp.13-14
- 160 Gil-Robles, A. (2004), *Report by Mr Alvaro Gil-Robles, The Commissioner for Human Rights, on his visit to Cyprus*, Office of the Commissioner for Human Rights Council of Europe, Strasbourg:
http://www.coe.int/T/E/Commissioner_H.R/Communication_Unit/CommDH%282004%292_E.doc as on 26 May 2005
- 161 Fourth Periodic Report of Sri Lanka (2002) submitted to the Human Rights Committee under Article 40 of the ICCPR, CCPR/C/LKA/2002/4, p. 36 and p. 41
- 162 Asian Legal Resource Centre, Centre for Rule of Law, Sri Lanka, *People Against Torture, Sri Lanka and The World Organisation Against Torture* (2003), *State Violence in Sri Lanka: An Alternative report to the Human Rights Committee*, p.15
- 163 The Parliamentary Centre with the World Bank Institute (2000) *Controlling Corruption: A Parliamentarian's Handbook Second Edition*, p. 9.
- 164 Broomhill, R and Sharp, R (2002) "Budgeting for Equality: The Australian Experience", *Feminist Economics*, p. 37
- 165 Rauch, J. (2004) *Police Transformation and the South African TRC*, Centre for the Study of Violence and Reconciliation:
<http://www.csvr.org.za/papers/paprctp4.htm>, as on 3 May 2005

- 166 Truth and Reconciliation Commission (2004) "Governance", para 14, *The Report of the Truth and Reconciliation Commission for Sierra Leone*, handed to the President of Sierra Leone on 5 October 2004
- 167 National Reconciliation Commission (2004) "Statistical Profile", *Report of the National Reconciliation Commission, Ghana*, Volume 1, Chapter 6, p. 160
- 168 National Reconciliation Commission (2004) "The Security Service", *Report of the National Reconciliation Commission, Ghana*, Volume 4, Chapter 1, p. 26
- 169 National Reconciliation Commission (2004), "Recommendations for Reconciliation and Institutional Reform", *Report of the National Reconciliation Commission, Ghana*, Volume 1, Chapter 8, pp. 191-195
- 170 Transparency International (2004) *National Integrity Systems: Caribbean Composite Study 2004*, Berlin, p. 46
- 171 Select Committee on Election Violence (2002) *Report of the Select Committee on Election Violence (2002)*, Uganda, p. 7
- 172 McKinnon, D. (2000), *Address to the Commonwealth Parliamentary Conference*, Edinburgh:
http://www.thecommonwealth.org/shared_asp_files/uploadedfiles/%7B8A4B0171-81E1-48B9-91D1-96D93B712DBE%7D_CPA%20Scotland%202000.pdf as on 23 March 2005
- 173 Including Grenada, the Bahamas, St Lucia, Dominica, St Kitts and Nevis, and Antigua and Barbuda amongst others
- 174 Schedule 6, *Police Act 1996* (England and Wales)
- 175 Section 40, *Police Force Act 2004* (Singapore)
- 176 Section 27, *Police Act 1998* (Papua New Guinea)
- 177 Supreme Court Sri Lanka, *W.R. Sanjeewa AAL (for Gerald Perera) v Sena Suraweera (Inspector) and eight others* (SCFR. 328/2002)
- 178 Newham, G. (2005) *Internal Police Systems for Officer Control: A Strategic Focus Area for Improving Civilian Oversight and Police Accountability in South Africa*, Centre for the Study of Violence and Reconciliation, Cape Town:
<http://www.csvr.org.za/confpaps/newham.htm> as on 15 April 2005. USD\$16 = ZAR100
- 179 Editorial (2004) "Police corruption crisis comes to a head", *The Age*, June 3
- 180 Ombudsman Victoria (2004) *Second Interim Report: CEJA Task Force Drug Related Corruption*, p. 4
- 181 Amnesty International (2004) *Annual Report: Bangladesh*: <http://web.amnesty.org/report2004/bgd-summary-eng> as on 19 May 2005
- 182 Neild, R. (1998) "Internal Controls and Disciplinary Units", *Themes and Debates in Public Security Reform: A manual for civil society*, WOLA, November, p. 10
- 183 Dinnen, S. (2002) "Building Bridges: Law and Justice Reform in Papua New Guinea", *State, Society and Governance in Melanesia, Discussion Paper 02/2*, Canberra
- 184 Standing Committee on Human Rights, *Sixth Report to the Appointing Authority 24* (2002)
- 185 As per information revealed during author's interviews with Senior Police officers in Tanzania, though written reports were not availed to support this
- 186 Regulation C6(4), *Police Force Service Regulations (Tanzania)*
- 187 Regulation C15(9), *Police Force Service Regulations (Tanzania)*. Enquiry heard under this Regulation (dealing with senior police officers) shall not be open to the public (Tanzania)
- 188 Regulation C 12, *Police Force Service Regulations (Tanzania)* describes heightened safeguards for senior officers' involved in disciplinary proceedings
- 189 Joseph, N. (2003) "Good cops and bad cops collide in the Cape", *Cape Argus*, 17 July:
http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20030717100905648C971925 as on 5 May 2005
- 190 Criminal Justice Commission (2001) *Integrity in the Queensland Police Service: QPS Reform Update*, Volume I, March, p. 20
- 191 See, for example, Alemika, E. (2003) "Police Accountability in Nigeria: Framework and Limitations" in Alemika, E. E.O. and Chukwuma, I. C. (eds.) (2003), *Civilian Oversight and Accountability of Police in Nigeria*, Lagos and Abuja
- 192 Gallen, Rt Hon Sir Rodney (2001) *Review of the Police Complaints Authority*, Wellington, Paragraph 10.3
- 193 Amnesty International (2002) *Policing to protect human rights: A survey of police practices in countries of the Southern African Development Community 1997-2002*, p. 55
- 194 Mazengera, S. (2002) "Malawi" in Mwanjiti, N., Mhlanga, P., Sifuniso, M., Nachali-Kambikambi, Y., Muuba, M., and Mwananyanda, M. (eds.) (2002), *Police Brutality in Southern Africa - a Human Rights Perspective*, Inter-African Network for Human Rights and Development (Afronet), Lusaka, pp. 30-1
- 195 Semu, A. T. and Netzler, J. (2004) "Regional Police officers meet in Apia", *Samoa Observer*, 4 November:
<http://www.samoaoobserver.ws/news/local/ln1104/0411ln007.htm> as on 29 April 2005
- 196 Bayley, D. (2001) *Democratising the Police Abroad: What to do and how to do it*, p. 21
- 197 The Commonwealth members of SARPCCO are Botswana, Lesotho, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Tanzania and Zambia. Zimbabwe is also a member:
<http://www.interpol.int/Public/Region/Africa/Committees/SARPCCO.asp>

- 198 See the example of safety, security and access to justice programmes in countries from Jamaica and Malawi to Nigeria and Sierra Leone.
- 199 For the problems of setting police performance measures in developing countries, see Leggett, T. (2003) *What do the police do? Performance measurement and the SAPS*, Institute for Security Studies, Pretoria
- 200 The performance targets for the PPAF, for example, were developed following research to identify "signal crimes", those offences which had the biggest impact on confidence in public safety.
- 201 The Independent Commission on Policing for Northern Ireland (1999) *A New Beginning: Policing in Northern Ireland - The Report of the Independent Commission on Policing for Northern Ireland*, chapter 10: <http://www.belfast.org.uk/report/chapter10.pdf>
- 202 Independent Police Complaints Commission, England and Wales (UK); Police Integrity Commission, New South Wales (Australia); National Police Commission, Sri Lanka; Independent Complaints Directorate, South Africa; Police Ombudsman of Northern Ireland; Commission on Human Rights and Administrative Justice, Ghana; and National Commission on Human Rights and Freedoms, Cameroon are some of different names for civilian oversight mechanisms in the Commonwealth
- 203 Gillibrand, M. (2000) "Foreword" in Dr. Ayeni, V., Rief, L., and Thomas, H. (eds.) *Strengthening Ombudsman and Human Rights Institutions in Commonwealth Small and Island States: The Caribbean Experience*, Commonwealth Secretariat in Collaboration with the International Ombudsman Institute, London. The 17 countries that still do not have Ombudsman at any level include: the Bahamas, Bangladesh, Brunei Darussalam, Dominica, the Gambia, Kenya, Kiribati, the Maldives, Mozambique, Nauru, St Kitts and Nevis, St Vincent and the Grenadines, Sierra Leone, Singapore, Swaziland, Tonga, and Tuvalu.
- 204 Australia, Bermuda, Cameroon, Canada, Fiji, Ghana, India, Kenya, Malawi, Malaysia, Maldives, Mauritius, New Zealand, Nigeria, Northern Ireland, South Africa, Sri Lanka, Tanzania, Uganda, and Zambia all have NHRIs.
- 205 Section 4(6), *The Protection of Human Rights Act 1998* (Mauritius)
- 206 Only 16 of India's 28 states have human rights commissions
- 207 Justice Wood, J. (2004) "In the Wake of the Royal Commission into the New South Wales Police Service", paper presented at the 18th International Conference, *Keeping justice systems just and accountable: a principled approach in challenging times*, organised by the International Society for the Reform of Criminal Law in Montreal, Quebec, Canada 8-12 August 2004: http://www.lawlink.nsw.gov.au/sc%5Csc.nsf/pages/wood_080804 as on 5 May 2005
- 208 See United Nations et. al, (1993) *Principles Relating to the Status and Functioning of National Institutions for Protection and Promotion of Human Rights* (Paris Principles): <http://www.ohchr.org/english/about/publications/docs/fs19.htm#annex> as on 2 September 2005. The Principles state that institutions must be independent and that this is guaranteed by statute or constitution; autonomous from government; plural and diverse, including in membership; have a broad mandate which is based on universal human rights standards; have adequate powers of investigation; and have sufficient resources to carry out their functions.
- 209 Human Rights Watch (2001) "Protectors or Pretenders?: Government Human Rights Commissions in Africa", *World Report 2001*: <http://www.hrw.org/reports/2001/africa/> as on 7 February 2005
- 210 *Police Reform Act 2002*, Section 9 (UK)
- 211 Crossland, K. (1998) "The Ombudsman Role: Vanuatu's Experiment", paper presented at a conference *Accountability and Corruption in the Pacific: Evaluating the Roles of Ombudsman and Leadership Codes* held at the Australian National University between 6 and 10 November 1998
- 212 Ombudsman of Vanuatu (1997) *The Public Report on delayed action by Police to curb unrest at Paunangisu village*: <http://www.vanuatu.usp.ac.fj/ombudsman/Vanuatu/97-10.htm> as on 23 May 05
- 213 Asia Human Rights Commission, *Human Rights Commission of Sri Lanka decided to transfer the Kandy coordinator*, Update on Urgent Appeal 39-2003, UP-66-2004
- 214 Section 51, *The Police Integrity Commission Act, 1996*, (New South Wales, Australia)
- 215 Asia Human Rights Commission (2004) *Human Rights Commission officers obstructed from carrying out their duties by the police*, Urgent Appeals-General, 2 July, UG-04-2004: <http://www.ahrchk.net/ua/mainfile.php/2004/724/> as on 25 May 2005
- 216 Lowe, S. (2002) "The Police Complaints Authority must be restructured and empowered", To the Editor, *Guyana Chronicle*, 7 January: <http://www.guyanachronicle.com> as on 15 March 2005
- 217 The Uganda Human Rights Commission Act, 1997 and Section 37, The Commission for Human Rights and Good Governance Act, 2001 (Tanzania)
- 218 Section 16(4) of the *Commission for Human Rights and Good Governance Act, 2001* (Tanzania)
- 219 Office of the Ombudsman, Republic of Botswana: The Government of Botswana Web Site: http://www.gov.bw/government/ministry_of_state_president.html#ombudsman
- 220 Police Complaints Authority of Trinidad and Tobago (2003) "Chairman's Comments", *Seventh Report, May 01, 2002-September 30, 2003*: http://www.pca.gov.tt/pca/about/PCA_%20Annual_Report_2002-2003.pdf as on 26 May 2005

- 221 Independent Police Complaints Commission (2005) "Complaints Body Supports Reform of Police Discipline", Press Release, 17 March: http://www.ipcc.gov.uk/news/pr170305_policediscipline as on 17 April 2005
- 222 Independent Police Complaints Commission (2005) "Complaints Body Supports Reform of Police Discipline", Press Release, 17 March: http://www.ipcc.gov.uk/news/pr170305_policediscipline as on 17 April 2005
- 223 Police Integrity Commission, Special Report to Parliament, *Project Dresden II: Second audit of the quality of internal investigations*, June 2003, pg. 3
- 224 Justice Wood, J. (2004) "In the Wake of the Royal Commission into the New South Wales Police Service", paper presented at the 18th International Conference, *Keeping justice systems just and accountable: a principled approach in challenging times*, organised by the International Society for the Reform of Criminal Law in Montreal, Quebec, Canada 8-12 August 2004: http://www.lawlink.nsw.gov.au/sc%5Csc.nsf/pages/wood_080804 as on 5th May 2005
- 225 As reported by Goffe, S. (2004) "Watching the watchdogs: A Jamaican NGO's experience with lobbying for police oversight and accountability", a paper presented at the *Independent Complaints Directorate Conference for policing oversight and accountability*: January 26-29, Johannesburg, South Africa
- 226 Jamaicans For Justice (2003) *Jamaica's Human Rights Situation*, 2003, p.7: <http://www.jamaicansforjustice.org/Documents/2004/JFJ%20Report%20on%20Jamaica%27s%20Human%20Rights%20Situation%20for%20UN%20Special%20Rapporteur.doc>, as on 12th March 2005
- 227 *The Uganda Human Rights Commission Act*, 1997
- 228 See the Independent Police Complaints Commissions website: http://www.ipcc.gov.uk/index/your_qus/qa_complaints.htm as on 10th March 2005
- 229 Heafey, S. (2004) *Oversight and accountability of the police*, speech delivered by the Chair of the Commission For Public Complaints Against the RCMP at the International Society For The Reform Of Criminal Law, 10 August: http://www.cpc-cpp.gc.ca/DefaultSite/NewsRoom/index_e.aspx?ArticleID=568 as on 23 August 2005
- 230 Police Integrity Commission (2003) "Tracking the Commissions Recommendations", *Annual Report 2002-2003*, pp. 35.
- 231 Section 78, *The Police Integrity Commission Act*, 1996 (New South Wales, Australia)
- 232 ____ (2004) "2,000 buried riot cases get a new life", *Indian Express*, 18 August: http://www.indianexpress.com/full_story.php?content_id=53325 as on 25 May 2005
- 233 Sir Stevens, J. (2002) "Policing a World City", speech at the London Conference 2002, 29 November: http://www.london.gov.uk/mayor/london_conference/conf02/docs/trns4-02-police-world.pdf as on 26 May 2005
- 234 Commonwealth Heads of Government (2003) Aso Rock Commonwealth Declaration: <http://www.thecommonwealth.org/Templates/Internal.asp?NodeID=36175&int2ndParentNodeID=36668> as on 17 August 2005
- 235 Commonwealth Heads of Government, (2002) *Coolum Declaration*: <http://www.thecommonwealth.org/Templates/InternalChogm.asp?NodeID=36316&PrintFriendly=True> as on 17 August 2005
- 236 See Commonwealth Foundation (2004) *Framework for Action on Maximising Civil Society's Contribution to Development and democracy 2004-2008*, p. 10
- 237 Human Rights Watch (2002) *World Report (Kenya) 2002*: <http://hrw.org/wr2k2/africa6.html> as on 29 April 2005
- 238 Amnesty International (2003) *Essential actors of our time: human rights defenders in the Americas*, AMR 01/009/2003. When Amnesty International wrote to the government to complain about this characterisation, they received no reply.
- 239 General Assembly, United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, 1998, *General Assembly Resolution*, 53/144: [http://www.unhchr.ch/huridocda/huridoca.nsf/\(Symbol\)/A.RES.53.144.En?OpenDocument](http://www.unhchr.ch/huridocda/huridoca.nsf/(Symbol)/A.RES.53.144.En?OpenDocument) as on 17 March 2005
- 240 Amnesty International (2004) *Annual Report: Belize*: <http://web.amnesty.org/report2004/blz-summary-eng> as on 17 May 2005
- 241 Bureau of Democracy, Human Rights, and Labor, (2005) *Country Reports on Human Rights Practices 2004: Cameroon*, United States Department of State: <http://www.state.gov/g/drl/rls/hrrpt/2004/41592.htm> as on 20 August 2005
- 242 Sinkamba, W. and Matoka, W. (2005) *Report on the Consultative Meeting on the Non Governmental Organisations (NGOs) Draft Bill And Code Of Conduct*, 11 April, Zambia Council for Social Development: <http://www.civicus.org/new/content/zambiacouncilsocialdevelopment.htm> as on 22 August 2005
- 243 ____ (2005) "Draft to regulated NGOs shelved: Government buckles under donor pressure", *The Independent*, <http://independent-bangladesh.com/news/jan/04/04012005ts.htm#A1> as on 21 January 2005
- 244 ____ (2003) "A monarch too married to the past", *Independent Online*, 12 October: http://www.iol.co.za/index.php?set_id=1&click_id=68&art_id=qw106595210460S262 as on 17 March 2005
- 245 To read the BBC's account: <http://news.bbc.co.uk/2/hi/asia-pacific/3495950.stm> as on 21 February 2005
- 246 See: http://www.altus.org/altus/about/about.asp?section_id=1&sub_section_id=1&lang=en as on 29 April 2005
- 247 See: <http://www.cleen.org/index.html> as on 20 August 2005

- 248 Institute for Security Studies: <http://www.iss.co.za/about/vision.html> as on 29 April 2005
- 249 Independent Online took the South African government to court in February 2001 demanding release of police crime statistics
____(2001) "New paper group goes to court for crime stats", *Daily News*, 21 February:
http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=ct2001022108552497M636448 as on 25 May 2005). Also
see ____ (2001) "Now, state has 90 days to supply crime stats", *The Star*, 14 March:
http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=ct2001031420400856215123582 as on 25 May 2005 and
____ (2001) "Little to cheer about as crime stats lifted", *Cape Times*, 31 May:
http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=ct20010531214015899C652385 as on 25 May 2005
- 250 Australia, Belize, Canada, India, Jamaica, New Zealand, Pakistan, South Africa, Trinidad and Tobago, and United Kingdom
are the only 10 countries that have access to information laws. Uganda's Parliament has passed an Act but it is yet to receive
Presidential assent
- 251 See Commonwealth Human Rights Initiative (2003) *Open Sesame: Looking for the Right to Information in the Commonwealth*:
http://www.humanrightsinitiative.org/publications/chogm/chogm_2003/default.htm as on 17 August 2005
- 252 Gray, J. (2004) "Officer make racist remarks on tape. Members of Ontario Provincial police slag natives before protestor
killed in 1995", *The Globe and Mail*, 21 January: <http://foi.missouri.edu/internatfoinews/officers.html> as on 12 April 2005
- 253 ____ (2004) "Pulls keep top brass on toes", *Times of India*, Pune, 9 December
- 254 Statements of his mother as taken from the Macpherson Inquiry report:
<http://www.archive.official-documents.co.uk/document/cm42/4262/sli-04.htm> as on 20 August 2005
- 255 See: http://www.ipcc.gov.uk/index/about_ipcc/our_history.htm, as on 7 March 2005
- 256 Amnesty International (2004) "Guyana: Commission of Inquiry into death squad", *Amnesty International Press Release*, 19
May, AI Index: AMR 35/003/2004 (Public)
- 257 Bureau of Justice Assistance (1994) *Understanding Community Policing: A framework for action*:
<http://www.communitypolicing.org/elecilib/pdf/files/commmp.pdf> as on 5 January 2005
- 258 Neild, R. (1999) *From national security to citizen security: civil society and the evolution of public order debates*:
http://www.wola.org/publications/pub_security_civil_society_national_sec_to_citizen_sec.pdf as on 7 January 2005
- 259 Tindifa, S.B. and Kiguli, J. (1997) "Community policing study report Nairobi: The Department for International Development"
(DFID), as cited in Davis, R.C.; Henderson, N.J.; and Merrick C. (2003), "Community policing: variations on the western
model in the developing world", *Police Practice and Research*, Vol. 4, No.3, pp 285-300
- 260 These forums were formed in 1997.
- 261 Amnesty International (2002) *Policing to protect human rights: A survey of police practice in countries of the Southern African
Development Community, 1997-2002*, Chapter 64:
[http://web.amnesty.org/library/pdf/AFR030042002ENGLISH/\\$File/AFR0300402.pdf](http://web.amnesty.org/library/pdf/AFR030042002ENGLISH/$File/AFR0300402.pdf) as on 12 April 2005
- 262 Bhanu, C. and Stone, C. (2004) *Public-private partnerships for police reform*, Vera Institute of Justice:
http://www.vera.org/publication_pdf/230_441.pdf as on 6 January 2005
- 263 The information provided is from the Office of the United Nations High Commissioner for Human Rights as of 09 June 2004:
<http://www.unhchr.ch/pdf/report.pdf>, updates from: The United Nations Human Rights Treaties (<http://www.bayefsky.com>)
- 264 The information provided is from: http://www.unodc.org/unodc/en/crime_signatures_corruption.html (this conventions is not
yet enforced)

BIBLIOGRAPHY

Books and Articles

- Abdulkadir, M. (2003) "Improved Training on Disciplinary Investigations" in Alemika, E. E. O. and Chukwuma, I. C. (eds.) (2003) *Civilian Oversight and Accountability of Police in Nigeria*, Centre for Law Enforcement Education (CLEEN), Police Service Commission, Lagos and Abuja, Nigeria
- Asian Legal Resource Centre in association with the Centre for Rule of Law (Sri Lanka) People Against Torture (Sri Lanka) and The World Organisation Against Torture, (2003) *State Violence in Sri Lanka: An Alternative report to the Human Rights Committee*, Hong Kong
- Australian Institute of Criminology, "Australian deaths in custody by jurisdiction, 2003": http://www.aic.gov.au/research/dic/stats/all-num_jur-2003.html
- Bayley, D. (2001) *Democratising the Police Abroad: What to Do and How to Do it, Issues in International Crime*, National Institute of Justice, U.S. Department of Justice, Washington DC
- Bhanu, C. and Stone, C. (2004) *Public-private partnerships for police reform*, Vera Institute of Justice: http://www.vera.org/publication_pdf/230_441.pdf
- Bloch, H. (2000) "Law and Disorder: General Musharraf's crackdown on Pakistan's judiciary signals a sinister turn in his regime", *Time Magazine*, 7 February, Volume 155, No. 5: <http://www.time.com/time/asia/magazine/2000/0207/pakistan.judges.html>
- Boko, D. (2002) "Botswana", in N. Mwanajiti, P. Mhlana, M. Sifuniso, Y. Nachali-Kambikambi, M. Muuba, and M. Mwananyanda (eds.), *Police Brutality in Southern Africa - A Human Rights Perspective*, Inter-African Network for Human Rights and Development (Afronet)
- Broomhill, R and Sharp, R (2002) "Budgeting for Equality: The Australian Experience", *Feminist Economics*
- Bruce, D. (2002) "South Africa", in N. Mwanajiti, P. Mhlana, M. Sifuniso, Y. Nachali-Kambikambi, M. Muuba, and M. Mwananyanda (eds.), *Police Brutality in Southern Africa - A Human Rights Perspective*, Inter-African Network for Human Rights and Development (Afronet), Lusaka
- Bruce, D. and Neild, R. (2005) *The police that we want: a handbook for oversight of police in South Africa*, Center for the Study of Violence and Reconciliation, Open Society Foundation for South Africa and Open Society Justice Initiative: http://www.justiceinitiative.org/db/resource2/fs/?file_id=15244
- Bureau of Police Research and Development (2004), *Data on Police Organisations in India*, Ministry of Home Affairs, Government of India
- Chukwuma, I. (2005) "The Future of Police Reform in Nigeria", *Justice Initiatives*, OSJI, New York, 1 February: http://www.justiceinitiative.org/db/resource2?res_id=102523
- ColomboPage News Desk (2004) 'Bribery Officials arrest senior DIG Senevirante Banda', *ColomboPage*, September 22
- Commonwealth Secretariat (2004) "Commonwealth Principles on the Accountability of, and the Relationship between the Three Branches of Government", *Human Rights Update - Newsletter of the Human Rights Unit of the Secretariat*, Issue No 4, June 2004
- Criminal Justice Commission (2001) *Integrity in the Queensland Police Service: QPS Reform Update*, Volume I, March 2001
- Crossland, K. (1998) "The Ombudsman Role: Vanuatu's Experiment", paper presented at a conference *Accountability and Corruption in the Pacific: Evaluating the Roles of Ombudsman and Leadership Codes* held at the Australian National University between 6 and 10 November 1998
- Cumming-Bruce, N (2005) "Report finds Malaysia's police corrupt and abusive", *International Herald Tribune*: <http://www.ihf.com/articles/2005/05/16/news/malaysia.php>
- Dinnen, S. (2002) "Building Bridges: Law and Justice Reform in Papua New Guinea", *State, Society and Governance in Melanesia*, Discussion Paper February 2002, Canberra
- Ejang Tebug, O (2005) "Witnesses testify how policeman 'roasted' suspect", *Post Newspaper online*: http://www.postnewline.com/2005/04/witnesses_testi.html
- Equal Employment Opportunities Trust (2004), *Working towards a new multicultural-style Police organisation*: http://www.eeotrust.org.nz/peoplepower/view_case_print.cfm?id=27

- Finn, E. (2002) "A Partisan Police Department", *The Dominican.net*, 12 July, Volume No.1, Issue No. 24: <http://www.thedominican.net/articles/police.htm>
- Ghana Center for Democratic Development (2004) "Public See Police As Corrupt - (CDD Ghana) Survey": http://www.cddghana.org/news_article.asp?id=19
- Gillibrand, M. (2000) "Foreword" in Dr. Ayeni, V., Rief, L., and Thomas, H. (eds.) *Strengthening Ombudsman and Human Rights Institutions in Commonwealth Small and Island States: The Caribbean Experience*, Commonwealth Secretariat in Collaboration with the International Ombudsman Institute, London
- Goffe, S. (2004) "Watching the watchdogs: A Jamaican NGO's experience with lobbying for police oversight and accountability", a paper presented at the *Independent Complaints Directorate Conference for policing oversight and accountability*, 26-29 January, South Africa
- Gray, J. (2004) "Officer make racist remarks on tape. Members of Ontario Provincial police slag natives before protestor killed in 1995", *The Globe and Mail*, 21 January: <http://foi.missouri.edu/internatfoinews/officers.html>
- Human Rights and Equal Opportunity Commission (2003) *Face the Facts - Questions and Answers about Refugees, Migrants and Aboriginal and Torres Strait Islander People*: http://www.hreoc.gov.au/racial_discrimination/face_facts/pdf/tff.pdf
- Human Rights Watch (2005), *Commentary on Prevention of Terrorism Bill 2005: Human Rights Watch Briefing Paper*: <http://hrw.org/backgrounder/eca/uk0305/uk0305.pdf>
- Integrated Regional Information Networks (2005) *Mozambique: Penal and courts system reform needed to improve human rights record*, Maputo, 11 May: http://www.irinnews.org/report.asp?ReportID=47066&SelectRegion=Southern_Africa&SelectCountry=MOZAMBIQUE
- Integrated Regional Information Networks (2005) *Nigeria: More heads roll in crackdown on top-level corruption*, 5 April: http://www.irinnews.org/report.asp?ReportID=46463&SelectRegion=West_Africa
- INTERPOL (2004) "Human Rights and the legal framework of Interpol's activity", *Legal Fact Sheets*, Fact Sheet 6: <http://www.interpol.int/Public/ICPO/LegalMaterials/FactSheets/FS06.asp#2>
- Jamaicans for Justice (2004) "Janice Allen and Police Accountability", *Justice Writes* 2004.03.29: http://www.jamaicansforjustice.org/Documents/Justice_writes/2004/2004.03.29%20-%20Janice%20Allen%20&%20Police%20Accountability.doc
- Joshi, G.P. (2003) *Police Practices: Obstructions to Poor People's Access to Justice*, The Commonwealth Human Rights Initiative.
- Joseph, N. (2003) "Good cops and bad cops collide in the Cape", *Cape Argus*, 17 July: http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20030717100905648C971925
- Justice Wood, J. (2004) "In the Wake of the Royal Commission into the New South Wales Police Service", paper presented at the 18th International Conference, *Keeping justice systems just and accountable: a principled approach in challenging times*, organised by the International Society for the Reform of Criminal Law in Montreal, Quebec, Canada 8-12 August 2004, http://www.lawlink.nsw.gov.au/sc%5Csc.nsf/pages/wood_080804
- Kamau, N. (2003) "Former police chief speaks out on the 'Mwakenya' crackdown", *The Sunday Nation*, 2 March
- Keith-Reid, R. (2001) "Can Natapei Hold Off Sope Until the Elections? Uncertainty and investigations in Vanuatu", *Pacific Magazine*, May 2001: <http://www.pacificislands.cc/pm52001/pmdefault.php?urlarticleid=0032>
- Leggett, T. (2003) *What do the police do? Performance measurement and the SAPS*, Institute for Security Studies, Pretoria, South Africa
- Loveday, B. and Reid, A. (2003) *Going Local: Who should run Britain's police?*, London: Policy Exchange
- Lowe, S. (2002) "The Police Complaints Authority must be restructured and empowered", *Guyana Chronicle*, 7 January: <http://www.guyanachronicle.com>
- Mazengera, S. (2002) "Malawi", in N. Mwanajiti, P. Mhlanga, M. Sifuniso, Y. Nachali-Kambikambi, M. Muuba, and M. Mwananyanda (eds.) *Police Brutality in Southern Africa - A Human Rights Perspective*, Inter-African Network for Human Rights and Development (Afronet), Lusaka
- Nembhard, Anita (2004) "Ombudsman to Investigate Policemen on Allegations of Torture and Attempted Murder", *AMANDALA Belize*

- Misra, L. (2004) "Former intelligence top cop blows Modi's cover", *The Times of India*, 18 August: <http://timesofindia.indiatimes.com/articleshow/818775.cms>
- Mohammed, S. (2005) "Police reform plan won't work", *The Trinidad Guardian*, 27 February: <http://www.guardian.co.tt/archives/2005-02-27/news1.html>
- Newham, G. (2005) *Internal Police Systems for Officer Control: A Strategic Focus Area for Improving Civilian Oversight and Police Accountability in South Africa*, Centre for the Study of Violence and Reconciliation, Cape Town: <http://www.csvr.org.za/confpaps/newham.htm>
- Newham, G. (2002) *Tackling Police Corruption in South Africa*, Centre for the Study of Violence and Reconciliation, Cape Town
- Neild, R. (1998), "Internal Controls and Disciplinary Units", *Themes and Debates in Public Security Reform: A manual for civil society*, Washington Office on Latin America
- Oneworld South Asia (2003) *In Pakistan, the Police Shoots to Kill*: <http://southasia.oneworld.net/article/view/65493/1/>
- Peter, L (2003) "Jamaica acts over police abuse", *BBC News Online*: <http://news.bbc.co.uk/1/hi/world/americas/2975722.stm>
- Rauch, J. (2004) *Police Transformation and the South African TRC*, Centre for the Study of Violence and Reconciliation, Johannesburg: <http://www.csvr.org.za/papers/paprctp4.htm>
- Samad, S. (2003) "A first-hand account of an arrested BD journalist", *South Asia Tribune*, Issue No. 29, Feb. 10-16
- Sekhonyane, M. and Louw, A. (2002) *Violent Justice; Vigilantism And The State's Response*, Monograph No. 72, April, Institute for Security Studies, South Africa: <http://www.iss.co.za/PUBS/MONOGRAPHS/No72/ExecSum.html>
- Semu, A. T. and Netzler, J. (2004) "Regional Police officers meet in Apia", *Samoa Observer*, 4 November: <http://www.samoaoobserver.ws/news/local/ln1104/0411ln007.htm>
- Staff correspondent (2004) "FDI appeal lost on undone reforms", *The Daily Star*, 27 September: <http://www.thedailystar.net/2004/09/27/d4092701022.htm>
- Stone, C. E. and Ward, H. H. (2000) "Democratic policing: a framework for action", *Policing and Society*, Vol. 10, number 1
- The Parliamentary Centre, Canada with the World Bank Institute (2000) *Controlling Corruption: A Parliamentarian's Handbook*, Second Edition
- Tindifa, S.B. and Kiguli, J. (1997) "Community policing study report Nairobi: The Department for International Development" (DFID), as cited in Davis, R.C.; Henderson, N.J.; and Merrick C. (2003), "Community policing: variations on the western model in the developing world", *Police Practice and Research*, Vol. 4, No. 3
- Transparency International (2004) "Corruption is rampant in 60 countries, and the public sector is plagued by bribery says TI", *Corruption Perceptions Index 2004*: <http://www.transparency.org/cpi/2004/cpi2004.en.html#cpi2004>
- TRNC (Turkish Republic of Northern Cyprus) Press News Spots: *Turkish Cypriot Prisoners are Complaining*, July 16: <http://www.trncpio.org/ingilizce/DOSYALAR/news/july/16%20%20july%202004.htm>
- Van Zant, E (2005) "Better Policing: Tackling the problems besetting the Bangladeshi police services means overcoming a long history and great shortage of funds", *ADB Review*: http://www.adb.org/Documents/Periodicals/ADB_Review/2005/vol37-2/better-policing.asp
- Venkatesan, J. (2002) "Law Commission suggests changes in arrest law", *The Hindu*, April 11: <http://www.hinduonnet.com/2002/04/11/stories/2002041101821200.htm>
- Weatherburn, D (2003) "Long arm of the law comes up short with blacks", *Sydney Morning Herald*: <http://www.smh.com.au/articles/2003/10/14/1065917413172.html?from=storyrhs>
- Zeitune, J. (2004) *International Principles on The Independence and Accountability of Judges, Lawyers and Prosecutors: A Practitioner's Guide*, International Commission of Jurists, Geneva
- ___(2003) "A monarch too married to the past", *Independent Online*, 12 October: http://www.iol.co.za/index.php?set_id=1&click_id=68&art_id=qw106595210460S262
- ___(2004) "Charges laid in Toronto drug squad probe", *CBC News*, 7 January: <http://www.cbc.ca/story/canada/national/2004/01/07/police040107.html>

___(2004) "Court documents detail allegations against cops", *CBC News*, 20 January:
http://toronto.cbc.ca/regional/servlet/View?filename=to_drugsquad20040120

___(2005) "Draft to regulated NGOs shelved: Government buckles under donor pressure", *The Independent*, <http://independent-bangladesh.com/news/jan/04/04012005ts.htm#A1>

___(2004), 'More charges in kickback scandal', *CBC News*, 5 July:
http://toronto.cbc.ca/regional/servlet/View?filename=to_copcharges20040705

___(2001) "New paper group goes to court for crime stats", *Daily News*, 21 February:
http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=ct2001022108552497M636448

___(2004) "New scandal envelops Toronto police", *CBC News*, 20 April:
<http://www.cbc.ca/stories/2004/04/19/canada/ttopolice040419>

___(2004) "Police corruption crisis comes to a head", *The Age*, June 3

___(2004) "Pulls keep top brass on toes", *Times of India*, Pune, 9 December

___(2004) "Report grades police forces", *The Guardian*, 14 June: http://www.guardian.co.uk/uk_news/story/0,,1238603,00.html.

___(2005) "Set up Constitutional Council for Good Governance, says Police Commission Chief", *ColomboPage*, July 20:
<http://www.colombopage.com/archive/July2001807UN.html>

___(2004) "2,000 buried riot cases get a new life", *Indian Express*, 18 August:
http://www.indianexpress.com/full_story.php?content_id=53325.

___(2002) "Police top 'corrupt' South Asia list", *BBC News*, 17 December:
http://news.bbc.co.uk/1/hi/world/south_asia/2584735.stm

Press Releases and Appeals

Amnesty International (2004) *Guyana: Commission of Inquiry into death squad*, Amnesty International Press Release, 19 May, AI Index: AMR 35/003/2004

Amnesty International (2004) *Jamaica: five years of impunity must come to an end*, Amnesty International Press Release, AI Index: AMR 38/016/2004: <http://web.amnesty.org/library/Index/ENGAMR380162004?open&of=ENG-325>

Amnesty International (2001) *Urgent Action - Jamaica: Fear for safety: Family of Janice Allen*, 16 May, AMR 38/014/2001: <http://web.amnesty.org/library/Index/ENGAMR380142001?open&of=ENG-JAM>

Amnesty International (2002) *Urgent Action - Jamaica: Further information on fear for safety: Family of Janice Allen*, 5 November, AMR 38/021/2002: <http://web.amnesty.org/library/index/ENGAMR380212002?open&of=ENG-JAM>

Asia Human Rights Commission (2003) *Human Rights Commission of Sri Lanka decided to transfer the Kandy coordinator*, Update on Urgent Appeal 39-2003, UP-66-2004

Asia Human Rights Commission (2004) *Human Rights Commission officers obstructed from carrying out their duties by the police*, Urgent Appeals-General, 2 July, UG-04-2004: <http://www.ahrchk.net/ua/mainfile.php/2004/724/>

Independent Police Complaints Commission (2005) *Complaints Body Supports Reform of Police Discipline*, Press Release, 17 March: http://www.ipcc.gov.uk/news/pr170305_policediscipline

Transparency International (2004) *Press Release: Political parties are most corrupt institution worldwide according to TI Global Corruption Barometer 2004*: http://www.transparency.org/pressreleases_archive/2004/2004.12.09.barometer_eng.html

Speeches

Heafey, S. (2004) *Oversight and accountability of the police*, speech delivered by the Chair of the Commission For Public Complaints Against the RCMP at the International Society For The Reform Of Criminal Law, 10 August: http://www.cpc-cpp.gc.ca/DefaultSite/NewsRoom/index_e.aspx?ArticleID=568

McKinnon, D. (2000) *Address to the Commonwealth Parliamentary Conference*, Edinburgh, 26 September: http://www.thecommonwealth.org/shared_asp_files/uploadedfiles/%7B8A4B0171-81E1-48B9-91D1-96D93B712DBE%7D_CPA%20Scotland%202000.pdf

Nqakula, C. (2005) *Budget vote debate*, Speech presented to the Extended Parliamentary Committee, 12 April: http://www.policeaccountability.co.za/CurrentInfo/ci_detail.asp?art_ID=243

Sir Stevens, J. (2002) *Policing a World City*, speech at the London Conference 2002, 29 November: http://www.london.gov.uk/mayor/london_conference/conf02/docs/trns4-02-police-world.pdf

Reports

Amnesty International (2001) *Annual Report: Fiji*, London:

<http://web.amnesty.org/web/ar2001.nsf/webasacountries/FIJI?OpenDocument>

Amnesty International (2004) *Annual Report: Bangladesh*, London: <http://web.amnesty.org/report2004/bgd-summary-eng>

Amnesty International (2004) *Annual Report: Belize*, London: <http://web.amnesty.org/report2004/blz-summary-eng>

Amnesty International (1999) *Zambia: Applying the Law Fairly or Fatally? Police Violation of Human Rights in Zambia*, AFR 63/001/1999

Amnesty International (2003) *Essential actors of our time: human rights defenders in the Americas*, AMR 01/009/2003

Amnesty International (2004) *Guns and Policing: Standards to prevent misuse*:

http://www.controlarms.org/documents/guns_and_policing_report.pdf

Amnesty International (2002) *Policing to protect human rights: A survey of police practice in countries of the Southern African Development Community 1997-2002*, London: [http://web.amnesty.org/library/pdf/AFR030042002ENGLISH/\\$File/AFR0300402.pdf](http://web.amnesty.org/library/pdf/AFR030042002ENGLISH/$File/AFR0300402.pdf)

Amnesty International (2002) *Security forces in Nigeria: serving to protect and respect human rights?*, AI Index: AFR 44/023/2002: <http://web.amnesty.org/library/index/engaf440232002>

Bureau of Democracy, Human Rights and Labour (2005) *Country Reports on Human Rights Practices 2004: Cameroon*, United States Department of State: <http://www.state.gov/g/drl/rls/hrrpt/2004/41592.htm>

Bureau of Democracy, Human Rights and Labour (2005) *Country Reports on Human Rights Practices 2004: Mozambique*, United States Department of State: <http://www.state.gov/g/drl/rls/hrrpt/2004/41617.htm>

Bureau of Democracy, Human Rights and Labour (2005) *Country Reports on Human Rights Practices 2004: Nigeria*, United States Department of State: <http://www.state.gov/g/drl/rls/hrrpt/2004/41620.htm>

Bureau of Democracy, Human Rights, and Labor (2005) *Country Reports on Human Rights Practices 2004: Pakistan*, United States Department of State: <http://www.state.gov/g/drl/rls/hrrpt/2004/41743.htm>

Bureau of Justice Assistance (1994) *Understanding Community Policing: A framework for action*:

<http://www.communitypolicing.org/elecilib/pdf/commp.pdf>

Commonwealth Foundation (2004) *Framework for Action on Maximising Civil Society's Contribution to Development and democracy 2004-2008*.

Commonwealth Human Rights Initiative (2003) *Open Sesame: Looking for the Right to Information in the Commonwealth*:

http://www.humanrightsinitiative.org/publications/chogm/chogm_2003/default.htm

Commonwealth Human Rights Initiative (2003) *Roundtable Conference on Police Reform in East Africa: A Report*

Commission on Human Security (2003) *Human Security Now*, Final Report of the Commission on Human Security:

<http://www.humansecurity-chs.org/finalreport/English/chapter1.pdf>

Commonwealth Secretariat (2003) *Making Democracy Work for Pro-Poor Development*; Report of the Commonwealth Expert Group on Development and Democracy

DFID (2001) *DFID Policy Statement on Safety and Access to Justice*, 12 October: <http://www.dfid.gov.uk/pubs/files/policy-safety.pdf>

European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (2003), *Report to the Government of Cyprus on the Visit to Cyprus carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 22 to 30 May 2000*, Strasbourg

Gallen, Rt Hon Sir Rodney (2001) *Review of the Police Complaints Authority*, Wellington

Gil-Robles, A. (2004) *Report by Mr Alvaro Gil-Robles, the Commissioner for Human Rights, on his visit to Cyprus 25-29 June 2003*, Office of the Commissioner for Human Rights, Council of Europe, Strasbourg:

[http://www.coe.int/T/E/Commissioner_H.R/Communication_Unit/Documents/pdf/CommDH\(2004\)2_E.pdf](http://www.coe.int/T/E/Commissioner_H.R/Communication_Unit/Documents/pdf/CommDH(2004)2_E.pdf)

Government of Papua New Guinea and Institute of National Affairs (2004), *Report of the Royal Papua New Guinea Constabulary Administrative Review Committee to the Minister for Internal Security Hon. Bire Kimisopa*

Her Majesty's Chief Inspector of Constabulary (1999) *Police Integrity: Securing and Maintaining Public Confidence*, London: <http://www.homeoffice.gov.uk/hmic/polinteg.htm>

Human Rights Watch (2004) *In the Name of Security: Counterterrorism and Human Rights Abuses under Malaysia's Internal Security Act*, Volume 16, No. 7, New York: <http://hrw.org/reports/2004/malaysia0504/>

Human Rights Watch (2001) "Protectors or Pretenders?: Government Human Rights Commissions in Africa", *World Report 2001*: <http://www.hrw.org/reports/2001/africa/>

Human Rights Watch (2002) "'We Have No Orders to Save You': State Participation and Complicity in Communal Violence in Gujarat", *Reports 2002*, Vol 14, No. 3: <http://www.hrw.org/reports/2002/india/>

Independent Commission on Policing for Northern Ireland (1999) *A New Beginning: Policing in Northern Ireland - The Report of the Independent Commission on Policing for Northern Ireland*: <http://www.belfast.org.uk/report.htm>

Jahangir, A. (2003) *Mission to Jamaica, Addendum to the Report of the United Nations Special Rapporteur on Extrajudicial, summary or arbitrary executions*, submitted pursuant to the Commission on Human Rights Resolution 2003/53, UN Doc.

E/CN.4/2004/7/Add.2, 26 September:

[http://www.unhcr.ch/Huridocda/Huridoca.nsf/\(Symbol\)/E.CN.4.2004.7.Add.2+and+Corr.1.En?Opendocument](http://www.unhcr.ch/Huridocda/Huridoca.nsf/(Symbol)/E.CN.4.2004.7.Add.2+and+Corr.1.En?Opendocument)

Jamaicans For Justice (2003) *Jamaica's Human Rights Situation*:

<http://www.jamaicansforjustice.org/Documents/2004/JFJ%20Report%20on%20Jamaica%27s%20Human%20Rights%20Situation%20for%20UN%20Special%20Rapporteur.doc>

Law Commission of India (2001) *One Hundred and seventy seventh report on law relating to arrest*:

<http://lawcommissionofindia.nic.in/reports/177rpt1.pdf>

Masuku, T. (2004) *Accountability systems in the South African Police Service*, draft report written for the Centre for the Study of Violence and Reconciliation, (CSVR), Johannesburg

McCulloch, J. and Palmer, D. (2005) *Civil litigation by citizens against Australian police between 1994 and 2002*, Report to the Criminology Research Council, Canberra: <http://www.aic.gov.au/crc/reports/200102-19.pdf>

Ministry for Internal Affairs of Malta (2001) *White Paper on New Police Law - A Commentary*, August 2001

National Reconciliation Commission (2004) *Report of the National Reconciliation Commission*, Ghana

New South Wales Police Integrity Commission (2003) *Special Report to Parliament, Project Dresden II: Second audit of the quality of internal investigations*, Sydney

New South Wales Police Integrity Commission (2003) "Tracking the Commissions Recommendations", *Annual Report 2002-2003*, Sydney: http://www.pic.nsw.gov.au/PDF_files/2002-2003.pdf

Neild, R. (1999) *From national security to citizen security: civil society and the evolution of public order debates*, Washington Office on Latin America: http://www.wola.org/publications/pub_security_civil_society_national_sec_to_citizen_sec.pdf

Ombudsman of Vanuatu (1997) *The Public Report on delayed action by Police to curb unrest at Paunangisu village*:

<http://www.vanuatu.usp.ac.fj/ombudsman/Vanuatu/97-10.htm>

Ombudsman Victoria (2004) *Second Interim Report: CEJA Task Force Drug Related Corruption*

Police Complaints Authority of Trinidad and Tobago (2003) *Seventh Report May 01, 2002 - September 30, 2003*,

http://www.pca.gov.tt/pca/about/PCA_%20Annual_Report_2002-2003.pdf

Select Committee to Inquire into Election Violence (2002) *Report of the Select Committee on Election Violence (2002)*, Uganda

Sierra Leone Truth and Reconciliation Commission (2004) *Sierra Leone Truth and Reconciliation Commission Final Report*

Sinkamba, W. and Matoka, W. (2005) *Report on the Consultative Meeting on the Non Governmental Organisations (NGOs) Draft Bill And Code of Conduct*, 11 April, Zambia Council for Social Development:

<http://www.civicus.org/new/content/zambiacouncilsocialdevelopment.htm>

Standing Committee on Human Rights (2002) *Sixth Report to the Appointing Authority 24 (Kenya)*

State Party Report, Sri Lanka (2002) *Fourth Periodic Report: Sri Lanka*, submitted to the Human Rights Committee under Article 40 of the ICCPR on 18 October, CCPR/C/LKA/2002/4:

[http://www.unhcr.ch/tbs/doc.nsf/\(Symbol\)/CCPR.C.LKA.2002.4.En?Opendocument](http://www.unhcr.ch/tbs/doc.nsf/(Symbol)/CCPR.C.LKA.2002.4.En?Opendocument)

Statistics Canada (2003) *2003 General Social Survey on Social Engagement, cycle 17: an overview of findings*, Ottawa: <http://www.statcan.ca/english/freepub/89-598-XIE/89-598-XIE2003001.pdf>

Transparency International (2004) *The Kenya Bribery Index 2004*

Transparency International (2004) *National Integrity Systems: Caribbean Composite Study 2004*, Berlin: http://www.transparency.org/activities/nat_integ_systems/dnld/carib_comp.pdf

Uganda Human Rights Commission (2002) *Annual Report 2001-2002*

United Kingdom Home Office (2003) *Policing: Building Safer Communities Together*, London HMSO: <http://www.policereform.gov.uk/docs/consultation2003.html>

United Kingdom Home Office (2004) *Building Communities, Beating Crime: A better police service for the 21st century*, cm 6360, London HMSO: <http://www.policereform.gov.uk/docs/prwp2004.html>

United Kingdom Home Office (2004) *Statistics on Race and the Criminal Justice System 2003*: <http://www.homeoffice.gov.uk/rds/pdfs04/s95race2003.pdf>

United Nations Commission on Human Rights, Working Group on Enforced or Involuntary Disappearances (1999) *Civil and Political Rights, including Questions of: Disappearances and Summary Executions: Report on the visit to Sri Lanka by a member of the Working Group on Enforced or Involuntary Disappearances, (25-29 October 1999)*, Addendum, 21 December: <http://www.unhchr.ch/Huridocda/Huridoca.nsf/0/e6d08bb09c61c6d7802568a9006830f1?OpenDocument>.

United Nations Committee Against Torture (2002) *Sri Lanka: CAT Article 20 Examinations Re: Systematic Torture*, UN Doc. CAT A/57/44: http://www.bayefsky.com/html/srilanka_cat_article20.php

United Nations Human Rights Committee (2005) *Concluding observations of the Human Rights Committee: Kenya*, UN Doc. CCPR/CO/83/KEN, 29 April: [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/CCPR.CO.83.KEN.En?OpenDocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/CCPR.CO.83.KEN.En?OpenDocument)

United Nations Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance (2004) *Mission to Guyana and Trinidad and Tobago*, UN Doc E/C.4/2004/18/Add.1

United Nations Special Rapporteur on Extra judicial, Summary or Arbitrary Executions (1998); *Report on Sri Lanka*. E/CN.4/1998/68/Add.2

World Bank (2001) *World Development Report 2000/2001: Attacking Poverty*, New York

Websites

Altus Global Alliance: <http://www.altus.org>

Canadian Association of Police Boards, <http://www.capb.ca/about/composition.shtml>

Canadian Consortium of Human Security, Centre of International Relations: http://www.humansecuritybulletin.info/February_2005/About/en/index.php.

Commission of Inquiry into Police Conduct, Department of Internal Affairs, Government of New Zealand: <http://www.cipc.govt.nz>

Global Facilitation Network for Security Sector Reform: http://www.gfn-ssr.org/good_practice.cfm?id=27&p=13.

Independent Police Complaints Commission, United Kingdom, http://www.ipcc.gov.uk/index/your_qus/qa_complaints.htm

Institute for Security Studies: <http://www.iss.co.za>

Office of the Ombudsman, Republic of Botswana: The Government of Botswana Web Site: http://www.gov.bw/government/ministry_of_state_president.html#ombudsman.

Police Accountability: <http://www.policeaccountability.co.za/>

South African Police Service website, Police-Population Ratio: http://www.saps.gov.za/_dynamicModules/internetsite/buildingBlocks/basePage4/BP444.asp

Toronto Police Services Board: <http://www.torontopoliceboard.on.ca/complaints.htm>

YouGov Survey Results, Public Trust, prepared for the Daily Telegraph in February/March 2003: http://www.yougov.com/asp_besPollArchives/pdf/TEL020101018_2.pdf

Court Judgments

BLAST v Bangladesh 55 DLR (2003), pages 363-381

Delhi Domestic Working Women's Forum v Union Of India & Others 1995 (001) SCC 14

Joginder Kumar v State of UP and Others 1994 Cri.LJ 1981; and *D.K. Basu v State of West Bengal* AIR 1997 SC 610

Mohamad Ezam bin Nor and Others v The Chief of Police (2002-4 M.L.J. 449)

Nasharuddin bin Nasir v Kerajaan Malaysia and Others (2002-4 M.L.J. 617)

Prakash Singh v Union of India, Writ Petition (Civil) No. 310 of 1996

W.R. Sanjeewa AAL (for Gerald Perera) v Sena Suraweera (Inspector) and eight others (SCFR. 328/2002)

Communiqués, Declarations, Resolutions, and Treaties

African Union (1981) *African Charter on Human and People's Rights (Banjul Charter)*:

http://www.africa-union.org/Official_documents/Treaties_%20Conventions_%20Protocols/Banjul%20Charter.pdf

Commonwealth Heads of Governments (2003) *Abuja Communiqué*:

<http://www.thecommonwealth.org/Templates/Internal.asp?NodeID=36177&int2ndPa>

Commonwealth Heads of Government (2003) *Aso Rock Declaration*:

<http://www.thecommonwealth.org/Templates/Internal.asp?NodeID=36175&int2ndParentNodeID=36668>

Commonwealth Heads of Government (1991) *Commonwealth Harare Declaration*:

<http://www.thecommonwealth.org/Templates/Internal.asp?NodeID=34457>

Commonwealth Heads of Government (2002) *Coolum Declaration*:

<http://www.thecommonwealth.org/Templates/InternalChogm.asp?NodeID=36316&PrintFriendly=True>

Commonwealth Heads of Governments (1999) *Durban Communiqué*:

<http://www.thecommonwealth.org/Templates/Internal.asp?NodeID=35247>

Commonwealth Heads of Government (1971) *Singapore Declaration of Commonwealth Principles*:

<http://www.thecommonwealth.org/Templates/Internal.asp?NodeID=32987>

Communiqué (2002) Commonwealth Law Ministers, St Vincents and the Grenadines, 18-21 November

European Convention for the Protection of Human Rights and Fundamental Freedoms (1953)

INTERPOL General Assembly (1956) *Constitution of INTERPOL*:

<http://www.interpol.org/Public/ICPO/LegalMaterials/constitution/constitutionGenReg/constitution.asp>

INTERPOL General Assembly (2002) *Global Standards to Combat Corruption in Police Forces/Services*:

<http://www.interpol.int/Public/Corruption/Standard/Default.asp>

INTERPOL General Assembly (1949) *Resolution No. 3*:

<http://www.interpol.int/Public/ICPO/LegalMaterials/FactSheets/FS06.asp#2>

Organization of American States (1978) *American Convention on Human Rights*:

<http://www.oas.org/juridico/english/Treaties/b-32.htm>

Southern African Regional Police Chiefs Co-operation Organisation (2001) *Harare Resolution on the SARPCCO Code of Conduct for Police Officials*, 27-31 August, Mauritania: <http://www.apt.ch/africa/Sarpcco.pdf>

United Nations (1990) *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials*:

http://www.unhchr.ch/html/menu3/b/h_comp43.htm

United Nations (1979) *Code of Conduct for Law Enforcement Officials*: http://www.unhchr.ch/html/menu3/b/h_comp42.htm

United Nations (2003) *Convention against Corruption* (not yet enforced):

http://www.unodc.org/pdf/crime/convention_corruption/signing/Convention-e.pdf

United Nations (1993) *Principles Relating to the Status and Functioning of National Institutions for Protection and Promotion of Human Rights* (Paris Principles): <http://www.ohchr.org/english/about/publications/docs/fs19.htm#annex>

United Nations General Assembly (1979) *Resolution 34/169*, December 17:
<http://www.un.org/documents/ga/res/34/a34res169.pdf>

United Nations General Assembly (1998) *General Assembly Resolution 53/144*:
[http://www.unhchr.ch/huridocda/huridoca.nsf/\(Symbol\)/A.RES.53.144.En?OpenDocument](http://www.unhchr.ch/huridocda/huridoca.nsf/(Symbol)/A.RES.53.144.En?OpenDocument)

United Nations (1948) *Universal Declaration of Human Rights (UDHR)*: <http://www.un.org/Overview/rights.html>

Constitutions and Laws

Constitutions (<http://www.cia.gov/cia/publications/factbook/fields/2063.html>)

Constitution of Brunei Darussalam, 1959

Constitution of Cyprus, 1960

Constitution of Guyana, 1980

Constitution of India, 1950

Constitution of Jamaica, 1962

Constitution of Kenya, 1963

Constitution of Malawi, 1994

Constitution of Malta, 1964

Constitution of New Zealand (The Constitution Act, 1986, which is the principal formal charter)

Constitution of Solomon Islands, 1978

Constitution of South Africa, 1996

Constitution of Sri Lanka, 1978

Constitution of The Gambia, 1970

Constitution of The Republic of South Africa, 1996

Police Acts

Police Act, 1996 (England and Wales)

Police Act, 1967 (Malaysia)

Police Act, 1990 (New South Wales, Australia)

Police Act, 2000 (Northern Ireland)

Police Act, 2003 (Northern Ireland)

Police Act, 1998 (Papua New Guinea)

Police Act, 1994 (Uganda)

Police Force Act, 2004 (Singapore)

Police Order, 2002 (Pakistan)

Police Reform Act, 2002 (United Kingdom)

South African Police Service Act, 1995 (South Africa)

Police Service Administration Act, 1990 (Queensland, Australia)

Police Services Act, 1990 (Ontario, Canada)

Other Acts

Criminal Procedure Act, 1977 (South Africa)

Indian Evidence Act, 1872

Indian Penal Code, 1860

Indemnity Act, No. 20 of 1982 (Sri Lanka)

Indemnity (Amendment) Act, No. 60 of 1988 (Sri Lanka)

Internal Security Act, 1960 (Malaysia)

Special Powers Act, 1974 (Bangladesh)

The Police Integrity Commission Act, 1996 (New South Wales, Australia)

The Protection of Human Rights Act, 1998 (Mauritius)

The Commission for Human Rights and Good Governance Act, 2001 (Tanzania)

The Uganda Human Rights Commission Act, 1997 (Uganda)

Amendment to Human Rights Commission Act, 2005 (Maldives)

CHRI's PREVIOUS REPORTS TO CHOGM

Open Sesame: Looking for the Right to Information in the Commonwealth (2003)

Open Sesame demonstrates the value to democracy and development of ensuring that people have a guaranteed right to access information held by government and other powerful institutions as well as the urgency of enabling that right. The international standards, practice and lessons expounded in this report offer a practical solution to the all too evident systemic governance problems that beset most Commonwealth countries today through the neglect of this fundamental right.

Human Rights and Poverty Eradication: A Talisman for the Commonwealth (2001)

The Talisman report shows how poverty is an abuse of human rights. It advocates the adoption of a rights-based approach to eradicating the large-scale poverty that continues to exist in the Commonwealth. It points to the gap between the rhetoric the Commonwealth espouses and the reality of people's lives. The report urges member governments to cooperate to fulfil the many solemn commitments made at successive CHOGMs or risk the Commonwealth losing its relevance.

Over a Barrel - Light Weapons and Human Rights in the Commonwealth (1999)

Over a Barrel exposed a tragic contradiction in the modern Commonwealth in that although human rights are recognised as central to the Commonwealth, millions of light weapons flow freely, jeopardising safety, development and democracy. The report outlines urgent recommendations to the Commonwealth for curbing the reach of light weapons in member countries.

The Right to a Culture of Tolerance (1997)

This report focused on two themes: ethnic and religious intolerance as an urgent problem throughout the Commonwealth; and freedom of expression/information as a crucial element of a democracy. The report noted that the norms and political values of the Commonwealth compel the association to act to promote tolerance in member countries and the report made recommendations for achieving this goal.

Rights Do Matter (1995)

Rights Do Matter explored two themes: freedom of expression and the need for major reform in prisons. The report placed this discussion in the context of the transition from authoritarian to democratic political orders and the economic transition from planned to market economies.

Act Right Now (1993)

Act Right Now was an assessment of the progress of human rights in Commonwealth countries since the Harare Declaration and was made with reference to the United Nations World Conference on Human Rights in Vienna in June 1993. It called for the Commonwealth to play a lead role in supporting the long, complex process of moving towards real democracy in transitional countries.

Put Our World to Rights (1991)

Put Our World to Rights was the first independent overview of the status of human rights in the Commonwealth. It provides practical guidance on how to use international machinery for redress.

CHRI PROGRAMMES

CHRI's work is based on the assumption that for the realisation of human rights, genuine democracy and development to become a reality in people's lives, there must be high standards and functional mechanisms for accountability and participation within the Commonwealth and its member countries. Accordingly, as well as a broad human rights advocacy programme, CHRI advocates access to information and access to justice. It does this through research, publications, workshops, information dissemination and advocacy.

Human Rights Advocacy:

CHRI makes regular submissions to official Commonwealth bodies including the Commonwealth Ministerial Action Group and Commonwealth member governments. From time to time CHRI conducts fact finding missions to investigate human rights concerns in member countries and since 1995, has sent missions to Nigeria, Zambia, Fiji Islands and Sierra Leone. CHRI also coordinates the Commonwealth Human Rights Network, which brings together diverse groups to build their capacity and collective power to advocate human rights issues in the Commonwealth. CHRI's Media Unit also ensures that crucial human rights issues are in the public consciousness.

ACCESS TO INFORMATION

Right to Information:

In promoting the right to information, CHRI catalyses civil society and governments to take action, acts as a hub of technical expertise in support of strong legislation, and assists partners with implementation of good practice. CHRI works collaboratively with local organisations and officials throughout the Commonwealth, building government and civil society capacity as well as advocating with policy makers to ensure that laws reflect the real information needs of the community. CHRI is active in South Asia, most recently supporting the successful campaign for a national law in India; provides legal drafting support and inputs in Africa; and in the Pacific, works with regional and national organisations to catalyse interest in access legislation.

Constitutionalism:

CHRI believes that constitutions must be made and owned by the people. Towards this end, it has developed guidelines to inform the making and review of constitutions through a consultative process. In addition, CHRI promotes knowledge of constitutional rights and values through public education programmes. It has developed web-based learning modules for the Commonwealth Parliamentary Association aimed at informing legislators of the value of human rights to their work. In the run up to elections, CHRI has created networks of citizen's groups that monitor elections, protest the fielding of criminal candidates, conduct voter education and monitor the performance of local representatives.

ACCESS TO JUSTICE

Police Reforms:

In too many Commonwealth countries the police are seen as oppressive instruments of state rather than as protectors of citizens' rights, leading to widespread human rights violations and denial of justice. CHRI promotes systemic reforms of police organisations so that they may act as upholders of the rule of law rather than as instruments of the current regime. In India, CHRI's programme aims at mobilising public support for police reform. In East Africa and Ghana, CHRI is examining police accountability issues and political interference.

Prison Reforms:

The closed nature of prisons makes them prime centres of human rights violations. CHRI aims to open up prison working to public scrutiny. This programme is sharply focused on ensuring that the near defunct lay visiting system is revived. CHRI examines prison visiting and undertakes capacity building programmes for visitors.

Judicial Colloquia:

In collaboration with INTERIGHTS, CHRI has held a series of colloquia for judges in South Asia on issues related to access to justice, particularly for the most marginalised sections of the community.

In too many countries, governments are failing in their primary duty to provide the public with an honest, efficient, effective police service that ensures the rule of law and an environment of safety and security. Membership of the Commonwealth is premised on countries being democratic – and this requires democratic policing. The only legitimate policing is policing that helps create an environment free from fear and conducive to the realisation of people's human rights, particularly those that promote unfettered political activity, which is the hallmark of a democracy. As CHRI advocates in its report to the Commonwealth Heads of Government, police reform is now too important to neglect and too urgent to delay. This report calls on the Commonwealth to explicitly acknowledge that police reform is needed in many countries of the Commonwealth and to lead the move toward better policing. CHRI urges the Commonwealth to develop Commonwealth Principles of Policing based on its core principles and international standards.



COMMONWEALTH HUMAN RIGHTS INITIATIVE

B-117, First Floor, Sarvodaya Enclave

New Delhi - 110 017, INDIA

Tel: +91-11- 2685-0523, 2686-4678

Fax: +91-11-2686-4688, E-mail: chriall@nda.vsnl.net.in

Website: www.humanrightsinitiative.org