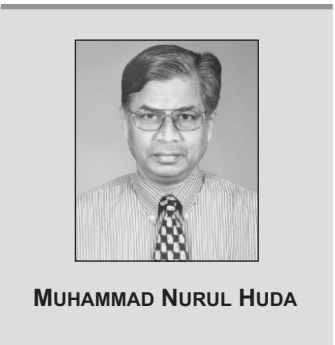


Conceptualising police reform



MUHAMMAD NURUL HUDA

THE nation will hopefully witness a general election in early 2007 and a new government will assume responsibilities in the first quarter of the next year. It is, therefore, time that some concrete proposals are placed for consideration and action by that government because thus far this vital regulatory outfit of police has not received the desired attention of the political masters. A UNDP sponsored Police Reform Project is in process in Bangladesh which would be a readily available support to carry out expected reforms.

Archaic Act, dual control and image

Our police organisation which owes its creation to the 'The Police Act' of 1861 was principally aimed to administer a static, immobile and backward rural society living in villages and small towns. It envisages exercise of authority without local accountability. It presupposes a society without any constitution, basic and fundamental rights, organised public opinion and mass-media projecting and agitating the public interest. The overriding objective of the police organisation designed in 1861 was to maintain the stability of the Raj and the same was achieved by placing the District Superintendent of Police under the direction and control of the District Magistrate who acted as the agent of the central government.

In reality, the police was reduced to the position of an agency of the civilian authorities as police operations were controlled and directed by the District Magistrate and by the Assistant Commissioner at the sub-divisional level. This practically excluded the Inspector General and his deputies from effective supervision of police in the sphere of law and order. The authority of District Superintendent was routinely interfered with even in matters of internal administration.

The police organisation was designed not to attract better talent to ensure built-in subservience of the police to the executive administration regardless of the resulting corruption, lack of professional competence, police highhandedness and police-public estrangement. The routine interference emanating from the lateral control of the District Magistrate was both unnecessary and undesirable. This interference which was not intended by the law was responsible for the incapacity and recklessness of some superintendents of police.

The mass political agitation of early 1920s, and those specially

STRAIGHT LINE

A police service has to be created that works better and shall make efforts to gradually close the trust deficit. Reformers should hear from people, seeking their ideas, their input and their inspiration. The views of judiciary and experts of criminal justice sub-systems should be very important. Discussions with business leaders to take advantage of the innovative management practices have to be there. Similarly, a meaningful dialogue with civil society and private sector shall also be necessary.

between 1935-47 for political freedom threw up unprecedented challenges to the skills and strengths of the police. What one saw during those tumultuous years ending in 1947 was a hardening of attitude, enactment of draconian legislations and making the police respond to the national struggle with arrogance and unbridled violence.

Thoughts on reform

The 1861 police system started faltering under the strain of social change brought about by the freedom from alien rule. The Police Act of 1861 is still the basic police law of the land. However, the Metropolitan Police Ordinance of 1976 has incorporated features that has no duality of control like the 1861 Act and gives adequate regulatory and licensing powers to the police chief, the Commissioner of Police.

The UNDP sponsored and DFID financed 'Strengthening Bangladesh Police Project' 2005 "recognises the importance of an efficient and effective police force as an integral part of the broader justice sector and more secure environment based on respect for human rights, equitable access to justice and observance of the rule of law". This programme supports key areas of access to justice; including crime prevention, investigations, police operations and prosecutions; human resource management and training; and future directions, strategic capacity and oversight; and is designed to assist the Bangladesh Police "to improve performance and professionalism consistent with broader government objectives and community expectations including disadvantaged and vulnerable groups and women".

The above reform programme also seeks to introduce merit-based recruitment; institutionalise training and evaluation; and address gender imbalance in Bangladesh Police. It intends to establish police officers' core function, identify and monitor clear performance targets and also focuses on making anti-corruption and complaints against police procedures more robust and accessible.

Impediments to reform

Though financial constraints have been a stumbling block for Police Reforms, it is actually the influential sections within the ruling elite that have always obstructed the reform initiatives. Even the non-financial recommendations continue to await right intervention to resurrect them from the cold storage of police commission reports. The inability of top police leaders to resist organisa-

tionally debilitating extraneous pressures and to bring about the attitudinal change in the rank and file in areas of some basic police functions, are other significant impediments to police reforms.

The areas that would need priority attention for transforming police into a public-friendly service-delivery organization are corruption, inefficiency and misbehaviour with the public.

The desirable change

First of all, the extortion-based relationship between the people and police has to be altered because that ensured political control of the obedience to the colonial government. Corruption has to be fought because this disease has meant less and less faith in the system thus leading to vigilante action. There is also decreasing faith in resorting to the legal recourse for resolution of disputes.

Oppressing working conditions and non-availability of elements of a positive work ecology along with low pay has to be dealt with seriously. The opportunity cost of being corrupt has to be very high so that policemen generally do not have to accept bribe. An efficient and credible performance appraisal system linked with an adequate and transparent reward and punishment mechanism is the other important area which should engage serious reform efforts. In fact, a punishment and reward based system would be crucial and critical to achieving the goal of minimizing corruption. Strong accountability mechanisms coupled with attractive compensation policies would be essential elements of a corruption-reduction system.

Transforming our police system to bring it in line with 21st century realities of information technology, forensics and functional specialisation is another challenge for reform initiatives.

Mistrust of police and complaints against them have to be sorted out. The allegation against police is well-known but it has to be remembered that our system of governance has been blemished by abuse of political authority. As such, victimisation of political opponents through police must not be allowed to continue. The culture of looking outside the organisation for patronage must be discontinued.

It has to be ensured that calls for greater police accountability do not result into more operational control over the police thereby debilitating the internal command and control structures. The solution lies in doing away with the illogical concept of

dual control introduced under the Police Act of 1861 and allowing necessary operational autonomy to the police command and then holding it effectively accountable when things go wrong.

The Police Act, 1861 was not meant to reward initiative, promote merit or manage and sustain organisational change. This act promotes and sustains a culture of status quo with police hierarchy playing a second fiddle to their 'bosses' outside the organisation. Therefore, there is a need for institutional mechanism for recognising and rewarding professional excellence. The system should not patronise mediocrities.

Reform strategy will not succeed if the top leadership is not made sensitive and signals of change are not felt, shared and supported by the rank and file of the organisation. Reform shall not mean only better salary package, more manpower and additional transport but should emphasise upon more responsibility coupled with stricter accountability. Those found lacking in proper attitude have to be got rid of through suitable mechanism.

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The political leaders and other government functionaries should be ready to proactively give up their long-held powers of 'superintendence' over the police in favour of apolitical public safety commissions charged with the responsibility of designing and implementing measures necessary to ensure political neutrality of police operations.

The civil society's role in initiating an informed debate on contemporary police-related issues, including political interference in police matters, and in arriving at the right reform package is very important. Citizen groups can also contribute toward education and awareness programmes on critical aspects of police reforms. Their role in making the members of Parliament act in support of necessary statutory changes is equally important.

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IMRAN ASIF

IT was quite a news! Among the other rather 'usual' ones about crime and corruption in Bangladesh, this one was not meant to go unnoticed. The State Minister for Civil Aviation and Tourism informed in the Jatiya Sangsad session on 19th June, 2006 while answering to a question by a Member of the Parliament that Biman Bangladesh Airlines has been roughly at break-even for over a decade! From the figures he stated, the aggregated loss at Biman since 1995 till 2001 should be around 162 crore taka (reference news published in daily 'Ittefaq' on 20th June, 2006). I do not have much of an academic background in accounting, but whatever accounting rules the Minister or Biman follows to post such figures it must be an ingenious one which comfortably keeps out of accounts the long-overdue bills payable to the Bangladesh Petroleum Corporation (BPC) amounting to a staggering 1,100 crore taka. From the point of view of BPC, if they have taken note of the news, I suggest they should go and have a word or two with Biman. How come the airline is making money and still not paying up BPC yet?

Sarcasm apart, I wonder when we will see an end to all these repulsively misleading statements from being given. The cumulative current market value of all of Biman's own aircraft (4 McDonnell Douglas DC-10-30s, 2 Airbus A310-300s, and 4 Fokker F-28s) would be around 550 crore taka, which means even if Biman sold off all its aircraft at best available prices in the market, it would still be 550 crore taka short to settle the due fuel bills with BPC. With such figures in the pocket, it is nothing short of outrageously insane to post profit figures at the parliament.

During the calendar week 25, the State Minister spoke to at least two private television channels about Biman's future plans. He mentioned Biman's executive committee's suggestion of purchasing 10 new widebody aircraft from Boeing and Airbus, plus a 'few' small-to-medium sized aircraft for the domestic operations. The value of such a purchase would be exceeding US\$ 1.2 billion, and he was expecting an approval from the government in this regard.

The Prime Minister just reminded the on-strike primary school teachers about the scarcity of resources with the government to meet the demands of the teachers, so I will presume Biman will not get US\$ 1.2 billion in cash handed outright by the government to go shopping. The only other 1/3 alternative would then be the Finance Ministry agreeing to issue a 'sovereign guarantee' by the government in favour of Biman's purchase plans. Well, with the country's

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set up their own informal Death Risk Funds with deduction of a certain percentage of loan money to meet any eventualities. Some of the livestock development project resorted to some such informal arrangements to meet emergencies. These are indications of the growing needs for formal livestock insurance.

It is unfortunate that livestock

insurance should suffer such a fate which is not justified by any available indications. Besides low loss ratio, the loss: cost ratio also shows positive indication of profitability to livestock insurance. The loss: cost ratio, which is the ratio of claims settled to the sum insured and a measure of payable premium, stood at 0.02:1 or 2 percent as against its actual premium rates of 3.5 to 5

percent. The incidences of false claims are also largely controllable through proper identification of insured animals. It has also been the general experience that livestock insurance does not result in any appreciable loss or burden to the public exchequer even when provided to the small traditional sector farms.

Government in recent years has



Biman has serious issues such as overstaffing, pathetic management of operations, highly questionable spare-sourcing, opaque purchase decisions, among others. So long Biman remains stateowned and continues to seek government funds to sustain operations, it ought to be transparent in regards to why and how it wants to spend the taxpayers' money. Without management and operational problems solved, buying new airplanes worth billions of dollars will only sink Biman to a point of no return.



foreign exchange reserves around a mere 3 billion US Dollars, even issuing the guarantee by the government would be a tough task, because for obvious reasons the IMF and the World Bank would not be too merry about it if the government wanted to do that.

Yes, Biman does need to replace its ageing aircraft and get newer ones that would need lesser of the ever-so-expensive fuel, thus contributing to save operating costs significantly. But why does Biman need to 'purchase' aircraft when even the largest of the world's airlines are seeking to lease whenever possible? Leasing not only reduces immediate capital requirement but also allows an airline to have flexibility in capacity scale-up or scale-down available seat capacity to offer according to the market trends. This is an extremely important advantage and airlines worldwide have learnt from the post 9/11 and SARS incidents which saw air traveling take a dive, and the airlines had just too much capacity to fill to break-even. The State Minister mentioned that the executive committee at Biman after extensive evaluation had agreed to purchase four Boeing 777 and six Airbus A330 aircraft for mid and long haul operations, and another type of aircraft for the domestic operations. Seemingly, the committee overlooked a couple of important facts:

1. Both the Boeing 777 and the Airbus A330 are over 15-years old in design. Both manufacturers are designing new generation aircraft that will replace most of their Boeing 777 and A330 family of

airplanes. Boeing is offering the 787 which will replace the 777-200/200ER/300 and Airbus is designing the A370 which will replace the A330-200/300 and A340-300/500/600.

2. Both the Boeing 777 and the Airbus A330 are available in the lease market, and major leasing companies foresee more to become available as early operators replace their B777/A330 fleets.

It is also a fact that Biman cannot afford to order and wait for the B787 or the A370, as production slots for both aircraft are sold out for the next few years. But then, why would Biman want to purchase the B777 and the A330 when they are available on lease? Moreover, having a total of 10 widebody aircraft split between B777 and A330 would unnecessarily duplicate costs related to operations, maintenance, training and spares inventory that would be required for two different aircraft types. The economic advantages of the B777 and A330 over each other would be completely negated by these additional costs over such a small fleet.

It is only logical that Biman should lease either B777s or A330s to keep the initial capital and operating costs down, and operate the aircraft until it can afford to lease newer aircraft in about 4-6 years time. For domestic operations, turboprop aircraft with fewer than 100 seats would well suffice because Biman's domestic and short regional routes do not require the range of small jet aircraft, and with fuel getting costlier by the day, turboprop aircraft would save precious money for Biman every

minute in the air.

But then, if the inherent intention is to spend government money allegedly to load a few heavy pockets even heavier, then the outright purchase plan is simply wonderful and keeps up with the tradition really well.

The Finance Minister in a recent interview with a private television channel said that "the people of Bangladesh have this sickening mentality of not wanting to pay their due taxes to the government". Mark his words, he really used the word 'sickening' in that statement. If not wanting to pay taxes is sickening, how is it any less sickening to see taxpayers' money being spent irrationally only to make a handful number of people wealthier? How do the taxpayers hold the government accountable for what it spends their money on?

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Imran Asif, currently an aviation industry consultant, has previously worked on projects with The Boeing Company, Honeywell Aerospace, and FAA's Operational Evolution Plan (OEP) in 2004-2005.

Livestock needs insurance support more in Bangladesh

NURUL HAQUE MIAH

INSURANCE is basically a social devise of sharing risks in any given activity involving financial tools. Agricultural insurance is one such financial tool of managing various risks in farming that are beyond human control. And this is done by transferring such risks to a third party insurer via payment of premiums, which reflect cost of the insurer in assuming those risks. Livestock insurance is a devise to transfer risks in animal farming.

Livestock insurance is one of the simplest of various forms of agricultural insurance. It was also probably the earliest one. A system reportedly was in practice even under the Babylonian civilization. In several countries of Europe, livestock insurance has been under evolution and implementation for over 700 years. A large number of developed and developing countries are implementing livestock insurance to provide protection to investment in livestock farming.

An important feature of livestock insurance is that it is essentially self-financing with loss ratio generally kept under manageable limits. Besides, subsidisation of premium is admissible to developing countries as per WTO Rules. This is evidently an indication of the growing recognition of the importance of this economic tool to manage risks in agricultural production. Many of the developing countries like India are providing premium subsidy to their low-income farm households raising livestock.

Livestock insurance was introduced in Bangladesh as early as 1979 by Sadharan Bima Corporation under the Ministry of Commerce. This was a unit under

the Agricultural Insurance Wing covering crop insurance as well. The performances of livestock insurance were somewhat better compared to crop insurance as reflected through lower loss ratio, the ratio between claims settled and premiums earned. The loss ratio of livestock insurance up to December 1995 was 0.5:1 while for crop insurance it was 5:1 for the same period. The crop insurance programme was however suspended during 1995, pending its revival after necessary improvements. Livestock insurance has been continued uninterrupted though under a weakened set up.

During nearly a quarter century of its operation, insurance coverage was given by SBC to only 7567 animals, financed by the banks. The programme faced acute setbacks with depletion of staff due to discontinuation of the crop insurance component. Besides, there were no serious efforts to innovate and bring dynamism in the system nor any worthwhile moves made to popularise it. Sadharan Bima Corporation also did not develop any effective collaboration with the Deptt of Livestock Services to mobilise their activities. No animal husbandry and veterinary specialists were inducted in their pay rolls to gain from their expertise. Government also precious little to patronise the system with state support.

There was however an element of understanding with Bangladesh Krishi Bank and Rajshahi Krishi Unnayan Bank during the mid-nineties towards providing insurance support to their financed animals. But that proved to be ineffective subsequently due to depletion of staff and failure of SBC to innovate. As a result, these banks

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nearly doubled the total annual lending by the institutional agencies to agriculture. As per Credit Development Forum's data, about 16 percent of NGO loans reached the livestock farmers, which is three times higher compared to institutional lending. These growing investments in livestock farming needs protection against various risks and calamities by providing them appropriate and low-cost insurance support. Such a support is desperately needed by our low-income households as it is this group of entrepreneurs who are most vulnerable to risks. It is by providing such a vital support that India achieved spectacular breakthrough in milk production.

It is against these backdrops that we greatly welcome the recent budget speech of the Finance Minister proposing allocation for a sum of Tk 50 crore in the next year's budget for setting up a "Fund for Assistance to Small Farmers Affected by Natural Disasters" to meet agricultural insurance needs. We hope this will receive wholehearted support and approval of our Hon'ble Parliament Members.

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Therefore the following suggestions are made in respect of setting up the proposed fund and on some broad policy issues in livestock and

crop insurance:

a) The proposed fund be set up in Bangladesh Bank to meet the following two basic needs of agricultural insurance: (i) Paying an agreed part of excess indemnity claims over premium incomes of the participating insurance agencies and (ii) Providing premium subsidy to livestock insurance for identifiable small and land-poor households to start with. There should be no doling out of this fund to meet any emergency relief needs.

b) Revamp Sadharan Bima Corporation with recruitment of specialists from the livestock and crop sub sectors and start a Pilot Project for developing appropriate models on livestock and crop insurance. Both the programmes must proceed simultaneously under a unified setup to reinforce each other and for achieving efficiency.

c) One TAPP must be implemented with some possible donor support for at least two initial years to provide much needed expertise in designing and developing models and in providing training to the participating staff and farmers.

d) There should be a sort of consortium of livestock insurance with participation of SBC and willing private insurance agencies. They will follow some standardised procedures on issuance of policies, charging of premiums and settlements of claims. They will receive the needed support from the proposed fund.

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