

CHRI 2018



MODEL POLICY

for

WOMEN IN THE POLICE IN INDIA

*Developed by
The Commonwealth Human Rights
Initiative*



CHRI

Commonwealth Human Rights Initiative
working for the practical realisation of human rights in
the countries of the Commonwealth

Commonwealth Human Rights Initiative

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INTRODUCTION

State obligation to assure equality

Police organizations in India are mandated to take all measures to eliminate discrimination against women and ensure equality between men and women. As with any other state institution, each police organization is bound to guarantee the rights to equality, non-discrimination, and equality of opportunity promised by the Constitution of India. The Constitution's Preamble resolves to provide all citizens equality of status and opportunity; Articles 14, 15, and 16 give effect to these principles in the Constitution's text:

Article 14 (Equality before law);

Article 15 (Prohibition of discrimination on grounds of religion, race, caste, sex, place of birth or any of them);

Article 16 (Equality of opportunity in matters of public employment).

These not only enshrine the rights to equality (in several aspects) and non-discrimination; Articles 15 particularly allows the State to "make special provisions for women and children" (among other vulnerable groups). This is recognition that women's empowerment and advancement has been stifled due to structural discrimination, and it is the duty of State institutions to take proactive measures to bridge this inequity. This obligation is heightened by India's international commitments to achieve gender equality.¹ Nationally, the overall development of women is a central goal of the Government of India with a national policy aimed at the "advancement, development and empowerment of women".² With these repeated assertions of the State's commitment to gender equality, police organizations are bound to not only guarantee equality at an institutional level, but also rectify embedded disadvantages that curtail women.

Beyond legal obligation, equity between men and women in all decisions, processes and practices is necessary to enrich the police as an institution, and policing itself. Greater intake and meaningful deployment of women will build a representative police service that can command greater public confidence, trust and respect. Women will bring strengthened capacity, special skills, and unique perspectives to enable the police to respond better not only to women, but all those who need protection, particularly the most vulnerable. Police leadership's visible commitment to higher women's representation will be a catalyst to break the stereotype that policing must be reliant on physical (thereby male), coercive, brute, strength to be effective. At a time when the very legitimacy of this model of policing is constantly being tested, filling the ranks with women is both a stand-alone goal, and also a fundamental driver of democratic, responsive and impartial policing.

Policy framework

Increasing the numbers and role of women in police has slowly, albeit firmly, gained policy recognition in India. Through several initiatives, the Government of India reiterates gender diversity in policing as an important measure for affording greater protection to, and preventing crimes against, women, and for "improving the image of the police...and making the police station a gender-sensitive place."³ In 2009, it laid down 33% as the benchmark target for women's representation in the police.⁴ Apart from the Union

1 These include the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) which India ratified in 1993, the Beijing Declaration and the Platform for Action (1995), and the Security Council Resolution 1325 (2000)

2 Formulated in 2001, the National Policy on Empowerment for Women is directed towards women-friendly personnel policies to encourage women's effective participation in the developmental process. See Ministry of Women and Child Development, National Policy on Empowerment for Women, available at <http://wcd.nic.in/empwomen.htm>.

3 Government of India, Ministry of Home Affairs, Advisory (2013), D.O.No.15011/21/2013 – SC/ST – W: <https://mha.gov.in/sites/default/files/AdvisoryWomenPolice-290513.pdf>.

4 Government of India, Ministry of Home Affairs, Advisory (2009), F.No.15011/48/2009-SC/ST-W: https://mha.gov.in/sites/default/files/Ad-Crime-Agnst-Women170909_3.pdf.

Territories, nine states have adopted 33% reservation,⁵ five states 30%,⁶ Bihar 38%, and five states have less than 30% reservation.⁷ Nine states have not set a target.⁸

The central government has also carved out roles for women police to prompt greater recruitment. In 2013, the Ministry of Home Affairs recommended each police station to have at least three women Sub-Inspectors and ten women police Constables to ensure women help desks are staffed at all times.⁹ In 2015, the Ministry proposed creating Investigative Units for Crimes against Women (IUCAW) at police stations in crime-prone districts across states.¹⁰ These units are to be constituted on a cost-sharing basis between the Centre and the states, with around 15 specialized investigators dealing specifically with crimes against women. Of the 15 staff, at least one-third are required to be women.

Policy gaps leading to ground level challenges for women police

Despite these policy commitments and guidelines, targets remain very much on paper. As of January 2017, women make up only 7.28% of the total police strength in India.¹¹ Some states fare better – Tamil Nadu (15.97%), Himachal Pradesh (12.25%) and Maharashtra (11.62%). Others have a long way to go – Assam, Uttar Pradesh, and Bihar are at less than five per cent. A breakdown of the numbers reveals women are concentrated at lower ranks, with very few at important operational positions such as officer in charge of districts or police stations.

CHRI's research¹² further reveals the need to address specific barriers and challenges women face at every stage of her career in policing, from recruitment to postings, promotion, training, and lack of proper facilities. The extent that women police, particularly at junior ranks, suffer sexual harassment within the workplace is not acknowledged enough by police leadership. Practices such as limiting the number of posts for which women are eligible to apply; disallowing postings in home districts for specified periods of time; insufficient exposure to varied tasks; the tendency to confine women to desk jobs; lack of adequate facilities and infrastructure; and poor internal child care support systems present distinct difficulties for women. In fact, they have a far-reaching effect that constrain and limits women's performance and potential as police officers. These challenges stem from both larger socio-cultural factors, and societal prejudices, that feed into and shape police internal sub-cultures and institutional environments, physical and otherwise. It is no light task to challenge and break this deep-seated patriarchy that shapes so much of police as institutions.

Need for a holistic policy

Achieving substantive equality between men and women within the police requires a multipronged approach. It requires systematic planning towards an incremental increase in the overall representation of women at all levels, within a specified time period and towards the ultimate goal of achieving proportionate representation of men and women. Simultaneously, it requires urgent measures to identify and address systemic gaps in facilities, structures, processes and practices that disadvantage women with a view to creating a supportive and a welcoming environment. It is important that efforts at both increasing

5 Andhra Pradesh, Gujarat, Jharkhand, Madhya Pradesh, Maharashtra, Nagaland, Odisha, Tamil Nadu, and Telangana.

6 Assam, Chhattisgarh, Rajasthan, Sikkim and Uttarakhand

7 Arunachal Pradesh (10%), Karnataka (20%), Meghalaya (4%), Tripura (10%) and Uttar Pradesh (20%).

8 Goa, Haryana, Himachal Pradesh, Jammu and Kashmir, Kerala, Manipur, Mizoram, Punjab and West Bengal.

9 Government of India, Ministry of Home Affairs, Advisory (2013), D.O.No.15011/21/2013 – SC/ST – W: <https://mha.gov.in/sites/default/files/AdvisoryWomenPolice-290513.pdf>.

10 Government of India, Ministry of Home Affairs, Advisory (2015), 15011/72/2014 – SC/ST – W: <https://mha.gov.in/sites/default/files/Crimes-againstWomen0601.PDF>.

11 Government of India, Ministry of Home Affairs, Bureau of Police Research and Development (2017), Data on Police Organizations in India as on 1.1.2017, Table 12.4, pg. 157.

12 Please see www.womenpoliceindia.org, developed by CHRI in 2017. The website is a repository of relevant policies pertaining to women in police across states and Union Territories. It is based on information sought through the Right to Information, under themes including recruitment, reservations, posting, transfer, promotions, facilities, budget, maternity and childcare, and sexual harassment.

women's numbers in the police, and improving facilities and processes, go hand in hand. Any attempt to condition either on the progress against the other – increase numbers only when facilities improve, or conversely, improve facilities only when numbers increase – will be facile and signal resistance towards genuine diversity.

Not a single state or the central government has developed such a comprehensive framework. Without it, efforts at increasing women representation will remain ad-hoc and disconnected with need and reality.

This Model Policy seeks to fill this gap. Recognizing that policing is a state subject and that state-specific policies will be more effective and relevant, it is designed to serve as a template model to lay down clear, time-bound and actionable measures to bridge the imbalance between men and women within the police. It rests on the premise that policing needs women and not the other way around. It emphasizes parity at every step, bringing in proactive and special measures as needed, as the benchmark to integrate a genuine gender perspective into all organizational policies and processes, and take all measures needed to achieve gender equality.

CHRI has drafted the Model Policy based on state-wise research on the status of women police, gaps in organizational policies, practices and processes, as well as on best practices and international models. Additionally, we consulted extensively with senior police officers and leadership, both serving and retired, and sought written feedback with gender experts from both within the police and from civil society. We recommend central/state governments and police leadership to give serious consideration to the Model Policy. It is our belief that the Policy's adoption can ensure increased and meaningful participation of women in policing, and in this way, strengthen policing overall.

THE MODEL POLICY

I. Title: The title of this policy is Model Policy for Women in Police in India (hereafter the Policy).

II. Definitions

- a) “cadre” means the posts in various classes, categories and grades in the police service, as specified by the state government for the purpose of service conditions.¹³
- b) “discrimination” includes any distinction, exclusion or preference made on the basis of sex, class, religion, caste, colour, or political opinion, which has the effect of nullifying or impairing equality of opportunity or treatment in employment. Adoption of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination¹⁴.
- c) “gender” refers to the social attributes, opportunities and relationships associated with being male and female that are learned through socialization. They are context specific and change over time. Gender determines what is expected, allowed and valued in a woman or a man in a given context.¹⁵
- d) “gender mainstreaming” is “the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women’s as well as men’s concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality.”¹⁶
- e) “women” applies to any female persons without discrimination whatsoever;¹⁷

III. Goal: to embed equality and fair treatment between men and women in police organisations by establishing strategies, policies, and procedures necessary to root out gender bias.

IV. Objectives

The main objectives of this policy are as follows:

- To recognise that the maximum participation of women on equal terms with men is essential for effective and responsive policing;
- To achieve equitable representation of men and women at all levels and role structures, including decision-making levels and specialist roles;
- To provide equal opportunities for women and embed equality of men and women in all aspects of organizational policy, decision-making, procedure and practice;
- To create a safe, supportive and enabling environment so women from all backgrounds and sections of society can work and flourish on an equal basis;
- To prohibit and eliminate any act or practice of discrimination against women, sexual harassment and sexism in the workplace;
- To make policing tasks free from stereotyping based on gender.

¹³ Drawn from the State and Subordinate Service Rules of different states.

¹⁴ Drawn from Article 2 and Article 4, Convention on the Elimination of All Forms of Discrimination against Women, 18 December 1979: <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx>; Article 1(a), ILO Convention No. 111 on discrimination in employment and occupation:

¹⁵ Adapted from the website of Office of the Special Advisor on Gender Issues and Advancement of Women (OSAGI): <http://www.un.org/womenwatch/osagi/pdf/factsheet1.pdf>.

¹⁶ Agreed Conclusions of ECOSOC Coordination Segment on Gender Mainstreaming 1997: <http://www.un.org/womenwatch/osagi/pdf/ECOSO-CAC1997.2.PDF>.

¹⁷ Drawn from Article 1, ILO Convention No. 183 on maternity protection: http://www.ilo.org/dyn/normlex/en/f?p=NORMLEX-PUB:12100:0:NO:12100:P12100_ILO_CODE:C183.

V. Principles

The following principles underlie the policy for women in police:

Principle of non-discrimination which requires treating men and women on an equal basis at all levels, in all decisions, and taking all measures to eliminate any act or practice of discrimination against women.

Principle of substantive equality which recognizes that equality between men and women requires temporary special measures, also referred to as positive discrimination, positive action, affirmative action, to overcome underrepresentation of women, accelerate the improvement of the position of women, and effect structural, social and cultural changes necessary to correct past and current forms and effects of discrimination against women. The word special must not be taken to mean weak, vulnerable and in need of extra or “special” measures but designed to meet specific goals.

Principle of inclusiveness which requires taking special measures to reach women who face multiple forms of discrimination, such as rural and indigenous women, women with disabilities, women living in poverty, and women facing other forms of marginalization on the grounds of colour, ethnicity, caste, religion, political affiliation or any other factor.¹⁸

Principle of efficiency which requires police services to harness human resources capacity from all sections of society, in an equal and proportionate manner, to improve responsiveness and efficiency in policing.

VI. Operational Policies

Measures listed below are directed at state governments and police departments.

i. Systemic Reforms

Broader reforms are crucial for equality measures to be effective. Foremost, police departments should frame a vision on equality rooted in principles of diversity, inclusion and accountability. This must articulate the importance of ensuring equal and meaningful representation of women in policing, both for the police and policing itself, in order to ground and shape efforts at mainstreaming women within the police. It should be seen as the basis for revising existing organizational policies, standards, processes and practices with a view to transform overall policing culture, integrate a gender perspective in all planning, decision-making and accountability, and embed mainstreaming of women in policing.

1. Develop, and adopt, an organizational vision statement emphasizing diversity, inclusiveness and equality as core values, in line with the Constitution of India, and as an effective driver for achieving policing that is responsive, representative and efficient.
2. Initiate necessary amendments in the Police Act and Regulations to embed equality of men and women as a core value and operationalise equality of opportunity, services and facilities for women in police.
3. Review existing organizational policies, manuals, orders, circulars, notifications and/or any other document to identify and remove potentially discriminatory provisions, make the language gender neutral (i.e. replace the use of “he” with “he/she”) and incorporate special measures to meet the specific needs of women as needed.
4. Revise and update the code of conduct for police organizations to make it consistent with the new organizational vision emphasizing non-discrimination, equal and fair treatment of men and women alike so as to consciously remove societal prejudices which have no place in modern day policing.

¹⁸ United Nations Human Rights Council (2012), Report of the Working Group on the issue of discrimination against women in law and in practice, A/HRC/20/28, 5 April: https://www.ohchr.org/Documents/Issues/Women/A-HRC-20-28_en.pdf

5. Promote and raise awareness of the importance and benefits of gender equality for effective policing through institutional directives rather than discretionary guidelines.
6. Condition the receipt of funds by police organizations from central and state modernization grants to demonstrated performance in increasing representation of women.

ii. Recruitment

Increasing the strength of women in police departments can only be achieved through a systematic, phased process. Meeting the state reservation percentage can be set as the first benchmark, towards the ultimate goal of proportionate representation of men and women at all levels. Proactive and special measures aimed at removing barriers and increasing awareness, access and confidence of women in availing recruitment opportunities are vital. Simultaneously, it is the responsibility of the police leadership to make sure women from all social backgrounds can avail the opportunities to compete to join the police.

1. Commit to increasing the numbers of women in the state police service, at all levels, with the goal of achieving an equitable balance of men and women within a specified time period.
2. Follow impartial, common and combined recruitment procedures including:
 - a. opening all posts at each rank in which direct recruitment takes place equally to men and women;
 - b. instituting common cadre posts for men and women, wherever separate cadre posts are now provided for women; and
 - c. replacing terms like “woman constable” or “lady police” in the nomenclature of posts and in rank identification terminology.
3. Adopt 33 per cent reservation for women across all categories in the police service as the first benchmark to reach the goal of an equitable balance of men and women.
4. Develop an action plan to achieve the target of 33 per cent in a time-bound manner, at the earliest possible, with the outer limit of 2030,¹⁹ to include:
 - a. Clear targets of the number of women to be recruited in every recruitment year, at all levels, based on a yearly baseline assessment of rank-wise strength preceding every recruitment cycle.
 - b. Special measures and necessary strategies to substantially increase the recruitment of women including:
 - i. ensuring 33% reservation in direct recruitment for all posts at each entry level²⁰ in the police service under the state;
 - ii. specifying differential physical requirements for selection to ensure that they do not disadvantage women candidates;
 - iii. conducting district-wise recruitment drives for women to ensure geographical diversity; and
 - iv. conducting targeted recruitment drives within the women’s quota for underrepresented groups based on caste, class, religion, ethnicity or any other factor, to improve diversity.
 - c. Special measures to ensure the quota reserved for women is filled only by women in direct recruitment including:
 - i. when the quota reserved for women remains unfilled in a recruitment year, carry these forward and conduct special recruitment drives to fill long pending vacancies;

¹⁹ In fulfillment of India’s obligations under the Sustainable Development Goals. For more information, see United Nations Sustainable Development Goals: <https://www.un.org/sustainabledevelopment/>.

²⁰ Each entry level includes Constable, Sub-Inspector and Deputy Superintendent of Police.

- ii. when a post is carried forward, it shall not be counted against the quota of the posts reserved for women for the recruitment year to which it is carried forward.
 - d. Indicators to monitor the progress in recruitment of women.
 - e. Measures to hold authorities responsible for recruitment within the police, at all levels, accountable for meeting the yearly targets identified in the action plan.
5. Adopt special measures to maximize women candidates' access to police recruitment drives including:
 - a. provide logistics support, including free transport to the sites of recruitment drives where needed;
 - b. hold special training drives for prospective women candidates to impart the needed skills and strategies that can strengthen their ability to compete;
 - c. run recruitment drives at as many local levels as far as possible, not only in district headquarters;
 - d. institute community outreach programmes to understand social and cultural barriers facing women in joining the police and review recruitment strategies to remove barriers.
 6. Eliminate the practice of concentrating newly recruited women in women-only units or battalions.
 7. Involve local media and secondary and tertiary educational institutions in proactive efforts to facilitate women's awareness of, and participation, in recruitment drives including:
 - a. wide publicity of career opportunities for women in the police in local newspapers and other media mediums;
 - b. wide publicity of recruitment drives in local newspapers and other media mediums appealing to women to apply; and
 - c. collaboration with schools and colleges to hold informational sessions on policing work and career opportunities in the police for women.
 8. Work to achieve equitable representation of men and women in all interview boards at the district, state and central level, starting initially by ensuring at least one woman in all interview boards, for a specified period of time, and gradually increasing to ensure equitable representation.
 9. Maintain disaggregated data at all levels to track women's recruitment including:
 - a. Number and demographic profile of men and women applicants for vacancies at all entry points; and
 - b. Number and demographic profile of successful candidates (men and women) at each stage of shortlisting, as applicable, including application form, written test, interview, physical and medical test.

iii. Transfer and Posting

Decision-making around transfers and postings need to take into account the impact of family and childcare responsibilities for men and women alike on professional life, while recognizing that a disproportionate burden to meet these responsibilities fall on women. Possible difficulties that practices like frequent transfers pose for women, especially, have to be addressed.

1. Undertake a review of the impact of current transfer policies on women in police and their overall satisfaction, and accordingly, make revisions to accommodate specific difficulties faced by women personnel.²¹
2. Clearly define the mechanisms and decision-making procedures for transfers and postings across ranks and ensure fair treatment to men and women.

²¹ Parliament of India, Lok Sabha, Committee on Empowerment of Women (2013), Twenty-First Report of the Fifteenth Lok Sabha on "Working Conditions of Women in Police Force":

3. Give women the choice to be posted, as far as possible, at her home district, in consultation with supervising officers. Take active measures to make it known that this option is available.
4. Give due consideration to the risk of physically arduous work on pregnant women while assigning tasks, and take decisions, including transfer decisions, in consultation with them.
5. Ensure that transfer policies take family and childcare responsibilities into account including:
 - a. Give married police couples the choice to be posted in their home districts and/or at/near each other's place of posting as far as possible;²²
 - b. Allow all police personnel with child care responsibilities a six year fixed tenure, at least twice in their career span, to enable the uninterrupted education of children;²³
 - c. Follow a fixed time for carrying out transfers to align with the academic year to better transition children;
 - d. Consider special measures, particularly for women police constables, to allow transfer to a new district upon marriage without loss to seniority.

iv. Allocation of Duties

Decisions regarding deployment and allocation of duties within police organizations must ensure equality of opportunity for women. At present, there is a tendency to either sideline, or silo, women into policing tasks deemed "fit" for them. This is fueled by a mindset that continues to view women as unsuited to 'real cutting edge' policing work largely reliant on force. This myth that policing is a man's work alone must be cast aside to pave way for the premise that all policing tasks, whether physical or otherwise, can be performed by both men and women.

1. Prevent the segregation of women into policing tasks related only to crimes against women and give them other duties beyond the minimum mandated by special laws.
2. Provide women equal opportunities to avail all deployment and work assignments in the full range of policing tasks by ensuring non-discrimination in deployment decisions.
3. Provide equal opportunities to women to take on public order and investigative work of all types.
4. Ensure that desk-work such as records management, computer work, maintaining registers, RTI cell and others is allocated evenly among men and women, and not *disproportionately* given to women personnel.
5. Intensify efforts to deploy women personnel, of all ranks, in police stations, with particular emphasis on ensuring the presence of at least one woman investigating officer at all times in every police station.
6. Prioritise increasing the number of women police personnel in police patrols/PCR vans, beat policing duties, traffic duties and all duties involving direct interaction with the general public, with due consideration to their safety and security.²⁴
7. Take measures to ensure that within a specified period of time, women are heading units across levels including police stations, sub-divisions, districts, special units and the state police, to build a critical and visible mass of women leaders in strategic policing posts and decision-making.
8. Ensure that decisions relating to appointments for leadership positions and key strategic operational positions²⁵ are in writing. These written orders should clearly state their reasoning to ascertain these decisions are made on the basis of objective criteria and do not disadvantage women in any way.

22 As recommended at the 4th National Conference for Women in Police held at Bhubaneswar, on 15-17 September, 2010. See Bureau of Police Research and Development, Ministry of Home Affairs (2010): <http://bprd.nic.in/WriteReadData/userfiles/file/2016120711314625489372016112805321029959064thNCWP.pdf>.

23 As recommended at the 7th National Conference for Women in Police held in Gurgaon, Haryana, on 6-8 January 2016. See Bureau of Police Research and Development, Ministry of Home Affairs (2016): <http://bprd.nic.in/WriteReadData/userfiles/file/201612071142561923250Recommendationsof7thNCWP.pdf>.

24 Bureau of Police Research and Development, Ministry of Home Affairs, Model Police Manual, Clause 403.1, Service Conditions for Women Police Officer, pg. 290

25 What constitute 'key strategic operational positions' can be defined in consultation with police departments

v. Promotion

Promotion decisions must be fair, transparent and based on objective criteria to ensure women are not discriminated against based on gender.

1. Institute non-discriminatory, transparent and fair promotion policies including:
 - a. Common seniority list for men and women;
 - b. Equal opportunity for women to attend specialized trainings linked to promotion opportunities;
 - c. No upper limit or cap on the number of women to be promoted from, and to, any post.
2. Review and strengthen criteria used for annual performance appraisals of both men and women police officers to ensure such criteria are relevant and do not discriminate against women.
3. Prioritise review of women police personnel who are languishing in ranks for long periods without promotions to identify promotional opportunities.
4. Assign higher weightage to participation and performance in specialized trainings on crimes against women in promotions of both men and women police personnel as a way to promote gender mainstreaming.
5. Achieve proportionate representation of men and women in all Police Establishment Boards and any other promotion boards.
6. Guarantee that there is no discrimination in decisions around work assignments and deployment, promotion, or any other term or condition of employment, on the basis of pregnancy or childcare responsibilities.

vi. Training

The design of police training must be geared to orient all recruits, men and women alike, towards professionalism and equal respect for all colleagues. In content, it must be grounded firmly in rule of law, constitutional imperatives and human rights standards. There is a strong need for courses and methodologies designed to enable recognition and removal of pre-existing prejudices. The infrastructure and facilities of training institutions need upgrading to provide equal access and supportive environments for women.

1. Adopt common and combined training programs and curriculum for men and women at all levels including basic, in-service, refresher, specialized and overseas training.
2. Decentralise in-service, refresher and specialized trainings to the extent possible at the district and/or range level to enable greater access to training opportunities for women.
3. Phase out the practice of men and women sitting separately in classrooms and encourage the use of training methodologies, including group work and role-play, that require men and women trainees to think, strategise and work together.
4. Take positive measures to increase the proportion of women faculty for in-door and women trainers for outdoor training, and ensure that women faculty are not confined to select subjects or modules focusing on gender-based crimes alone, and are allowed equal opportunities to teach all subjects.
5. Develop leadership training targeted especially for women at all levels to encourage women to take leadership roles.
6. Take measures to provide adequate and proper facilities, including separate changing rooms and toilets, for women and men at all police training institutes.
7. Make training institutions at all levels family-friendly including:

- a. Provide well-equipped, well-staffed, safe and secure crèche facilities at all training institutes, in conformity with the Maternity Benefits (Amendment) Act, 2017;
- b. Offer child support services for all trainees with child care responsibilities to fully avail of training opportunities as needed.

Gender sensitization

8. Institute gender awareness/sensitization training for both men and women in induction training and periodically, through refresher and in-service training, throughout the span of a policing career.²⁶
9. Design gender sensitization training, in collaboration with external experts, to ensure it is of the needed and sufficient duration, uses interactive methodologies, and carries content that delivers comprehensive and quality gender sensitization training.
10. Create and integrate content into the gender sensitization training on ways to recognize and remove pre-existing prejudices.
11. Incorporate gender and human rights principles into all aspects of police training.
12. Review and revise existing material, modules and courses on gender used in all police trainings to ensure they:
 - a. are up-to-date with legal and policy developments related to gender issues and gender-based violence;
 - b. explain concepts such as gender, gender discrimination, gender-based violence, and gender equality using clear, easy-to-understand language at par with India's legal obligations and international standards;
 - c. underscore the centrality of gender equality not just for dealing with gender-based violence but equally for effective policing;
 - d. address issues related to gender discrimination within the police; and
 - e. emphasize the importance of ensuring accountability for police negligence, misconduct and/or violations with a focus on legal provisions specifically dealing with wrongdoing in relation to gender-based offences.
13. Involve civil society groups and academics with expertise on gender and rights in the design, delivery and review of the training.
14. Adopt scientific means to measure the impact of new training methodologies and content, and record regular feedback.

Professional development

15. Strengthen the focus on behavioural aspects at the induction training geared towards boosting confidence and stress management, with particular emphasis to equip women police personnel to address patriarchal attitudes.
16. To enable women avail of promotion opportunities, prioritise/facilitate professional development of women through:
 - a. specialized skill-enhancement training for women personnel to build specific capacities such as forensics, IT/computers, intelligence collection and investigation of special crimes to strengthen competencies required for promotion; and
 - b. reserving 10% of training slots for women in all professional courses for XX time with the aim of gradually implementing an open and transparent process of selection based on merit.²⁷

²⁶ Recommendation of the 2005, 2012, 2014, and 2016 National Conferences for Women in Police. See Bureau of Police Research and Development, Ministry of Home Affairs: http://bprd.nic.in/content/1477_1_NationalConferenceofWomeninPoliceNational.aspx.

²⁷ As recommended at the 7th National Conference for Women in Police held in Gurgaon, Haryana, on 6-8 January 2016. See Bureau of Police Research and Development, Ministry of Home Affairs (2016): <http://bprd.nic.in/WriteReadData/userfiles/file/201612071142561923250Recommendationsof7thNCWP.pdf>.

17. Explore, study and develop a formal mentoring program that includes career planning, tracking, mentoring, coaching, and training, with a view to increase job satisfaction and enhance productivity of police officers in general, and especially as a measure to attract and retain women in the police service in particular. Towards this:
 - a. Constitute a committee consisting of senior officers and subject experts drawn from civil society and academia responsible for preparing a draft program with clear goals, suitable structures, and guidelines on the roles, responsibilities, selection, training, duration and evaluation criteria;
 - b. Prepare a baseline study mapping mentoring programs and schemes adopted by police departments around the world to study their design, procedures and success particularly in attracting and retaining quality candidates;
 - c. Hold consultations, through focus group discussions and meetings, with police at different ranks including leadership, supervisory, investigating, police station staff, and new recruits as well as different social backgrounds to understand gaps in skills relevant for policing and feed the findings into preparing the draft program.

vii. Facilities

The quality and accessibility of facilities at every police unit/office play a key role to create the physical environment conducive for women's active involvement. Lack of facilities, particularly exclusively for women's use, debilitate women's capacities to perform to their optimum. Units such as police stations and/or outposts that require being staffed 24 hours must, in particular, assure women easy and safe access to facilities.

1. Provide separate toilets, including working hand wash and shower facilities, exclusively for the use of women police personnel, and any woman visiting, in all existing police outposts, stations, offices, and units. If it is not possible to install a permanent toilet, portable toilets should be installed as an interim measure.
2. Provide proper, adequate and well-equipped rest/changing rooms for the exclusive use of women and men separately, in every police station, and all other needed police offices, with secure facilities to store clothes and personal belongings.
3. Ensure that these exclusive facilities, whether existing or newly built, are accessible, safe, and clean at all times.
4. Guarantee that the design of all new police buildings/offices are approved only if they incorporate these exclusive facilities for women.
5. Construct separate accommodation, with attached toilets, for women police personnel in all police stations to be newly constructed, and ensure separate accommodation for men and women in all existing police stations.
6. Ensure compliance with the MHA advisory that mandates specific allocation of funds, under the Modernisation of Police Forces scheme, for the construction of exclusive toilets and rest/changing rooms for women.²⁸

viii. Maternity and Child Care

A supportive work environment that enables women to deliver professional duties alongside providing care to the family is necessary to encourage, and retain, women in policing. Recognition of childcare responsibilities, suitable adjustments in work assignments, and adequate childcare support systems are measures that will go a long way to make a career in policing both desirable and comfortable for women.

²⁸ Government of India, Ministry of Home Affairs Advisory (2014), F.No.VI-21011/27/2014-PM-1, 21st May: https://mha.gov.in/sites/default/files/Modernisation%20of%20State%20Police%20Forces%20%28MPF%29%20Scheme%20-%20cmsmha.nic_in_5.PDF.

1. Guarantee paid maternity leave upto 180 days, paternity leave 15 days and all other entitlements as provided under the Maternity Benefits Act 1961, as amended in 2017.
2. Provide 730 days of child care leave to all women personnel under the state, as per Rules of the central government.²⁹
3. Inform every woman police personnel, at the time of appointment, of her legal rights to maternity benefits including access to a crèche facility.³⁰
4. Codify the type of duties that are appropriate to be assigned to pregnant women personnel, during early stages of parenthood, and at crucial years of children's education (10th and 12th standard).
5. Take active measures to provide crèche facilities in the workplace as required under the Maternity Benefits (Amendment) Act, 2017:
 - a. Commit to providing easily accessible, affordable, well-staffed, well-equipped, safe and secure crèche facilities to every woman in need, at all levels, in a time-bound manner;
 - b. Formulate year-wise targets for establishing crèche facilities at each location, starting with identifying and prioritizing units with immediate need;
 - c. Give greater weightage to police stations, district headquarters and training institutions in an initial order of priority;
 - d. Institute phased planning to extend crèche facilities to all administrative units having fifty or more personnel, as laid down in the 2017 Amendment Act; and
 - e. Ensure women are able to visit the crèche as needed.
6. Maintain and publish data on availability of crèche facilities at each location with a view to track progress.
7. Allocate adequate funds towards providing crèche facilities and ensure full and effective utilization.

ix Uniform

1. Undertake a survey of serving women personnel across ranks to assess complaints and concerns, if any, regarding police uniform and, on the basis of findings, consider designing appropriate uniforms suitable to female body types to enable women to carry out their duties with ease and comfort.
2. Adapt the official uniform and accessories for pregnant women, from beginning of 3rd month of pregnancy till 1 year after delivery.³¹

x Residential Accommodation

1. Formulate an effective housing plan, including adequate budget, with a view to augment the availability of residential accommodation for police personnel at all ranks, preferably near the place of posting.³²
2. Consider giving preference to women in the allotment of houses, irrespective of seniority, taking into account the particular vulnerability of women in availing alternative accommodation.
3. Take steps, in the interim, to provide house rent allowance where accommodation is not available with due consideration to ensuring safety of women personnel.

xi State Forum of Women Police

1. Establish a state-level forum or network of women police personnel with representation from all

²⁹ Government of India, Ministry of Personnel, Public Grievances and Pensions (2008), Office Memorandum, No. 13018/2/2008 – Estt. (L), 11 September: [http://documents.doptcirculars.nic.in/D2/D02est/13018_2_2008-Estt.\(L\).pdf](http://documents.doptcirculars.nic.in/D2/D02est/13018_2_2008-Estt.(L).pdf).

³⁰ As required under the Maternity Benefits Act, 1961, including all amendments.

³¹ As recommended at the 4th National Conference for Women in Police held at Bhubaneswar, on 15-17 September, 2010. See Bureau of Police Research and Development, Ministry of Home Affairs (2010): <http://bprd.nic.in/WriteReadData/userfiles/file/2016120711314625489372016112805321029959064thNCWP.pdf>.

³² As recommended by Parliament of India, Lok Sabha, Committee on Empowerment of Women (2013), Twenty-First Report of the Fifteenth Lok Sabha on “Working Conditions of Women in Police Force”: http://164.100.47.134/Isscommittee/Empowerment%20of%20Women/15_Empowerment_of_Women_21.pdf.

ranks to offer support and guidance to women personnel, represent their concerns and issues at decision-making levels, and serve as a grievance redressal mechanism.

2. Mandate the forum to hold regular and periodic consultations and dialogue with policewomen of all ranks.
3. Mandate the forum to establish benchmarks to monitor progress towards gender equality and report results, including in the public domain.

xii Prevention of Sexual Harassment at Workplace

Every police department is bound to fully operationalize the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. This requires concrete measures with priority assigned to setting up accessible internal complaints mechanisms. Additionally, institutional support must be assured for women who choose to file criminal complaints of sexual harassment. The police must be the first to comply with laws that protect rights and set an example – especially in male dominated working environments like the police.

1. Take all measures to fully comply with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.
2. Develop and adopt an internal policy to reinforce institutional commitment and guide the implementation of the Act to:
 - a. clearly define acts which constitute sexual harassment, with examples;
 - b. identify the needed redress mechanisms;
 - c. explain the mandate of the Internal Committee and the Local Committee;
 - d. explain the inquiry procedure step-by-step;
 - e. provide measures to protect the complainant/witness(s) and their families; and
 - f. specify action that may be taken against the implicated police personnel.
3. Ensure women police personnel the maximum accessibility to separate delegated Internal Committees.
4. Establish properly constituted Internal Committees at the following administrative units, taking into account the size of the police service:
 - a. The State headquarters;
 - b. Each district headquarters;
 - c. Each sub-divisional police office;
 - e. All special units, including battalions;
 - f. Each Deputy Commissioner of Police's office in Police Commissionerates;
 - g. Any other administrative unit as applicable.
5. Facilitate and ensure access to the Local Committee to women police personnel wherever the Internal Committee has not been established.³³
6. Ensure that the Chairperson of every Internal Committee, and Local Committee as applicable, is the senior most woman officer of the jurisdiction; and abide by the direction that there is no hindrance to her authority to conduct an inquiry even when the implicated officer is senior in rank to her.³⁴

³³ Section 6(1), The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013

³⁴ Prevention of Harassment of working women at workplace – Seniority of the Chairperson of the Complaint Committee – regarding, vide Office Memorandum F. No. 11013/2/2014-Estt(A-III), Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training dated 9 September 2016

7. Clearly specify and circulate the jurisdiction and address of each Internal Committee and Local Committee to all police units in English and the local language.
8. Clearly display the names and contact details of the Chairperson and members of the Internal Committee, and/or the Local Committee, within the premises of the police units over which they have jurisdiction, in English and the local language.
9. Ensure the full list of all Internal Committees, and Local Committees as relevant, is uploaded and easily accessible on the website of the police department.
10. Take active measures to create and spread awareness among women police personnel about the various possible ways to file complaints of sexual harassment at the workplace including:
 - a. Directly to the Internal or Local Committee;
 - b. Through the online portal SHE-Box;³⁵ or
 - c. By filing a criminal complaint under the relevant laws.
11. Ensure that there is no institutional hindrance to the following:
 - a. the right of women police personnel to file complaints of sexual harassment;
 - b. the effective and independent conduct of inquiries into complaints;
 - c. the quality of investigation into criminal complaints of sexual harassment;
 - d. the safety of the complainant/witness(s); and
 - e. the right to appeal the recommendations of the Internal/Local Committee.
12. Ensure that the tenure of the Chairperson and members of the Committees is secured to complete ongoing inquiries as far as possible.
13. Circulate and publicise the Prevention of Sexual Harassment policy across all levels, including police headquarters, district headquarters, administrative offices, special units, police stations, police outposts, and commissionerate offices.
14. Institute a specific module on the Prevention of Sexual Harassment policy and Act, 2013 for both men and women in induction training, and periodically through refresher and in-service training for all ranks of police personnel at all training institutes.
15. Appoint experts, lawyers and academics working on women's rights as resource persons for conducting training of:
 - a. all police personnel on the policy; and
 - b. members and Chairpersons of all Internal and Local Committees.
16. Ensure that all women personnel working on a contractual capacity at any police office or unit can avail their rights and recourse to complain under the Act and are fully informed of the internal policy through trainings and awareness programmes.
17. Take proactive measures at all levels, particularly at police stations, to enable women police personnel to file complaints without hesitation and fear.
18. Take all necessary steps to preserve the confidentiality of complainants and all parties involved, throughout the inquiry and/or investigation process.
19. Appoint a trained gender counsellor at every Police Circle to discuss issues of sexual harassment at workplace, facilitate the filing of complaints, and assist victims and/or complainants.
20. Provide recourse to the following measures in the duration of an inquiry, as needed and/or on the request of the complainant:³⁶

³⁵ Government of India, Ministry of Women and Child Development, She-Box – Online Complaint Management System: <http://www.shebox.nic.in/>.

³⁶ Government of India, Ministry of Personnel, Public Grievances and Pensions (2008), Office Memorandum, No.13026/2/2016-Estt(L): http://documents.doptcirculars.nic.in/D2/D02est/13026_2_2016-Estt.-L-14072016.pdf.

- a. special leave to complainants up to a maximum period of 90 days; and
 - b. transfer the complainant at her request; or the respondent to any other office.
21. Proactively publish and widely circulate simple and clear educative readings with suitable illustrations, pictorial representations, and short videos where possible, to all police personnel on acts qualifying as sexual harassment at workplace and their legal consequences.
 22. Clearly display posters/banners prohibiting sexual harassment at the workplace, with suitable illustrations, at all police units and offices.
 23. Publish an annual report at the end of each calendar year containing:
 - a. the total number and types of complaints of sexual harassment received by women police personnel by rank;
 - b. the total number and types of complaints inquired into;
 - c. the findings and final decisions in each case;
 - d. the action taken against respondents in each case;
 - e. the time taken to complete each inquiry (and specifically the number of cases pending for more than ninety days);
 - f. the number of, and levels at which, Internal Complaint Committees are operational;
 - g. the number of trainings, workshops, and awareness programmes against sexual harassment carried out;
 - h. recommendations made towards prevention of sexual harassment at the workplace within police services.
 24. Ensure full compliance with the following measures if a victim/complainant chooses to file a complaint in relation to the offence under the Indian Penal Code or any other law:
 - a. Immediate registration of the First Information Report (FIR);
 - b. Take action against any police officer(s) under Section 166A of the Indian Penal Code, 1860 for non-registration of FIR;
 - c. Appoint a woman officer of the Crime Branch/Crime Investigation Department, or police station from another district from where the offence took place, as the Investigating Officer in all such complaints;
 - d. An officer of the same police unit or the immediate officer of the complainant/victim must not investigate into the matter;
 - e. Order the immediate suspension of the implicated police officer upon registration of the FIR;
 - f. Take all measures to ensure the implicated police officer is prevented from contacting the complainant either physically, or through any other means, for the duration of the investigation;
 - g. Take all measures to guarantee timely and effective investigation with no delay or interference.

VII. Implementation

Responsibilities for the implementation of this policy is system-wide, and requires leadership commitment, clear political will, adequate accountability mechanisms and allocation of resources. A dedicated unit at the police headquarters needs to be established for developing, coordinating and monitoring progress against specific outcomes to improve women's effective representation in policing.

1. Adopt the policy and issue an executive order to all concerned departments within the government, as well as the police department, to implement this policy with high priority and ownership at all levels of the police organization.

2. Create a Gender Mainstreaming unit at police headquarters, headed by an officer not below the rank of Additional Director General of Police, for ensuring proper and timely implementation of the draft policy:

Composition: The unit shall consist of:

- A senior officer not below the rank of Additional Director General of Police as the head of the unit;
- At least 3-5 officers from across ranks with representation from the zone, range and district levels.

Mandate: The unit shall be responsible for:

- developing 3-5 year strategic plans for implementing this policy, with timelines and indicators for evaluating the progress made, in consultation with the police leadership, heads of other departments, supervisory officers at the zone, range and district levels, investigating officers and the constabulary; and in line with the governments' policy for empowerment of women;
 - developing annual action plans based on the strategic plan with clear targets (department-wide where relevant), budget and other resource allocation;
 - developing a training module on this policy to be incorporated into basic training at all levels to educate all recruits on the principle of gender equality, the department's commitment to achieve gender equality, all aspects of the gender policy, and progress made
 - organising information campaigns to publicise the policy within the department, across government, and in the general public;
 - monitoring and reviewing progress made in implementing the annual action plans and the strategic plans;
 - undertaking periodic research on the status and condition of women in police with a view to review existing policies and practices, identifying gaps and feeding solutions into the strategic plan and the annual action plans;
 - coordinating with other relevant departments within the government
3. Adopt gender budgeting, which involves applying a gender-lens in formulating policies and programmes, with regular assessments, and suitable revisions of, budget allocations and utilization at all stages, as a tool for effectively mainstreaming women in police services.³⁷
 4. Designate the Bureau of Police Research and Development as the Permanent Secretariat for Women in Police with the mandate to track progress made by states in implementing this policy, share good practices and develop guidelines and/or issue advisories as necessary to assist states in their efforts at increasing the numbers of women in police and ensuring gender mainstreaming.
 5. Conduct regular gender audits to measure various aspects of gender equity that include organizational policies, planning, processes, administration, training, physical facilities, staff understanding of, and knowledge on, gender, gender equality and drivers of violence against women, and staff perceptions of, and satisfaction with, measures to redress gender inequity.
 6. Develop a comprehensive internal and external communications strategy in support of the goals for gender equity within the department.

³⁷ Government of India, Ministry of Women and child Development (2015), Gender Budgeting Handbook: <http://wcd.nic.in/sites/default/files/GB%20-%20Handbook%20October%202015.pdf>.

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CHRI PROGRAMMES

CHRI believes that the Commonwealth and its member countries must be held to high standards and functional mechanisms for accountability and participation. This is essential if human rights, genuine democracy and development are to become a reality in people's lives. CHRI furthers this belief through strategic initiatives and advocacy on human rights, access to justice and access to information. It does so through research, publications, workshops, information dissemination and advocacy. It has three principal programmes:

1. Access to Justice

Police Reforms: In too many countries the police are seen as an oppressive instrument of state rather than as protectors of citizens' rights, leading to widespread rights violations and denial of justice. CHRI promotes systemic reform so that the police act as upholders of the rule of law rather than as instruments of the current regime. In India, CHRI's programme aims at mobilising public support for police reform. In South Asia, CHRI works to strengthen civil society engagement on police reforms. In East Africa and Ghana, CHRI is examining police accountability issues and political interference.

Prison Reforms: CHRI's work is focused on increasing transparency of a traditionally closed system and exposing malpractices. A major area is focused on highlighting failures of the legal system that result in terrible overcrowding and unconscionably long pre-trial detention and prison overstay, and engaging in interventions to ease this. Another area of concentration is aimed at reviving the prison oversight systems that have completely failed. We believe that attention to these areas will bring improvements to the administration of prisons as well as have a knock-on effect on the administration of justice overall.

2. Access to Information

CHRI is acknowledged as one of the main organisations working to promote Access to Information across the Commonwealth. It encourages countries to pass and implement effective Right to Information laws. It routinely assists in the development of legislation and has been particularly successful in promoting Right to Information laws and practices in India, Sri Lanka, Afghanistan, Bangladesh and Ghana. In the later CHRI's is the Secretariat for the RTI civil society coalition. CHRI regularly critiques new legislation and intervenes to bring best practices into governments and civil society knowledge both at a time when laws are being drafted and when they are first being implemented. Its experience of working in hostile environments as well as culturally varied jurisdictions allows CHRI to bring valuable insights into countries seeking to evolve and implement new laws on right to information. In Ghana, for instance it has been promoting knowledge about the value of Access to Information which is guaranteed by law while at the same time pushing for introduction of an effective and progressive law.

3. International Advocacy and Programming

CHRI monitors commonwealth member states' compliance with human rights obligations and advocates around human rights exigencies where such obligations are breached. CHRI strategically engages with regional and international bodies including the Commonwealth Ministerial Action Group, the UN and the African Commission for Human and People's Rights. Ongoing strategic initiatives include: advocating for and monitoring the Commonwealth's reform; reviewing Commonwealth countries' human rights promises at the UN Human Rights Council, the Universal Periodic Review; advocating for the protection of human rights defenders and civil society space; and monitoring the performance of National Human Rights Institutions in the Commonwealth while advocating for their strengthening.

The Model Policy for Women in Police in India lays down a blueprint for achieving proportionate representation of women in police organizations, and creating an enabling environment for their equal and effective participation. Recognizing that policing is a state subject and that state-specific policies will be more effective and relevant, it is designed to serve as a template model to lay down clear, time-bound and actionable measures to bridge the imbalance between men and women within the police. It rests on the premise that policing needs women and not the other way around.

CHRI has drafted the Model Policy based on state-wise research on the status of women police, gaps in organizational policies, practices and processes, as well as on best practices and international models. Additionally, we consulted extensively with senior police officers and leadership, both serving and retired, and sought written feedback with gender experts from both within the police and from civil society. We recommend central/state governments and police leadership to give serious consideration to the Model Policy. It is our belief that the Policy's adoption can ensure increased and meaningful participation of women in policing, and in this way, strengthen policing overall.

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