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இலங்கைச் சட்டத்தரணிகள் சங்கம்  
BAR ASSOCIATION OF SRI LANKA

17<sup>th</sup> March 2023

Hon. Ranil Wickremesinghe,  
President,  
Democratic Socialist Republic of Sri Lanka  
Colombo 1.

Honourable President,

**APPOINTMENT OF THE INSPECTOR GENERAL OF POLICE**

It is understood that the office of the Inspector General of Police is due to fall vacant on March 23<sup>rd</sup> 2023. The IGP is the Head of the Police Department and has security of tenure in terms of the Removal of Officers (Procedure) Act No. 5 of 2002. Hence it is of utmost importance that the best possible appointment be made to that office.

During the last few decades there has been a serious erosion of public confidence in the Sri Lanka Police. The lack of independence, politicisation, police brutality, custodial deaths, lack of professionalism have all contributed to the erosion of public confidence in the Police. The Bar Association of Sri Lanka (BASL) is of the view that public confidence in the Police is vital for the administration of justice and the rule of law.

In the case of *Mohammed Rashid Fathima Sharmila v K.W.G. Nishantha* and others SCFR 398/2008- S.C.M. 03.02.2023 the Supreme Court observed that the police have lost the credibility it ought to have, in the following manner:

*"It only highlights the utterly unprofessional approach to duty by the personnel who man it and as a consequence, people are increasingly losing trust in the police. It had lost the credibility it ought to enjoy as a law enforcement agency. The incident relevant to this application had taken place in 2008, however, this court observes that instances of death of suspects in police custody are continuing to happen, even today." (Aluwihare J)*

It is of utmost important that the next Inspector General of Police should be an officer whose service in the police force is exemplary and free of any blemish and able to restore public confidence in the Sri Lanka Police.

The Sri Lanka Police has had a practice that the promotions of police officers who are named as suspects or accused in criminal matters or are Respondents in Fundamental Rights applications such as those relating to illegal arrests and torture are withheld during the pendency of such applications. Similarly, promotions of officers who have a blemished record in the Sri Lanka Police are regularly withheld. The BASL is of the view that the same or higher standards must be adopted by the Executive in appointing the Inspector General of Police.

In the aforesaid circumstances the BASL urges that no officer who has pending Fundamental Rights or criminal cases against him or any allegations of involvement in unlawful activity be appointed to the office of the Inspector General of Police.

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President  
Saliya Pieris PC

Deputy President  
Anura Meddegoda PC

Secretary  
Isuru Balapatabendi

Treasurer  
Rajindh Perera

Assistant Secretary  
Mehran Careem



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**BAR ASSOCIATION OF SRI LANKA**

The BASL is also of the view that prior to the approval of the appointment of the Inspector General of Police that the procedures to be followed in regard to recommendations or approvals for appointments under Article 41B or 41C should be determined by the Constitutional Council as provided for in Article 41E(6) of the Constitution.

The BASL is of the view that such procedures and processes should be in the form of rules relating to the performance and discharge of the duties and functions of the Council as provided for in Article 41G (3) of the Constitution.

The BASL urges that the appointment of the Inspector General of Police (and all other appointments to key offices) be done in a transparent manner so as to establish public confidence in the appointment process.

Thanking you,  
Yours faithfully,

**SALIYA PIERIS, PC**  
**PRESIDENT**  
**BAR ASSOCIATION OF SRI LANKA**

**ISURU BALAPATABENDI**  
**SECRETARY**  
**BAR ASSOCIATION OF SRI LANKA**

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2. Hon. Dinesh Gunewardena MP, Prime Minister, Member Constitutional Council
3. Hon. Sajith Premadasa MP, Leader of the Opposition, Member Constitutional Council
4. Hon. Nimal Siripala de Silva MP, Member Constitutional Council
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6. Mr. Sagara Kariyawasam MP, Member Constitutional Council
7. Dr. P. Ramanujan , Member Constitutional Council
8. Dr. Mrs. Anula Wijesundera, Member Constitutional Council
9. Dr. Dinesha Samararatne, Member Constitutional Council