



Commonwealth Human Rights Initiative

New Delhi, India. London, UK. Accra, Ghana

Respecting Human Rights while Enforcing the Lockdown *Guidelines for the Police*

Executive Summary

The Commonwealth Human Rights Initiative proposes actionable guidelines to assist police departments across India to implement the critical task of enforcing the current nationwide lockdown within the Constitutional framework, while guarding against the spread of the Covid-19 virus.

Lockdown Management Plan

Every police organization needs to develop a holistic **Lockdown Management Plan** to frame the policing approach, define key principles and provide practical guidance for all aspects of the operational response. The Plan's aim should be to facilitate operational decision-making and action that is humane and responsive. The Plan must be:

- √ Concise, clear and well-organised
- √ Circulated to all police personnel down the ranks and shared widely with the public
- √ Adapted for rural and urban areas, as need be
- √ Published as easy-to-refer checklists and pocket books

Necessary Measures/Guidelines

CHRI has identified **54 actionable measures/guidelines** to be included in the Plan. A summary of the main highlights of the measures includes:

1. Protective Measures Against Covid-19: Ensure all police personnel and persons in custody strictly adhere to protective measures at all times, police have adequate protective gear while on duty in public spaces, and that all offices including police stations, outposts, *chowkis*, Police Control Room vans, lock-ups, are disinfected daily to maintain the hygiene standards required. Formulate a contingency plan for fulfilling police duties, and providing support to those taken ill, in the event of the spread of the virus among personnel.

2. Minimize Use of Force: Expressly prohibit police personnel from using force on persons found on the streets, direct and orient field-level officers in the use of non-violent methods, including effective dialogue, to resolve situations.

3. Ensure Access to Essential Services and Full Cooperation with Service Providers: Instruct, orient and equip field-level officers to take all necessary measures to facilitate

unhindered, timely and safe movement of every designated essential service provider, and the movement of people to access essential services.

4. Establish a “Stop, Verify and Assist” Protocol: Develop a ‘Stop, Verify and Assist’ Protocol to define procedure to be followed on stopping any person on the street towards an assisting, non-punitive approach.

5. Limit Arrests and Detention: Curb arrests and keep people out of custody, refrain from making arrests in all cases of suspected lockdown violators. Prohibit preventive arrests and arrests in all cases of offences punishable up to 7 years; in serious cases punishable with 7 years and more, limit arrests to where absolutely necessary only.

6. Account for Police Misconduct: Follow clear reporting procedures on every police action to allow review and ensure officers are accountable for their actions. Ensure all members of the public are able to easily file complaints against police officers for any alleged misconduct or criminality, through a widely publicized dedicated helpline. Make it compulsory for the supervising officer to acknowledge and respond to every complaint received.

7. Protect Vulnerable Groups: Devise specific support services for vulnerable groups facing distinct safety concerns including the homeless, migrant workers, sex workers, trans persons, members of minority groups, women and children in unsafe houses, and communities from the Northeast susceptible to hate crimes.

8. Do Not Discriminate: Take lawful action against any religious, caste-based, or identity-based stereotyping, discriminatory statements or actions in the community; or by police personnel, in adherence with the conditions required by these guidelines.

9. Communicate Clearly and Be Visible: Circulate relevant and updated information on the conditions of the lockdown, including central/state-specific guidelines, and the Plan, in an easily understandable format and language, with all supervisory officers including station house officers, district police chiefs, officers in charge of a range, officers in charge of a zone, heads of all departments/units and any other supervisory officer.

Actively raise public awareness on responsibilities in adhering to the lockdown, including the restrictions in place, actions that could constitute genuine breaches and their penalties; actions that can be facilitated, and the essential services available; through various mediums, at all levels, including police/government websites, press, television, news channels, radio and online news portals, flyers, display boards at/near public places that are allowed to remain open, announcements through loudspeakers in residential colonies, social media, and any other medium as suitable.