



CEYLON POLICE GAZETTE.

ISSUED TWICE A WEEK

No. 2,481 — FRIDAY, SEPTEMBER 6, 1907.

Part I. — Departmental Orders.

- 1.—All Departmental Orders will in future be published in Part I. of the *Ceylon Police Gazette*, which should be filed separately from Part II., which will consist of the old "Hue and Cry."
- 2.—The Inspector-General's Circular Guard File is abolished.

Order No. 35.

Prosecution against Police Officers and employment of Counsel by Police Officers.

A Police Officer who is criminally or civilly prosecuted for his official acts must defend himself, and may for that purpose apply to be allowed to engage counsel.

2. His application will be submitted to the Superintendent of Police, and will be forwarded by him to the Inspector-General with a report explaining the circumstances of the case and with a recommendation that counsel should be engaged, if the circumstances of the case are such as to justify the employment of counsel on behalf of such Police Officer and the case is not so simple that legal assistance is unnecessary.

3. The Inspector-General may authorize the employment of counsel in urgent cases, and the payment of the necessary legal fees subject to the future sanction of the Government. In cases, which are not of so urgent a nature the Inspector-General will report the case to the Government, and will obtain the authority of the Government for the employment of counsel and the payment of the necessary legal fees.

4. The application will state the terms on which counsel can be retained, and if the terms are excessive the payment of only a part of the fees will be sanctioned by the Government.

5. These rules, of course, do not bar a Police Officer from engaging counsel or other professional assistance at his own cost.

6. Police Officers will not be permitted to have recourse to the Courts in cases in which their public acts or character have been made the subject of defamatory attacks without the previous authorization of the Government. In giving authority to institute proceedings the Government will decide whether the circumstances of the case are such that the Government should bear the cost of the proceedings, civil or criminal, or leave the officer to institute the prosecution or suit at his own expense; and in the latter case it will also determine, in the event of the matter being decided by the Courts in the officer's favour, whether he should be recouped by Government the whole or any part of the cost of the action.

7. In cases in which the public acts or character of Police Officers are impeached, and a public inquiry is ordered by the Government, such Police Officers may be allowed to employ counsel for their defence at their own expense. In the event of the inquiry resulting in favour of such Police Officer the Government will determine whether he should be recouped the whole or any part of the costs incurred by him in the inquiry.

8. It will be understood that the fee of one pleader of the Court in which the case is conducted is all that will ordinarily be allowed; for the employment of additional pleaders the special sanction of Government must be obtained.

9. It will also be understood that, if the terms mentioned in the application to retain counsel are exceeded, such excess will have to be paid by the Police Officer making the application, unless he shall have received the sanction of the Government to exceed the terms originally proposed.

E. B. ALEXANDER,
Acting Inspector-General of Police.

Office of the Inspector-General of Police,
Colombo, August 31, 1907.