

## ABSTRACT

This essay examines the nature and possible causes of torture by the Police in Sri Lanka during the ordinary criminal investigations. In Sri Lanka in view of the treaty obligations torture is absolutely prohibited. There are numbers of laws preventing and prohibiting torture. The confessions made to the police officers during the ordinary criminal investigations are in admissible. Any non – incriminating statements made to the police has a weak probative value. However torture continues in all most all police stations during the ordinary criminal investigations. In this essay the following issues are explored; what are the reasons for the police to use torture based confessions in ordinary criminal investigations: How effective the torture based confessions on solving crimes; what are the laws that encourages the police to use torture based confession: whether the confessions can be extracted by means other than torture as the confessions have advantages in the criminal justice system.

The study examines the international and domestic standards on torture based confessions as well as the literature on the reasons for torture in order to identify the gaps in the existing literature. The interviews with the police officers provide the valuable source of information on views of the police officers on torture and the torture based confessions. The research on the jurisprudence provides how and why the police use torture in the ordinary criminal investigation. The review of 53 Magistrates' Courts Judgements provides the valuable information about the lack of investigative and interrogative skills, the ineffectiveness of torture based confessions on solving crimes. The qualitative analysis of British and American Jurisdiction explores how a confession can be extracted without torture. This comparative analysis provides usefull guidelines to Sri Lankan law enforcement agencies and law reformers. The entire research is significant to civil society members, Human rights activists, law enforcement agencies, law reformers, lawyers and the law students as well.