

# Role of police in safeguarding Rights of Women

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# Different Categories of women

- 1) Women as complainants

- 2) Women as accused

What should be the

1) attitude and behaviour

2) skills &

3) knowledge

of police officers in safeguarding rights of women?

# Women as complainants

- Many women are unaware of the system to redress their grievances , are reluctant to register a complaint due to shame and ignominy associated with being a victim of crime.
- Police mandate is to
  - Create awareness of the legal rights of the victims of crime
  - Play pro-active role in prevention of these crimes
  - Detection and investigation of crimes against women
- Police are First Responders, Investigators or SHOs

# How should be the response?

- Appropriate response has a balanced component of
  - Knowledge
  - Skill &
  - Attitude
- Knowledge of
  - sensitivity of service to the victims of crimes
  - Laws related to the offence committed
  - Procedures to be undertaken for the investigation of the offence
  - Victim and witness protection
  - Prosecution of the offence

# Behavior and Attitude

- Attitudes are reflected in behavior.
- Attitudes can be changed through
  - Effective counselling
  - Mentoring
  - Training &
  - Behavioral modification therapies
- Attitude is defined as a learned tendency to evaluate things, people, issues, objects, or events in a certain way which may be positive or negative.

# Precautions

- Who receives the complainant first in the police station?
- How much time is taken to write down the complaint?
- Whether the complaint is recorded as mentioned by her or reduced in gravity?
- Whether the complaint is recorded in the language and words as mentioned?
- Whether audio –visual recording is done of the complainant?
- Whether there was any demand of illegal gratification?
- Whether the senior officer contacted the complainant to verify these details subsequently & maintained record of the same?

# Women as accused

- Increasing number of women are detected committing crimes
- Women are detected in organised crimes, mafia operations, terrorist activities, spying, insurgency , naxal activities, white collar crimes, conventional crimes including thefts, robberies, chain –snatchings, cyber and economic crimes, political crimes.
- Safety of women in custody is extremely important . Rapes by policemen against women in custody is considered as heinous offence and invites deterrent punishment as well as termination from service.
- Ensure precautions suggested by NHRC before putting woman accused in lock-up

# Supreme Court judgments

- These include Vishaka guidelines, inheritance of property , right of adult woman to marry and live with person of her choice, custody of child under five with mother, conviction of a person under IT Act, measures to regulate sale of acid and provide compensation to victim, banning advertisements relating to pre-natal sex determination techniques. Details may be referred from the link <https://yourstory.com/2018/01/8-landmark-judgements-that-changed-the-course-for-women-in-india>
- Remain updated of Supreme Court judgements by following portal- <https://digiscr.sci.gov.in/>

# NHRC Guidelines

- NHRC has laid down Standard Operating Procedure (SOP) on Collection & Processing of Scientific/Forensic Evidences in Case of Sexual Assault on Women
- These are available on following link:
- [https://nhrc.nic.in/sites/default/files/SOP Collection Processing Scientific Forensic Evidences in Case of Sexual Assault on%20 Wome n 15122020.pdf](https://nhrc.nic.in/sites/default/files/SOP%20Collection%20Processing%20Scientific%20Forensic%20Evidences%20in%20Case%20of%20Sexual%20Assault%20on%20Women%2015122020.pdf)
- Regular training programs should be organised to ensure adherence to these by every one

# Complaints /problems received by NCW

National Commission for Women (NCW) has listed following perennial complaints:

- Reluctance to register cases of the nature of 'family quarrel'
- Registering cases under sections of law inviting lesser punishment
- Viewing premarital pregnancies as sole responsibility of women
- Ignoring instances of eve-teasing as due to 'dressing style'
- Attitude of branding a rape victim as 'of lose moral character'
- Dismissing dowry related torture cases as matters of 'quarrelsome women'

# Complaints/problems received

- Blaming child sexual abuse cases as caused by failure of the mother in bringing up the child
- Very liberal attitude in dealing with bigamy cases
- Tendency to brand persistent women petitioners as 'insane'.

# Battle against gender discrimination

- Gender discrimination is visible in areas of education, health, economy/work and political participation
- These symbolize section of women who suffer gender bias whose human rights are violated because they belong to a particular group. Today women are united globally transcending class, culture, religion, nationality, ethnic origin-in their vulnerability to the denial and violation of their fundamental human rights. Many of these go untold.
- Today women are making dedicated efforts to claim those rights.
- Can you recall any case studies?

# Overview of the denial of Rights of Women

- Indications of gender discrimination:
  - Education:
    - Enrolment
    - Dropout
    - Higher education/Vocational & Technical education
    - Subjects selected
    - Infrastructure available
    - Cultural expectation
  - Health
    - Female foeticide
    - Female infanticide
    - Sex ratio

# Gender discrimination

- Life expectancy
- Access to health care
- Maternal health care/ maternity related deaths
- Contraception
- Infrastructure
- Economic/Work
  - Work participation
  - Nature of work (women are in soft jobs even in govt)
  - Wage structure
  - Unorganized sector
  - Property

# Gender discrimination

- Political participation
- Parliament recently passed Nari Shakti Vandan Adhiniyam 2023 for representation of women in Parliament and State Assemblies. This would be applicable from 2029.
- Ministries held
- Representation in political parties
- Nature of participation in Panchyati Raj Institutions

# Various laws for women

Constitution of India	Article 14	Right to Equality
	Article 15(3)	State can make special provisions for women
	Article 21	Right to life and liberty
	Article 51 ( c )	Fundamental Duty to renounce practices derogatory to the dignity of women
Dowry	Dowry Prohibition Act 1961 Sec 3&4 Bha. Nyaya Sanhita Sec 80	Penalty for giving & taking dowry Dowry Death
Violence against women including murder, honour killing, rape, molestation, kidnapping , cyber offences	Bha. Nyaya Sanhita Sec 63-92	Sexual offences Criminal force & assault Related to marriage Causing miscarriage
Sexual Harassment at work place	Visakha guidelines by Supreme Court	

# Various laws

Marriage & Divorce	Special Marriage Act for Hindu, Christian The Muslim Women Act 2019	Instant triple talaq in any form – spoken, written or by electronic means is illegal & void
Maintenance Inheritance & Adoptions	Several Acts	
Rights of Women at Workplace	Minimum Benefits Act 1961 Equal remuneration Act 1976 Minimum Wages Act ,1948	
Social Welfare Legislation	Immoral Traffic( Prevention) Act 1986 Child Marriage (Restraint) Act	To cut sexual exploitation of women & children Prevent child marriages

# Government initiatives

- Beti bachao beti padhao campaign has taken deep roots
- Drastic action against doctors, individuals attempting female feticide. Helpline 104 for immediate assistance to victims.
- Female ratio has improved in adversely affected states
- Special efforts to encourage SC/ST girls to continue in schools through scholarships. Mid-day meal scheme has reduced drop out ratio
- Arrangements for loans to SC/ST women in public banks
- Houses in urban and rural areas with women as owners

# Drawbacks

- Percentage of school drop outs girls from eighth standard onwards is still more than forty percent in urban as well as rural areas
- Practice of child marriage is rampant in almost all parts of the country
- Very few girls have freedom of deciding whom to marry and when to marry
- Incidents of honor killing by family members are reported from time to time
- Thousands of girls are reported as missing every year and they are not traced

# Alarming pointers

- Incidents of gang-rape , rape and murder , honor killing, molestation, are reported regularly
- Victims of sexual assault, financial frauds, cyber crimes through internet and social media are reported frequently
- Incidents of harassment in work places, on account of dowry are reported from urban as well as rural areas ( Most of the accused are highly educated, 34% from IT)
- Harassment and neglect of elderly women is a cause of concern
- Refusal by relatives to rehabilitate women who are medically certified by psychiatrists

# Steps needed by authorities

- Gender audit should be conducted regularly to sensitize everyone on gender fair basis and implement these with gender sensitivity.
- Encourage complainants to access justice and fight for their legal rights. Promote downloading of 112 India app for assistance.
- Ensure documentation of every complaint and action taken
- Conduct regular briefing sessions for personnel under you.
- Reach out sessions for women to guard them against trusting anyone particularly family members, relatives, neighbours and friends who are potential perpetrators of serious crimes including rapes & cyber offences

# Bibliography

- Women's Safety and Security

A Handbook for First Responders and Investigators in the Police

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<file:///E:/Praveen%20Articles/Womens%20Safety%20and%20Security%20A%20Handbook%20for%20First%20Responders%20and%20Investigators%20in%20the%20Police.pdf>