

## **GOOD GOVERNANCE THROUGH COMMUNITY POLICING**

### **Commonwealth Human Rights Initiative**

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### **Proceedings of Workshops on Community Policing In Bhilai, Chhattisgarh**

The *Chhattisgarh State Human Rights Commission* and the *Commonwealth Human Rights Initiative* (CHRI), organized two workshops on December 1, 2002 and a half day workshop on March 10, 2003 at Bhilai on "Community Policing" as a part of a series of workshops on the theme, "Police Reforms, too important to neglect, too urgent to delay" in Chhattisgarh in 2002-2003. The participants for the workshop were from the town of Bhilai and the neighbouring town of Durg, comprising of a cross section of the civil society, police personnel of different ranks, the judiciary and the Steel Industry etc.

#### **The Objectives:**

The objectives of the workshop at the onset were to:

- Catalyse and promote a debate on community policing, with a view to creating an impetus for closer police-community relations.
- Understand the expectations and perceptions of the police and community.
- Emphasize on the best practices that are available in other jurisdictions that may be replicated to make the police more people friendly.
- To network with the civil society, the government departments and encourage them to further the message of reform.

#### **The Urgent Need to Catalyse:**

While discussing community policing in Bhilai, an effort was made to understand the complex interface between the citizens and the police. To overcome this chasm, the citizens and the police personnel made the following recommendations, which relates closely to the recommendations made at the workshops organized in other parts of the State.

## RECOMMENDATIONS

### 1. *Interface:*

- ❖ The police and public must jointly demarcate problem areas in building an interface.
- ❖ Citizen-police groups must be formed at the macro level and micro level to facilitate monthly and weekly meetings.
- ❖ Police and community patrolling initiated. Also public assistance booths may be set up through joint venture of police and community in sensitive areas.
- ❖ The police must take strict action against cable operators, eve-teasers and out houses operators to instill confidence amongst the citizens.
- ❖ Help lines for distressed citizens may be set up with toll free phone numbers.
- ❖ Complaint boxes must be placed at accessible points of the town or city and not in the premises of the police station.
- ❖ Minor improvements in the police stations can be an initiative by the citizens. Small funds may also be generated from the public to dispose unclaimed dead bodies.
- ❖ The public must reward any good work by a police officer.
- ❖ Regular media and police meetings organized by a Public Relations Officer of the police department can prevent misunderstanding.
- ❖ Adequate research on the police is necessary to educate the citizens.

### 2. *Training:*

- ❖ Adequate training on gender and human rights issues is important for the police; training is also necessary to understand the public and help the personnel to counsel complainants.
- ❖ There is a need to find out methods of stress management for the police personnel.
- ❖ The citizen's must also be informed of their rights and duties through legal literacy. The police can take this initiative.

### 3. *Better legislation:*

- ❖ Political interference must be discouraged by incorporating people without any political links in the citizen's committees and forums.
- ❖ Also citizen's review boards can look into the question of police accountability.
- ❖ The postings and transfer of officers must be for a specific number of years to instill confidence amongst the people.
- ❖ There is a definite need for institutionalization of community policing.

**An Interface:**

Although community policing is an old concept, it has picked momentum in India only over the last couple of decades or so as a promising alternative to the traditional mode of policing which is found to be reactive and often repressive hence alienating the police further. Community policing is participative form of policing where the community, neighborhood and the police take a proactive role in involving each other to control crime and law and order management. In this part of the century it has been seen that the police alone are unable to deal with the problems of crime and disorder no matter how elaborate its resources are or however ingenious are the strategies of the police to control the menace.

As a global phenomenon community policing has been accepted to be successful and has been elaborately documented as the best practices in policing. However, we are unable to provide this tag to the Indian police. It is a fact that there have been several right-minded initiatives or experiments at the behest of young and dynamic officers. But over a period of time it has been noticed that these experiments, which are launched with much fanfare, die a quick death due to the lack of interest amongst the police officials and the public or lack of continuity in tenure of the facilitator of such experiments and above all a statutory guiding force.

**A few noteworthy attempts in India have been:**

1. The Neighbourhood Watch Scheme in a few pockets of North West Delhi; a juvenile aid home that was set up at Jahangirpuri at the behest of the Delhi Police is today a full fledged organisation and functions under the name of Prayas.
2. Friends of the Police in Chennai: where the beat constables are on round the clock duty and where the complainants can approach a police booth to register complaints.
3. Mohalla Committees of Maharashtra: noteworthy are the Bhiwandi<sup>1</sup> experiment or better called the Khopade plan, which is named after the person who initiated this project; there is also the citizen's initiative in Mumbai.
4. Women and child help line in Bangalore
5. Nagarik Samitis in Guwahati and more recently the Aashwas project for working with children of violence of insurgency.

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<sup>1</sup> Riots broke out on February 12, 2003 between two communities ending the fairy tale on the success in preventing communal riots in 1992 through community policing.

6. Gram Raksha Samitis in Madhya Pradesh and Chhattisgarh.
7. Trichy experiment again is an amalgamated system of beat officers system, complaint boxes, help-line for women, slum adoption scheme etc.
8. Uttar Pradesh has also experimented with the Koban system and there is a blue print, which is presently in cold storage.

But can any one of these experiments claim that there is a dependable and constant support of either the community or police? Also, none of these experiments have been able to make the police accountable to their community, which is the basic tenant of community policing.

### **The predicament:**

The problem lies in the police legislation that was prepared by the British as the in 1861 after the Sepoy Mutiny. The sole motive of the British colonizers was to consolidate and perpetuate rule in India and which meant that the police force was not to be *people friendly*. That was why an organization was established which was totally subservient and under the control of the executive. This also ensured that the personnel were only accountable to its officers and government only. The Police Act of 1861 is silent on community and police relations. However the Act has stated that any additional costs borne by the State Government to maintain law and order in disturbed areas will be borne by residents of the area (Section 13- 15 Police Act 1861). Hence, it is evident that not a single provision in this Act suggests the need on the part of the police to consult the community or involve them in any way in their work.

After Independence and the deterioration of political ethics in the late 1970's on the recommendations of the Shah Commission, a committee was set up to look into the vices of the police organization. The Commission was called the Dharam Vira Committee or the National Police Commission (NPC). Although the recommendations made by this commission are today over two decades old, it did suggest the need to improve police public interrelation. However, for this day and age, the suggestions are limited. The NPC emphasized and authorized the Superintendent of Police or the Commissioner of Police to constitute voluntary bodies called Defense Societies for the protection of persons, security of property and overall public safety. Other than the 1861 Police Act, there are different State Acts, which too are silent on the issue of community policing.

Over the last few years, the police in different jurisdictions such as United Kingdom and South Africa have become more democratic after the institutionalization of the concept. The Police Act of U.K. requires "arrangements to be made for each police area for obtaining (a) the views of the people in that area about matters concerning the policing of the area and (b) their co-operation with the police in preventing crime in that area." These arrangements are to be made by the police authority for each area and by Commissioner of Police of the Metropolis under the guidance of the Secretary of State."<sup>2</sup>

The Constitution of South Africa is perhaps the only Constitution in the world, which has provisions where it is the "political responsibility" of each province "to promote good relations between the police and the community"<sup>3</sup> and to appoint a commission of inquiry into any breakdown in relations between the two.<sup>4</sup>

The Japanese Koban system is slightly unorthodox, with community participation integrated into the policing system, where the police personnel function from boxes or Kobans, which are at the center of community activities such as a market place or university area etc. In the rural areas, these Kobans are places where the personnel live with their families. This enables them to interact with the community at all times and also to guide the community in areas, which are not a part of police work. This arrangement enables the police personnel to know all the members of the community. This is much like the Beat Constable in UK who is responsible for the entire community in his jurisdiction. The unarmed Beat Constable travels on foot and is in constant touch with the community.

The efforts in India lack continuity and seem to be at the behest of those individuals who are interested. Hence the initiatives die a quick death with the transfer of such individuals. To ensure that there is continuity, the police personnel have to gradually get integrated into the community thorough the initiatives, as the essence of community policing is to minimize the gap between the police and citizens and develop a partnership.

### **Towards Better Understanding:**

The gap between the police and community is mostly due to lack of communication. As the personnel feel that although they take the initiative at several instances, there is a lack of public cooperation in problem areas such as in districts where there is extremist activity. The personnel also find it difficult to register an FIR when large groups of

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<sup>2</sup> UK Police Act, 1996, Section 96 A.

<sup>3</sup> The Constitution of the Republic of South Africa, 1996, Article 206 (3) (C)

<sup>4</sup> Ibid, Article 206 (5) (a)

citizens accompany one complainant. The police at these instances are under tremendous pressure. Ideally they hope that the citizens should have enough confidence to visit their police stations on their own or in small groups.

Even small initiatives such as transportation of unclaimed dead bodies through a police-citizen's cooperation may be a beginning of a better interface. The police on their own are ready to open reception counters preferably in urban areas first with a small financial support from either the government or through citizen's initiative.

On several occasions, the citizens and the police have emphasized the need for legal literacy using various dissemination channels. The police personnel are of the view that there is a problem of faithfully registering all cases as often the complainants provide minimum and inadequate information, which is on the verge of concealment. Besides the citizens often do not understand the difference between cognizable and non-cognizable offences. Hence, the police face legal handicaps. It is thus important to educate the public about not only their rights but also their duties as citizens.<sup>5</sup>

Today the police must change its ruler-oriented image and protect the interests of the citizens. These initiatives in Chhattisgarh may be through the introduction of community policing in urban areas and semi urban areas. However, these initiatives should be free from political interference and participation.

### *Summing up*

It is definite that the major focus of the recommendations made by the citizens points out the limited scope of the 1861 Act for democratic policing. It does not involve the community in policing, nor is answerable for its actions. In all the workshops organized in Chhattisgarh so far, the discussions have concluded with the fact that the Act of 1861 is redundant for the present times especially for the fact that the Chhattisgarh Government has drawn up a Vision 2010 document with emphasis on overall development for human capital, physical infrastructure and unlocking natural resources based on partnerships and good governance. Good governance has been further classified as "Strengthening and adhering to the principles of good governance in terms of complete transparency, efficiency and accountability."<sup>6</sup>

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<sup>5</sup> Some Proceedings of Bilaspur Workshop, September 6, 2002.

<sup>6</sup> Vision Statement III, <http://www.chhattisgarh.nic.in>

*"Police reforms too important to neglect too urgent to delay"*

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In the criminal justice system, the police is the organization with the maximum daily contact with the public. Hence, it is important to urgently herald good governance through the much desired police reforms. Yet a wide and holistic approach is necessary to bring in these changes.

In this follow-up meeting CHRI would like discuss as to what course of action can be taken to bring in good governance through better police community relations keeping the recommendations made by the citizens on December 1, 2002 in focus.