

Police limitations in curbing crime

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The rise in crime is almost worldwide phenomenon. Our people are naturally concerned at the trend in India, though the increase in crime here is not yet at the rate seen in some advanced countries like the United States. The fact is that the problem of crime control is seldom considered dispassionately. Reports of crime evoke emotional reactions and in the public furore that follows, the objective factors behind the increasing trend of crime either get obscured or sidetracked by political considerations.

When there is an upsurge in criminal activities or a particularly heinous crime is committed, the public tends to blame the police. The general tendency is to hold the police solely responsible for checking crime. This attitude is reinforced by the manner in which the police react to public criticism. They either quote statistics which are not too impressive or point out the inadequacies of manpower and equipment at their disposal. This fails to satisfy the public and thus the cycle goes on.

Picture Elsewhere

The truth is that the problem cannot be solved merely by providing more funds, manpower and equipment to the police. The United States, with its tremendous resources and with administration allocating more and more funds to the law enforcement agencies and equipping them with the latest tools in science and technology, has not been able to arrest the escalating crime rate. In 1970 the crime rate per lakh of population was 3,984.5. In 1980 it rose to 5,899.9. In the United Kingdom, which is reputed to have one of the best police forces in the world, the number of indictable offences known to the police in 1961 was 8,06,900. By 1971 it had more than doubled (16,66,000) and by 1978 more than tripled (25,62,000). Crime per lakh of population in UK was only 1,094 in 1950, while by 1978 it had gone up to 4,878. During this period, there has been considerable increase in manpower and other resources of the police forces there.

The resources of the police in India have also vastly increased after Independence. In 1951-52, the revenue expenditure incurred on this head was only Rs. 58.73 crore. By 1978-79, it had gone up to Rs. 827.18 crore, thereby registering an increase of 1308.45 per cent during the period.

The total strength of the police in States/Union Territories in 1951 was only 4,67,740 but by 1978 it had increased to 8,05,821. The position in terms of transport and communication facilities and scientific aids for investigation has also considerably improved since Independence. However crime has continued to rise. In 1948, only 6,25,909 cognisable cases of crime were registered under the Indian Penal Code. The volume of crime per lakh of population in 1951 was 180. The number of cognisable offences under the IPC had increased to 13,44,968 in 1978 and the volume of crime per lakh of population worked out to 210.7. If the offences registered under local laws are also included in the figures total cognisable crime in 1978 was to the extent of 41,37,191 cases.

This brings us to an important fact. The ability of the police to control crime by itself is limited, more so in a democratic society. It is not just a question of will or competence to curb crime. Some of the crimes arise out of factors over which the police have little or no control. This aspect can be discussed on a theoretical as well as practical plane.

No Single Theory

Let us first view the problem in a broad perspective. Despite considerable research on this subject, no single theory has so far emerged to explain convincingly the phenomenon of crime and its causes. There is, however, a wide consensus amongst criminologists about certain conditions or factors which stimulate crime. Increasing incidence is generally associated with urbanisation, hard living conditions, unemployment, inequality of opportunities, decline in the standards of morality, uprooting of traditional institutions and values resulting in a feeling of alienation, etc. The police have nothing to do with the emergence of these criminogenic factors. Nor do they have any control over them.

The task force on the police set up by the President's Commission on law enforcement and administration of justice in the US (1967) said in its report: "On the whole, they (the police) must accept society as it is – a society in which parents fail to raise their children as law-abiding citizens, in which schools fail to educate them to assume adult roles, and in which economy is not geared to provide them with jobs." The important role that the informal instruments or structures of social control represented by the traditional institution of family, school and religion and ethical values play in maintaining the fabric of society intact needs to be recognized and they must not be allowed to crumble down. To the extent we can retain our healthy traits, values and institutions, the criminogenic potential of certain developments may be neutralised. So, it is necessary that we plan and regulate our process of development in such a manner as to enable society to absorb, and not succumb to, the shock of rapid changes.

Social Defence

The model of planning that we have followed so far has concentrated mainly on accelerating the pace of economic development. We have not paid sufficient attention to the spin-off effects of development on the total social system. It is high time that planning in the field of social defence and criminal justice system became an integral part of national planning, as the UN has been urging its member countries for quite sometime now.

Coming to the brass tacks, it is widely acknowledged that all the crimes committed in a society do not come to the notice of the police. Research done in foreign countries has shown that only about 10 to 15 per cent of crime committed in a community is reported to the police. Even in the most developed countries, the police are not able to dispose of more than 50 per cent of the crime that comes to their notice. Out of the cases ultimately referred to the courts, only a small percentage ends in conviction. A large number of offenders get away with it and this naturally reduces the deterrent effect of the police force. The police are only one part of the criminal justice system and success in tackling crimes also depends on the effectiveness of the other agencies involved.

The different agencies in law enforcement do not always work in a coordinated manner. Sometimes they work at cross-purposes. The functioning of the bail system and the difference in the approach of the police and the courts towards this provision is one example of this. While the police think that releasing more and more offenders on bail, including those accused of having committed heinous offences, results in increasing crime, many jurists feel that denial of bail and consequent incarceration almost amounts to judging an accused guilty before giving him an opportunity to prove his innocence.

The way the criminal justice system has been functioning in the country, it has failed to instill in the minds of people the healthy fear that law cannot be trifled with. If crime has to be controlled, justice must not only be done but done speedily. This is not happening and the problem of pendency of cases under trial has assumed alarming proportions. As many as 54,95,582 criminal cases were pending in different types of courts at the end of 1979. It has to be impressed upon all that law has not only a long arm but also strong teeth. Unfortunately, the contrary impression prevails.

Respect For Law

There has been a steady erosion of respect towards law and authority in the country. Some people behave as if they are above the law of the land and can get away with anything. It would be unrealistic to expect that law will always be enforced in a fair and impartial manner as the inequalities inherent in our society and the types of culture they breed are bound to be reflected to some extent in the working of different institutions. But as long as there is open defiance of law by some people, and if the administration does not even take cognizance of cases where there is a clear nexus between criminals and some influential persons, who, by interfering in the working of the police and through other means manage to thwart the process of justice, crime control will remain an unrealised dream. However, the steady growth in crime is a challenge to be faced by the whole society. The police of course must be in a better performance than they have been doing so far, but to think that policemen alone can wipe out crime is to delude ourselves.