

COMMUNITY POLICING: AN ALTERNATIVE MODEL

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BACKGROUND OF POLICE

The police community relationship in India has always been far from pleasant. The traditional function of the police, which remains the most important even today, is to deal with the criminal in action. This function requires detection and investigation of crime, arrest of the offenders and the collection of evidence against those who are prosecuted in the courts of law.

The origins of the police can be traced to a situation where a need was felt to protect the weak against the stronger. Ideally speaking, one of the most natural and genuine functions of the police is to protect life, liberty and property of the weaker and the vulnerable sections of society.

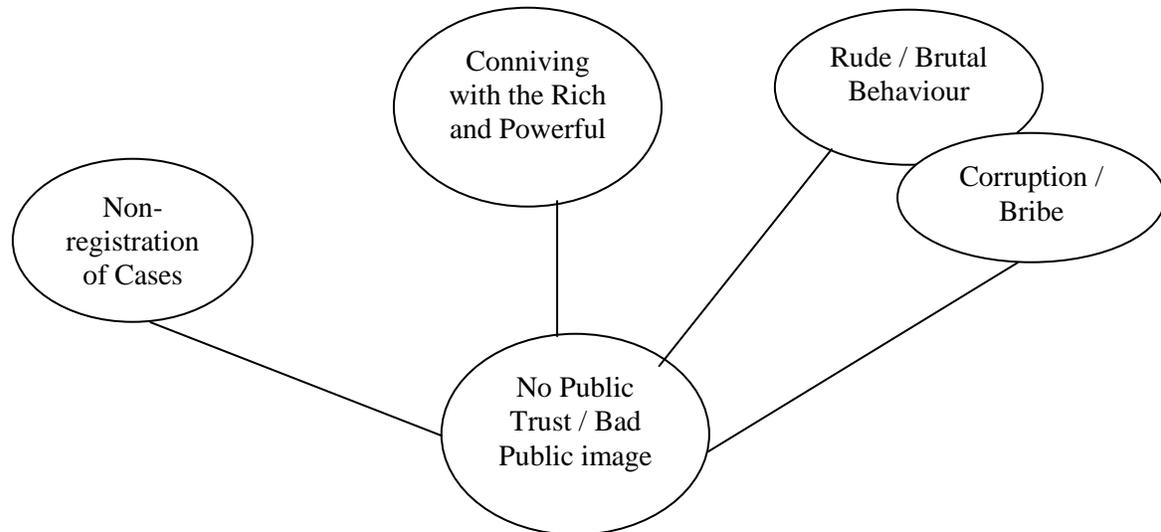
The public participation in the police functioning presupposes public scrutiny of the police work and police accountability to the public. Every time one sees a khaki uniform, how does he feel? Apprehensive? Frightened? Or even alarmed? Yes, most of the public feel like that. The question that needs to be answered is – Why this distress? After all, the policeman is one of a citizen in uniform.

The feeling of distress have historical roots. The police organisation in India was established after the Indian Mutiny in 1857 to curb dissent and serve the interests of our foreign rulers. This engender a pro-ruler / anti-people attitude among the police force. They continued to defend establishment, maintain status quo and favour the rich and powerful, committing atrocities and indulging in misconduct against the masses. The image of the police is not just based on hearsay but on hard evidence:

- In 1999 alone, over 74322 complaints were received from the public against police personnel in the country. (*Crime in India 1999*)
- In 1999-2000 the National Human Rights Commission received reports of 177 deaths in police custody, 1157 'illegal detention and arrest', 1647' false implication' and 5783' other police excesses'. (*NHRC Annual Report 2000*)

In addition, there are the recent incidents of what happened in Gujarat. There is strong evidence to show that the police force not only failed to handle the disturbances efficiently but showed partiality in dealing with the rioters. They were not merely indifferent but complicity involved in several incidents of violence targeted against the minority community in the state. Besides the loss of lives and property of the riot victims, the state has suffered an economic loss of over Rs. 3,000 crores.

There are four major factors that contribute to poor police image:



Despite poor image police force has been working under tremendous pressure and struggling against various odds to maintain internal security. While doing so, they have also made many sacrifices, including the supreme sacrifice of losing their lives. During a nine-year period i.e. 1991-92 to 1999-2000, as many as 9389 police personnel died in the line of duty, which is an average of more than 1043 lives per year. No police force anywhere else in the world has paid such a heavy price!

Even otherwise the police personnel live and work under very difficult and arduous conditions like:

- One police person serves 746 people.
- Each investigating officer handles more than 45 IPC cases at a time.
- The constabulary which constitutes 88% of the police force are treated as unskilled labour.
- They get low salaries and have a poor social status.
- Only 37% of the forces are provided with family accommodation and the majority have to live either in slum like conditions or are away from their families for most part of their career.
- They lack proper promotion avenues and stagnate in the same ranks for umpteen number of years.
- They experience long working hours and do not always get leave and holidays. When you are enjoying festivals with your family and friends, the police personnel are on law and order duty to ensure for your safety.
- Our police personnel are working in several hostile climatic conditions such as the deserts of Rajasthan which is being manned by the BSF; the forests of the North-East; the terrorist hit states of Jammu Kashmir; extremist areas of Andhra Pradesh, Orissa, Jharkhand, Bihar, Madhya Pradesh and Chhattisgarh where they routinely

- face an ongoing political turmoil. The physical and mental stress causes health problems.
- They are under constant pressure to produce results. There is only one policeman per 746 of population and 41.8 personnel per 100 sq. kms.
 - The police personnel lack adequate scientific equipment for investigation and training for investigation and forensic tests.

Despite all the difficulties:

- 544 medals were given to police personnel for meritorious service and distinguished service by the President in 2002.
- Police personnel all over the country have rendered diverse services to the nation which have been beyond the call of duty. They have provided service during natural calamities, organized blood donation camps, distributed medicines in malaria-infested areas, run juvenile aid homes, they also provide education to the children of insurgents and take up many other social duties.
(source: *Crime in India, MHA, 1999 and MHA official website*)

COMMUNITY POLICING: A CONCEPT

Community policing may be described as a policy and strategy aimed at achieving more effective efficient mechanism of crime control, better police services and improve quality of life through reliance on the community resources that can deal with crime causing factors.

Under the new concept, crime control and law and order management are recognised as truly participative functions, with the total involvement of the community and the local neighbourhood actively cooperating with the police in identifying and resolving issues that give birth to crime and disorder. In other words, the community which is the beneficiary or the consumers who use the systems become co-producers of safety. This paradigm shift in police arouse from an understanding that police alone cannot resolve problems of crime and disorder, howsoever elaborate its resources or howsoever ingenious be the strategies adopted. Further, law enforcement agencies which are bound to be mostly inadequate to the task in hand require legitimization from the community, being qualitatively different from legitimacy accorded by statutes alone. Community policing therefore can be described as both a policy and a strategy which is aimed at achieving more effective and efficient mechanisms of crime control, for enhanced police acceptability, better police services and improved quality of life through reliance on the community resources which can deal with crime-causing factors. Community policing, therefore, offers both a challenge and an opportunity to the Indian Police poised at the threshold of the new millennium. Whereas, the traditional policing connotes law enforcement in terms of crime control and maintenance of public order, within the concept of Community Policing the police is supposed to serve the society in its larger perspective and in terms of solving various problems of the community of which crime and disorder are a part and parcel.

The police is a huge reservoir of human resource, which if utilized properly can do enormous good to the society. The modern community police personnel should:

- Be more accessible and sensitive to the problems of public.
- Be courteous and polite and not use short cuts or third degree methods.
- Help public in accessing justice.
- Provide public a feeling of security.
- Establish an environment where public can pursue economic and other activities without fear and enjoy their rights without hindrance.

COMMUNITY POLICING IN A FEW COUNTRIES & EXPERIENCES

The U.S. Department study has covered 10 countries, including Australia, Canada, Norway, Sweden, Denmark, Finland, Great Britain, Japan, Singapore and the United States. Singapore has been considered to be the 'best show case of the new policing in the world, field tested and evolved before implementing the Japanese Koban system of policing'. In Singapore, they decided to substitute a neighbourhood police post for 'the old mobile re-active model inherited from the British'.

In Japan, Police boxes, both residential and non-residential, coupled with radio petrol cars are the active units of the police petrol system. Non-residential police boxes (HASHUTSUSHO) are mostly located in urban areas and residential police boxes (CHUZAISHO) in non-urban areas i.e. Villages. Ordinarily, three or more petrol officers work in three shifts in residential police boxes, and one petrol officer with his family lives in the residential police box and performs his duties.

The Police boxes are responsible for handling any incident in their respective areas, which may include lost and found persons and property, petitions, complaints and requests of all types, public consultations and street directions. Petrol activities in the assigned areas are carried on foot, bicycles and radio cars in order to prevent crimes and arrest suspects. Petrol officers question the suspicious persons on their routine rounds. About 74.6 percent of criminals arrested in 1985 were apprehended by the petrol police. The officers on police posts visit homes, factories and business houses within their territories to advise them on prevention of crimes and accidents, to listen to their requests and to help them in any trouble or problems. They also visit the homes of the aged persons living alone, invalid and physically handicapped persons. The patrol officers help such people on day-to-day basis and generally advise people against crimes and disasters and prepare them for emergencies. Police posts often publish brief bulletins named after places and scenic spots in the locality. This bulletin could carry information about traffic accidents, thefts, lost property, good work done by children. In 1986, 1400 police posts published such bulletins which were found to be very popular. The petrol officers guide youths, in various sports such as Judo, Kendo and Aikido, promoting close contacts between the police and the youths.

All over Japan 'Dial 110' i.e. emergency calls, has become very popular and the number of emergency calls has been increasing every year. In 1986, this number was 3,572,680 which works out to be one emergency call every 8.9 seconds and 1 for every 34 people.

It is a tribute to Japanese Police that in spite of free registration of cases, the crime rates have been coming down. The total number of penal offences in Japan, in 1985, was a, 600000 cases, excluding the cases of negligence in traffic accidents. The crime rate, which was showing an upward trend in and after 1979, was about 2/3rd of the 1984 rate, in 1985. The felonious crimes, such as, murder and robbery showed a decrease of 70 percent in 1985 over 1948 figures. Compared to the US, Britain, Germany, the crime rates in Japan is extremely low. However, the positive result has to do with another aspect of huge budget, equipments and personnel. One can imagine the success of the programme in Japan due to such factors, mentioned below:

- The national police agency and the prefectural police have their respective budgets. However, National budget covers part of the prefectural expenditure. In 1985 the National police agency budget was 161 billion yen, the personnel expenses being 65 billions, National Police Agency covering 115 billions, equipment communications and facilities being 23 billions subsidies for prefectural police being 45 billions and other expenses being 27 billion yens. The total prefectural police budget in 1985 was 2017 billion yen, 82.3% of expenses being on personnel and 17.3 percent on non-personnel matters.
- Japanese police has 20,000 vehicles including 5000 petrol cars, 3000 motorcycles, 5000 cars for investigative operations and 2600 transport vehicles. They have 200 police beats and 44 helicopters, 32 being based in prefectures, 9 in Tokyo and 3 in other places.

In the context of the above mentioned concepts and practices of community policing, the idea has now gained currency in countries like UK, USA, Canada, Japan, Singapore and many others and gained acceptability and legitimacy in its new sense. Besides these new models, several other models, deserve mention, the most notable being Robert Peel's 'New Police' in UK which was created way back in 1860s which not only disarmed the police but also attempted to make the people friendly beat constable recognizing him as the most important functioning of the system. Such as problem-oriented policing (New Port News, New York) experimental policing district (Madison, Wisconsin), Community Foot Patrol Officer (Baltimore country) Neighbourhood-oriented Policing (Houston) Foot Patrol and Fear Reduction (Newark) and Police Mini-Station (Detroit).

COMMUNITY POLICING INITIATIVES IN INDIA

Indian Social Democratic Republic presupposes a police service responding to the needs of our welfare State. Article 15 of the Indian Constitution provides that no citizen shall on grounds of religion, race, caste, sex or place of birth will be subjected to any disability or restriction. And we come across plethora of social legislations for them prior and subsequent to the independence. The Indian Police has to play, perhaps, the most significant role in respect of all these legislations since in most cases, they act as the main enforcement agencies. Although, most of these laws have several aspects, including the rehabilitation programmes, the police being the most visible agency has to act as the prime-movers in the system. The action or inaction of the Indian Police is being subjected

to continuous scrutiny through the elaborate mechanism of SC/ST Commission, National Human Rights Commission, State Human Rights Commission.

Although, it has been suggested during some recent debate on the subject, that Indian Police essentially represents the State Police on the 'centralised' mode of policing as against the Western 'municipalised' mode of policing, historically and traditionally in many parts of the country, it does not appear to be so. These are surviving examples or true community policing in the 'panchayats' of Manipur, 'Pancha Fayda' of Nagaland, 'Kebong' of Arunachal Pradesh and 'Village Defence Courts' with the strong support of all pervasive 'Young Mizo Association' in Mizoram. Hence, the suggested need to revive the Panchayat or Municipal type of police in India is not irrelevant.

Formal programmes, such as, the 'Friends of Police' in Tamilnadu, 'Mohalla Committees' in Maharashtra including the 'Khopade' pattern in district Bhivandi, 'Neighbourhood watch' in Delhi, 'People Oriented Policing' in Punjab. Among Formal legislations attempted in the past in this direction, the most prominent and the longest surviving seems to the Karnataka Village Defence Parties Act, 1964, which introduced the institution of 'Dalpathi' as the interface between the police and the rural community.

Among more recent and perhaps the most systematic effort in community policing has been the promulgation of a Home Department Resolution by the Government of Orissa, providing an institutional framework to put the concept on a statutory basis. Operational since August, 99, "Surakhya Samiti" is the kernel of the community policing programme of the State Government which directs Superintendent of Police / Range D.I.Gs to constitute these Samities by selecting volunteers from specified areas in the city/villages through Municipal bodies and Gram Panchayats, in consultation with the magistracy. The preamble to the Home Department Resolution makes it clear that the objective is to 'associate citizens with the police in solving neighbourhood problems, in enforcing the law of the land, in minimizing crime, in restoring order and peace in the community, in reducing crimes against women and weaker sections of the community.

A pilot project on community-oriented policing has been recently launched in Jammu city. The objective of the scheme is to promote citizen interaction and establish stronger bonds between police and the public and to involve the citizens in crime prevention and detection. Under the scheme, police-public squads will be set up for each sector / colony. The State Police of J&K has also set Village Defence Committees with a strength of 10 to 20 members in each to check militant intrusion and even to resist militant attacks on civilian population.

In 1998, "Crime Prevention Committees" were formed at the police station level to provide a platform for the local public and the police to discuss crime problems locality-wise to control crime. Following communal riots in Maharashtra as else where and in Mumbai city in December, 1982 and January, 1983, Mohalla Committees were set up to provide a platform for the people of different communities and background to meet, plan and work together to solve common problems. In Bhiwandi, the Mohalla Committees turned out to be grand success in controlling communal riots which had spread like wild fire in other areas of mixed populations. Such as, Friends of Police (Police Mitra Yojana),

Village Defence Societies (Gram Raksha Samities), Neighbourhood Watch Scheme, Family Counselling Centres, Drug De-addiction Centres, Friends of Children Scheme (Bala Mitra Yojana), Special Police Officers, Traffic Safety Week Programmes, Student Traffic Education Programmes, Sports Programmes organized for Youth, and Career Counselling Centres.

Recently, India's basic law for children has been re-enacted as Juvenile Justice (Care and Protection of Children) Act, 2000. This law, generally considered to be the 'blueprint for child welfare in the country', now provides for one duly trained and sensitized Juvenile/Child Welfare Officer to be posted in each of India's 16,000 police stations to handle the children, both delinquent and those in the need of care and protection. In addition, in each of India's 704 police districts, Special Juvenile Police Unit has to be created for special treatment to the children. Beside, the Special Juvenile Police unit shall have two social workers attached to it from the community. The Special Juvenile Police Officer at the Police Station level shall be called Child Welfare Officer who will gain to handle the cases of children/juvenile. The association of social workers essentially brings in an element of community policing. This move is to create a child friendly police in the country. The implementation of above mentioned initiatives have been however, uneven, partly due to certain inherent weaknesses in its constitution.

PRAYAS & COMMUNITY POLICING

Certain institutionalized service oriented schemes started with police initiative in metropolitan cities of Delhi and Bangalore, which seek out, with the help of voluntary associations, victims of social injustice or other forms of exploitation to provide emergency relief as well as arrange long-term rehabilitation. The best known among these are 'Prayas', NGO working for children/juveniles in Delhi and Women and Child Helplines in Bangalore.

Prayas was established in 1988 as a Juvenile Aid Centre by the Delhi Police. Soon it was realized that it was not possible to sustain the programme alone by the police because the nature of the work involved with the children were unusual to police line of duty. Therefore, in 1989, it was registered as Prayas Juvenile Aid Centre, as a joint initiative of Delhi Police, Delhi School of Social Work and erstwhile Shramik Vidya Peeth. The three partner organizations had a specific role to play. For example, Delhi Police had to rescue the juveniles, Delhi School of Social Work were to provide professionals to deal with children and make meaningful interventions in their life. The Shramik Vidya Peeth were to provide vocational training, which could help in rehabilitation. Prayas, today, has a creditable identity, because of involvement of people, social institutions and social workers from the community. It has not only sustain, but grown hundred folds, inspite of the fact that majority of police officers who were the founder members, got transferred to other places and so much so that Delhi Police has literally withdrawn its support. Therefore, it is example for police initiative back by the participation of the people which has laid to it sustainable and development.

As mentioned earlier, the constitution of Special Juvenile Police unit which will be visible through out the country in due course of time and will be a permanent identity because it

is incorporated in the provisions of the Juvenile Justice (Care & Protection of Children) Act, 2000. Prayas has taken a number of initiatives to create Special Juvenile Police unit in the state of Bihar. In its efforts to help implement the juvenile justice system in Bihar, Prayas has organized two major sensitive workshops on “Status of Juvenile Justice System in Bihar” in Patna, Motihari and Samastipur districts. At all three places Special Juvenile Police unit have been established at the district level. However, the first Special Juvenile Police unit was established at Nalanda district by the initiative taken by the City SP, Mr. Amit Lodha. Mr. Amit Lodha has taken unique initiatives to improve the role and image of the police to control and prevent crime through community policing. He has found youth clubs through which responsibility are assigned to the local youth to control processions during Holi and other religious festivals. This has ensured successful conduct of the event without any report of communal tension on the occasion. Beside this youth are involved in other productive activities and they without any fear interact with the police and act as bridge between community and the police. The community since them has found tremendous trust in the police force.

DUTIES OF SPECIAL JUVENILE POLICE UNDER JUVENILE JUSTICE (CARE & PROTECTION OF CHILDREN) ACT, 2000

PRODUCTION OF CHILD / JUVENILE

- ⇒ To produce the child before Child Welfare Committee (CWC)
- ⇒ To produce juvenile before Juvenile Justice Board (JJB)
- ⇒ May hand over the child / juvenile to Voluntary Organisation
- ⇒ Child / juvenile must be produced before the CWC / JJB within 24 hours
- ⇒ Juvenile may be kept in Observation Home before production, if for any unavoidable reason cannot be produced immediately before JJB. But the juvenile must be produced in the subsequent sitting of the JJB

PROTECTION OF CHILD / JUVENILE

The law provides certain protection, which are mentioned below. The police should keep in mind the protection while handling the child / juvenile:

- ⇒ Handling by Special Juvenile Police / Juvenile / Child Welfare Officer
- ⇒ Handcuffing of juvenile/child prohibited
- ⇒ No detention in lock up or prison
- ⇒ Crimes against children are cognizable offence
- ⇒ No death penalty or life imprisonment
- ⇒ Proceeding are informal, participatory and private
- ⇒ Parents involvement in Juvenile process
- ⇒ Right to free legal aid
- ⇒ Information about Juvenile cannot be released to media
- ⇒ No case can be filed against a child below the age of 7 (Section 82 IPC)
- ⇒ No case can be filed against a child between the age of 7-13 if the child does not know the consequences of committing the crime (Section 83 IPC)
- ⇒ Child / juvenile cannot be tried in the normal court

DUTIES DURING APPREHENSION / TRIAL PHASE

- Must inform parents / guardians about apprehension of child / juvenile
- Must inform the Probation Officer of the area about the apprehension of juvenile
- May release juvenile on bail
- Must make entry in the daily diary of the apprehension of child / juvenile and also enter the age of the child / juvenile
- FIR against victimizer of a child
- Conduct enquiry or age verification, as per the order of CWC / JJB

The above provisions, under the JJ Act, have been made to ensure this legal treatment, protection to the child / juvenile and their rights which, in any case, can be realized by making the police force child friendly.

Similarly, the functioning of Crisis Intervention Centre in Delhi is another living example of police/community initiatives. It is doing remarkably well for the psychosocial rehabilitation of rape victims and the investigation of the cases. This initiatives also integrate social workers, psychologist/counsellor, lawyers and doctors into it functioning beside the role of the police. According to the standing order no. 303 issued by the Commissioner of Police, Delhi, the Crisis Intervention Centres were set-up in the police districts of Delhi. The Delhi Commission for Women (DCW), Delhi Police and associated Voluntary Organizations have functioned in an integrated partnership for our one year for run this centres and to achieve the objectives for which they were set-up.

CONCLUSION

It is essential, for community policing to be functional, sustainable/viable and dependable only when the project or programme so device by the police is integrated with the role of voluntary organization, social worker, women, children and people at large. If it is created only by the idea of police officer, it may not be institutionalized and may collapse on account of transfer of the police officer. The uneven implementation of the community policing in India is due to lack of these factors. Whereas example like Prayas initiatives women and child helpline in Bangalore, establishment of Crisis Intervention Centre in Delhi, by the police initiatives are doing well because they are institutionalized, have legal identity and well integrated with the various segments of the society. Beside, the programme initiative in Kerala and Orissa are also likely to succeed as those are part of State enactments. The community policing not only helps to reduce the incident of crimes but also leads to prevention of crime like in other countries, improve the image of the police and its trust and goodwill in the community. The community develops confidence in the police and may find them easily accessible during any trouble or crisis. The role of the police, thus, will have a paradigm shift to happy and prosperous force who will be able to create a civilized society.