GENDER SENSITIVE POLICING IN PUBLIC SPACES

The Asia Foundation

Gender Sensitization Manual for Law Enforcement in Madhya Pradesh and Rajasthan

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CSR

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KOICA
Korea International
Cooperation Agency

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Prepared by

For

Supported by

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Preface

Centre for Social Research (CSR) has since its inception, ensured that any intervention must address the issue of gender inequity and imbalance. We have been involved in sensitizing the police on gender issues for the past 25 years and as an organization we have an extensive experience that we are always happy to add on, as the years go by. We strongly felt that gender could not be treated as a stand-alone concept and taught as a supplementary subject. To this end, Gender Training Institute, Centre for Social Research recognized the significance of designing a program that focused on specific gender concerns.

This Manual is the outcome of findings of comprehensive need assessments, observation visits, and expert panel consultations conducted in the three cities of Bhopal, Gwalior, and Jodhpur where police officials, women's help desks and women police stations, survivors of gender based violence, civil society organizations (NGOs), paralegals, academicians and activists contributed to CSR's understanding of the role of law enforcement in women's public place safety.

Public place violence has always been used as a tool to limit women's mobility and exercise patriarchy. Nirbhaya incident in the year 2012 shook the conscience of the society and since then public place violence was realized to be different in nature that requires a strategic response to the same.

This Manual is the first ever attempt of its kind that while addressing the subject of gender sensitivity in the police, also details police response to cases of public place crimes and violence and the police response towards the same. Since the manual caters to precise nature of crimes through gender lens, it is recommended that the trainers use it as a supplementary tool while administering existing topics in the police training academia that are found to be relevant to human rights and violence.

Gandhiji rightly stressed, "The worth of one's knowledge is measured by its expression in one's deeds. Instead of cramming information from the books, it must reflect in one's character. (Translated from Hindi) The document resting in your hand can be used as a tool for incorporating available information into day-to-day practice of gender balanced relationships.

Training too makes it possible for minds to move; move towards growth of ideas and learning better ways to do the same thing; move away from rigidity of thought and action. Police training, seen in this light, is about attempting to make a move to questioning existing ways to address crucial issues.

Acknowledgments

Gender and Public Spaces – Need for dialogue

Public spaces belong to both women and men. The principle of gender equality lives in the Constitution of India not only in its Preamble, but also in the sections on Fundamental Rights, Fundamental Duties, and the adjoining Directive Principles. All the states in India are empowered to adopt measures of positive discrimination to favour women. Article 21 of the Indian Constitution guarantees to everyone the "right to life and personal liberty", defined widely to mean a life lived with dignity. However, for many Indian women, daily occurrences of street harassment, sexual harassment on public transport, stalking, and other serious forms of violence against women in public places are counterintuitive to these constitutional principles.

As a result, in public spaces, Indian women tend to feel sidelined, on edge, and worried about their safety. The data indicates that their concerns are not unfounded. According to the 2016 National Crime Records Bureau data there has been a 2.9% increase in all crimes against women in India from the previous year. The steady increase in numbers of reported cases of violence against women indicates both the lack of safety women experience and, that inhibition about reporting such cases is slowly reducing. According to the Thomson Reuters Foundation survey in 2018 with 550 experts on women's issues, India is perceived as being the most dangerous country for women followed by Afghanistan and Syria.[1] The same survey places the Unites States as the third most dangerous country for women with regard to sexual violence and sexual harassment. While this survey is not based on data or statistics, but on perceptions, it highlights that India is internationally perceived as being unsafe for women.

The violence is one side of the coin, but the other is that this violence and lack of safety curtails women's economic empowerment. Not only is it morally reprehensible that women face this kind of violence on a daily basis, it also hampers the country's economic growth. Research studies have noted that violence against women hampers economic growth and that an insecure environment leads to women withdrawing from education and employment. According to a 2018 McKinsey Global Institute study, India could increase its GDP by $770 billion by 2025 by getting more women to work.[2] In other words, lack of safety for women is costing India billions of dollars.

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1.   *Economic Times* "India Most Dangerous Country for Women" (June 26, 2018) available at https://economictimes.indiatimes.com/news/politics-and-nation/india-most-dangerous-country-for-women-due-to-high-risk-of-sexual-violence-poll/articleshow/64748660.cms?from=mdr . This poll is based on opinions and is not supported by any data or evidence.

2.   McKinsey Global Institute *"The Power of Parity" (May, 2018)* available at https://www.mckinsey.com/~/media/McKinsey/Featured%20Insights/Gender%20Equality/The%20power%20of%20parity%20Advancing%20womens%20equality%20in%20India%202018/India%20power%20of%20parity%20report.ashx

To ensure an enabling environment for women to feel safe and thrive, it is necessary to bring about systemic change. Systemic reform requires both a change in mindsets and attitudes, along with implementation of laws and policies and public infrastructure that guarantee the safety of women in public places. Mindsets that blame women for going out alone, dressing "inappropriately" in public or traveling without a male companion compound the problem of violence against women in public places. A change in patriarchal perceptions around women's right to access public places is essential for ensuring women's right to access such spaces.

This manual seeks to bring about systemic change by transforming human perceptions around women's mobility and their right to access public places and acknowledges that conservative and patriarchal mindsets exist not just amongst the general public, but also amongst those who wield power and hold positions of authority. The police are one of the primary stakeholders who ensure women's safety in public places, but also enjoy unbridled power in their decision making processes and daily operations. Therefore, it is critical to engage with police officials on the rights of women to access public places, how this right can be achieved, and to address bias and patriarchal mindsets that blame women for the violence they suffer and are contrary to the principles of equality as enshrined in the Constitution of India and the laws that govern.

Defining "Safe Public Spaces" and the Contribution of Law Enforcement in Maintaining Safety

Sense of safety is a perception and a feeling that a woman gets when she knows that she does not have to worry about any external threat when she is out in a public space. Efficient post-crime legal response and empathetic and gender sensitive pro-active policing are two of the many factors that contribute in making women feel safe in public spaces.

In this project, 'Making Cities Safe for Women', supported by The Asia Foundation through the Korea International Cooperation Agency (KOICA), our partner SafetiPin conducted intensive safety audits in the cities of Bhopal, Jodhpur, and Gwalior and arrived at a list of nine parameters that make a public space safe for women. Of the nine parameters, three dealt with how women felt when they were at a public space:

1.   Feeling (Is the public space giving woman the feeling of safety and security?)
2.   Gender Usage (presence of other women at the public space) and
3.   People (presence of more people that can make a woman feel safe)

Four parameters of SafetiPin's safety audit dealt with the need for quality infrastructure in a public space that not only make a woman feel safe but also establish safety through proper mechanisms:

1.   Walk path
2.   Security
3.   Visibility

4. Openness

5. Lighting

The contribution of law enforcement in making and sustaining safe public spaces lies in their human response system and their systemic efficiency.

Purpose of the training manual

This police training manual explores ways in which the police can better respond to women's safety and security. Hence the question that is central to this manual is, "What Kind of Police Do Women Want?" This question is further divided into two parts:

i.   What Kind of Human Response (by Individual Police Officers) do Women Want?

ii.   What Kind of Systemic Efficiency do Women Expect from the Law Enforcement?

The answers to these questions lie in gender sensitive pro-active and reactive police communication with the aggrieved and the citizens in general, more efficient and gender sensitive policing responses to crime and systemic reforms that institutionalize and motivate gender sensitive policing for women and girls.

	Q. I - What Kind of Police do Women Want ?	
The questions that this Police Training Manual explores	Q.Ia - What Kind of Human Response (by Individual Police Officers) Women Want from the Law Enforcement?	Q. Ib - What Kind of systemic efficiency do Women Expect from the Law Enforcement?
The sections in the Police Training Manual that answers the questions	I - Gender and Society	III - Enhancing Public Place Safety of Women and Girls
	II - Women and Safe Public Spaces	

When to Use the Manual

This manual is written for trainers who are administering training or conducting workshops with police officials. Originally written for the training of the law enforcement agencies in the cities of Bhopal, Gwalior, and Jodhpur as part of 'Making Cities Safe for Women' project; the manual is also designed for replication or adaptation at any police training institution or academy.

Since the subject of this manual pertains specifically to public place safety of women and girls, the trainer is expected to use the manual as a supplementary tool while administering topics that are already a part of the police training academia and are relevant for gender based crimes. This manual may be used as supplementary material for trainings on any of the following topics that are part of existing police training academia[3]:

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3.   *Rajasthan Police Training Syllabus from Constables to RPS officials – Desk review of 9 police training syllabus was undertaken by the Centre for Social Research in which these topics were culled out as having relevance to the subject matter of gender sensitive law enforcement*

- Communication Skills
- Human Rights and Role of Police
- Ethics and Integrity
- Constitution of India
- Fundamental Rights and Duties
- Human Behavior
- Personality Development
- Police-Citizen Relationship
- Prohibition of Sexual Harassment of Women at Workplace
- Security and Protective Duties
- Universal Declaration of Human Rights, 1948

By weaving in a gender perspective into these subjects which are already a part of the Police Training Manual[4], this manual has a greater chance to be adopted by trainers who can make the discussion more holistic with students at the Police Training Institutions. While this training manual is not officially recognized in the Police Training Syllabus, it can be used while administering trainings on other related issues, thereby inculcating greater gender sensitivity in police officials.

How to Use the Manual

This training manual uses an interactive and participatory approach in terms of its methodology. It is important to encourage participants to use examples from their previous experience as much as possible to make the sessions interactive..

The first step is to hand out a pre-training questionnaire before beginning the training. Upon completion of the training, a post training questionnaire will be administered to assess the impact of the training. A sample pre and post training questionnaire and a feedback form of the training is provided as Annexure 4 to this training manual.

20-25 participants per session with equal representation of male and female participants is ideal. The trainer should avoid convening a very large group which is not conducive to the interactive and discursive nature of the session design.

Sections of the Police Training Manual

The Police Training Manual covers the following three sections that explore the question, 'What Kind of Police do Women Want?' The manual is expected to be used as a supplementary tool and is concise enough to be woven into existing training modules for Police Training.

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4. *Rajasthan Police Training Syllabus from Constables to RPS officials*

- Gender and Society
- Women and Public Places
- Enhancing Public Place Safety of Women

Certain Points to Consider While Conducting the Training

The environment during the training sessions:

- Please ensure a safe environment where the trainees (police officials) can participate. The area / room should be private with minimum outside interference
- It is advisable to invite police officials of the same rank to this training. Police officials will hesitate to participate with ease when officials of a higher rank are present, and will also hesitate in contradicting their seniors
- Please ensure you inform the participants that everything they share will be confidential Please inform participants that there are no right or wrong answers so that they do not hesitate in speaking up. Participants should be requested not to interrupt each other

Ice-Breaking Sessions and Tools

- It is important to start the training with an ice breaking session. A number of techniques can be used for this purpose and the same have been elaborated in this manual in Annexure 2
- Please feel free to weave in creative conversation starters such as activities, video films, or case studies while conducting the training. A list of recommended reading and audio-visual materials in available in Annexure 3

Technical Considerations

- If you choose to use a PowerPoint presentation, ensure that it is compatible with the Operating System of the Computer to be used for the training
- Please ensure that there is provision for Projector, Speakers, and Microphones at the time of the training

GENDER AND SOCIETY
What Kind of Human Response (by Individual Police Officers)
Women Want from Law Enforcement?

Gender and Society

Changing Gender Discourse - Human Response (by Individual Police Officers)

Women's organizations and activists have worked for decades to address crimes against women in private spaces -such as domestic violence. While this remains a serious and ongoing challenge, it is necessary to simultaneously work on problems and crimes that women face in public spaces. Changing the discourse of how law enforcement agencies perceive women as victims who need protection is necessary, particularly when so many women are living in cities and are accessing public spaces shared by men. As autonomous individuals, women have the same rights to access economic opportunities, mobility, and recreation – all of which means traversing public spaces.

Introduction to the Session

This session will consist of two exercises for the participants; one on gender sensitization, and the second, on creating awareness on the rights of women to access public places. It is important to begin with a brief gender sensitization session bring out any existing biases that may exist in the participants and help the facilitator draw out such biases for participants to reflect on. This first exercise provides an opportunity to unpack biases and question deeply ingrained patriarchal beliefs.

Exercise 1: Sex and Gender Exercise

Steps to follow while undertaking this exercise:

- Ask the participants to re-imagine their lives through the lens of the opposite sex
- Then ask them to think how their lives may have been different or remained the same
- Give participants 5 to 10 minutes to think this through and pen their thoughts down on a paper
- Initiate a discussion based on this exercise by asking volunteers to share their thoughts
- Some questions that can be used to prompt a discussion in this exercise are:
    - ¤ If you were a woman, would you be expected to take care of the domestic chores and household work more than you have done as a man?
    - ¤ If you were a woman, would you be more responsible for your personal safety when you go out?
    - ¤ If you were a man, would you have more financial responsibility as compared to a

woman and also less accountability to the family regarding your whereabouts, regardless of the time of the day?

The Objective of the Exercise

From CSR's own experience of administering this exercise; certain existing gender stereotypes of the police regarding women's mobility and women's right to public places, immediately emerged. For example, one female police official pointed out "If I were a man, I would have no boundaries on my mobility and if I were to go out, my family would not harass me with phone calls asking me where I am and what time I am returning home."

It is likely that the discussion with police participants will not lead to black and white gender stereotyping and there will be grey areas. Participants may make contradictory statements on women's rights to mobility and their other rights (such as, the right to bodily integrity). While women may perceive men to be free of restrictions, it is likely they will be seen as bearing the brunt of the financial responsibilities required for running the household. Women will be perceived as primarily responsible for household work and domestic chores. Such beliefs can be countered by explaining that not all men and not all women fit into gender stereotypes, many women do want to be economically independent but are unable to fulfill their goals due to societal restrictions, and there are many men who wish to take on greater responsibility in the household. Data and research can be used by the trainer to help counter such stereotypes. The trainer is encouraged to cull out latest and relevant data that establishes gender skewed functioning of the society and its adverse impact on socio-economic and psychological aspects of the society. An example of it is given below:

• Growing numbers of women are entering the formal work force in India. Yet globally, India has one of the lowest female labor force participation rates. As per Census 2011, the workforce participation rate for women was 25.51 percent, which is less than other countries in South Asia such as Nepal and Bangladesh. More women are present in low paying jobs and in the service sector. One of the reasons why women drop out of the workforce is lack of safety in public spaces, the workplace, or while using public transport

• Violence against women is increasing year by year. According to the NCRB 2016 data there has been a 2.9% increase in all crimes against women from the previous year

• 2018 Data from the Organization for Economic Cooperation and Development (OECD), says that an average Indian woman spends 5.8 hours every day on unpaid work while a man barely gives 51.8 minutes on similar tasks. The OECD study found that most of this time is spent on unpaid activities, such as household work and care- giving for the elderly or for children, leaving little time for paid labor or social and leisure activities. This scarcity of discretionary time is referred to as "time poverty".

• "Paternity Leave" is gradually being introduced into by India by private companies such as Zomato and Ikea, and men are availing of this opportunity in order to bond more closely with their newly born child.

Exercise 2: Reimagining Women's Mobility

Steps to follow:
• Draw four columns on a board / flip chart
• In the first column, list down all the public places you can think of. Given below is an indicative list:

1. Religious place
2. Park
3. Movie theatre
4. Pub / lounge / disco
5. Restaurant
6. Tourist area
7. Academic institution
8. Workplace

• In the second column, write the word 'Appropriate'
• In the third column, write the word 'Safe'
• In the fourth column, write the word 'Safe Commute'
• Your table should look as follows:

Public Place	Appropriate	Safe	Safe Commute
Religious place	Write the answer in 'Yes' / 'No' and ask 'Why' for their response	Write the answer in 'Yes' / 'No' and ask 'Why' for their response	Yes / No
Park	Write the answer in 'Yes' / 'No' and ask 'Why' for their response	Write the answer in 'Yes' / 'No' and ask 'Why' for their response	Yes / No
Movie theatre	Write the answer in 'Yes' / 'No' and ask 'Why' for their response	Write the answer in 'Yes' / 'No' and ask 'Why' for their response	Yes / No
Pub / lounge / disco	Write the answer in 'Yes' / 'No' and ask 'Why' for their response	Write the answer in 'Yes' / 'No' and ask 'Why' for their response	Yes / No
Please add more places based on the local context	Write the answer in 'Yes' / 'No' and ask 'Why' for their response	Write the answer in 'Yes' / 'No' and ask 'Why' for their response	Yes / No

• Now start the exercise by asking the following questions to the participants. Before asking the next question, please pause for their response:
1. Can you please read out the first public place listed in the first column?

2. Do you think the society / family considers it appropriate for a woman / girl to be seen in that public place?

    ¤   What are your reasons to believe that this particular place is inappropriate or appropriate for a woman / girl?

Note: Probing this is important for the participants to delve deeper into their own gender biases / prejudices. They need to realize that the term 'appropriate' implies a social expectation from a woman that goes against the norms of gender equality because these expectations are not imposed on men.

3. Do you think this particular public place is safe for women?

    ¤   What are your reasons to believe that this particular place is safe or unsafe for a woman / girl?

Note: Probing this is important for the participants to delve deeper about their own gender biases / prejudices. They need to realize many public spaces are unsafe for women, including those they assume are safe. This realization in the participants will highlight the issue of women's safety in public spaces and gives the issue much needed gravitas

4. Do you think the commute / journey to this public place and back to the residence is safe for the woman / girl when no untoward incident can happen with her? Yes or No?

Note: Probing this is important for the participants to understand the extent to which public spaces are unsafe for women and girls and how this sense of unsafety is unique to this gender

The Objective of the Exercise:

For police officials to share their candid views on women's mobility, it is important to start with a premise that everyone can relate with. Because women's mobility is restricted by social and cultural norms, they must justify their presence to family and society for traversing public space. It is common for Indian women and girls to be questioned by family and society when they step out of the house: 'Why do you want to go out?' 'With whom are you going out?' 'What are you wearing while you go out?' 'Will you always answer the phone when we (the family) call and ask you where you are?' 'Is it absolutely necessary for you to go where you want to? 'How frequently are you going out?' 'Are the hours 'decent' enough for you to venture out?'

These questions not only curtail and limit women's mobility (that is subject to the will of others), but it also creates a dichotomy between women for whom the public space is to be accessed, and other women for whom the public space is home (migrant laborers, beggars, destitute women, for example). Because women that are considered to belong to 'respectable families' have limitations on their visibility in public

spaces, other women, by virtue of being seen in those spaces at all times, are even more vulnerable to abuse and sexual assault.

It is imperative to use the same flawed premise and continue the discussion on public spaces so that police officials, during the discussion naturally (i.e. without external coercion) arrive at a realization that their own thinking is flawed when it comes to the restrictions against women using public spaces with the same sense of entitlement and right as men do. It was important to undertake this methodology with police officials as it will help the trainer later address the issue of "victim blaming" which is so prevalent.

This exercise will help draw out existing biases – for example, it is acceptable for women to go out for worship, but it is less acceptable for women to go out for leisure activities, including drinking at a bar with friends. It is important to emphasise women have the same right as men to access public places, even for recreational or leisure purposes. Crimes against women can take place in a temple as much as they can take place in a pub / bar. Therefore, it will be the trainer's responsibility to usher police officials towards the realization that the burden of safety lies with the state, and not the woman. Crimes against women do not take place because the woman (victim) is at fault, but because the perpetrator committed a crime. It is the responsibility of the police to prevent crime, and safely and legally address it once it takes place.

The trainer can also discuss the concept of a "public place" at this stage. The usual understanding amongst the police is that a public place is external to the place where we reside. However, for homeless women, beggars, destitute women and migrant workers, the public place may also be the place where she resides. Therefore, the definition of what constitutes a public place needs to be widened and must be safe, not just for women who have access to a roof over their heads, but also for the destitute and homeless women.

The following poem can be shared with participants to help start a discussion:

How to Avoid Rape

Don't go out without clothes
That encourages men
O Don't go out with clothes
Any clothes encourage some men
Don't go out alone at night.
That encourages men
Don't go out alone at any time
Any situation encourages some men
Don't go out with a female friend
Some men are encouraged by numbers
Don't go out with a male friend
Some male friends are capable of rape
Or you may meet a rapist who will assault
Your friend before starting on you
Don't stay at home
Intruders and relatives are potential rapists
Don't have neighbors
They often rape women
Avoid childhood
Some rapists are turned on by the very young ones
Avoid old age
Some rapists inflict themselves on aged women
Don't have a father, grandfather, uncle, brother.
These are the relatives who most often rape women
Don't marry.
Rape is legal within marriage
To be quite sure.
Don't exist.

Source: SISTER from Namibia

What is your opinion about this poem? Do you think it is exaggerating "victim blaming" that women face when dealing with violence in public places?

Victim blaming occurs when the victim of a crime is held partially or wholly responsible for the harm that happened to them. A culture of victim blaming prevents women from speaking up and reporting cases of violence perpetrated on them.

WOMEN AND PUBLIC PLACES
What Kind of Human Response Women Want from the Law Enforcement?

Women and Public Spaces

Building gender sensitive perspective on public spaces - Human Response (by Individual Police Officers)

There are laws and provisions in the Indian judicial system that ensure justice is served to female crime victims. While laws may be in place, how the police respond to an incident will determine how safe women feel – this will directly impact future occurrences and perceptions of safety. However, it is imperative to instill a perspective and understanding in law enforcement agencies, the manifestations of the crimes in public places and how the laws can be interpreted in a way that not only ensures justice to the victim but also prevents additional crimes against them

Introduction to the Session

This session will consist of two exercises that delve deeper into the conversation on safe public spaces and gender perceptions. This session will have to be administered as a sequence to the previous session on 'Gender and Society'.

The expected outcome after administering both the exercises in this session is perceptional transformation in police regarding safe public spaces for women and girls and arriving at concrete action points for the same. The key message is to establish gender sensitive pro-active and reactive police communication with the aggrieved and the citizens in general, more efficient and gender sensitive policing responses to crime and systemic reforms that institutionalize and motivate gender sensitive policing for women and girls.

Exercise1 - Case Study Discussion

Steps to follow while undertaking this exercise:

- Take a separate print out of the two case studies given in this section
- Divide the entire batch of participants into two groups
- Give one case study to each group
- Give them half an hour to read out the case study and discuss it in their respective group
- Give them the following questions as guiding points so that their discussion is centered around gender perceptions and public spaces:

1. Is the situation given in the case study, plausible / realistic?
2. If a victim narrates this incident when reporting a crime, what kind of questions will you (as a police officer) ask the complainant?
3. Do you think the complainant / victim could have avoided the crime? How?
4. What sections in the IPC / CrPC / IEA would be applicable in this case?
5. What Standard Operating Procedures would be followed?
6. In the given case study, give character analysis of each person (from your experience of having dealt with similar cases at your workplace)

• Give 20 minutes to each group to present their part and keep the discussion dynamic and interactive by asking the other group for their opinion

The Objective of the Exercise:

The case studies are to inform the police officers that they need to develop the discerning eye of spotting a vulnerable woman / girl at a public space who could be under threat of potential violence / already a victim of violence. It is also to communicate to the police officers, the importance of stakeholder relationship management and building trustworthy network that breaks into the nexus of gender based crimes and prevents them from happening.

Victim blaming by the law enforcement is commonly practiced. Through these case studies, the trainer is expected to unravel and unpack those gender perceptions that hinder sensitive case management, interrogation, case investigation and most importantly the adherence to the Standard Operating Procedure and commitment to resolve the case that gives justice to the victim.

The idea of the case study is not to shame the police officers for their existing methodology in dealing with crimes against women. The trainer should empathize with the existing workload of police officials and the lack of gender training at the institutions. The idea is to generate an insightful discussion that is equally riveting for the police officers. This activity will be one of their key take-aways/ recall from the training program.

For each of the questions given below, the trainer must ensure that certain answers are elicited from the police officials:

1. Is the situation given in the case study, plausible / realistic?

   Yes. At no point should the police officer who is interrogating the victim, doubt the credibility of the incident that she is narrating, as part of the First Information Report procedure

2. If a victim narrates this incident when reporting a crime, what kind of questions will you (as a police officer) ask the complainant?

The police officer should ensure that the questions are strictly those that explain the chronology of the incident, the people involved and the place(s). At no point should the police officer ask incriminating questions that makes the victim look guilty of the crime committed against her. The officer must keep in mind the trauma that the victim has been through and keep the questions impersonal and sensitive

3.   Do you think the complainant / victim could have avoided the crime? How?

No, the victim could not have avoided the crime without compromising on her right to mobility and freedom to access a public space. If a woman is victim of a crime, then it is not because she was being 'irresponsible' or 'careless' but due to the aggression of the perpetrator of violence.

4.   What sections in the IPC / Cr.P.C / IEA would be applicable in this case?

In Rekha's case it is section 3 and section 5 (g) of POCSO Act, section 370 IPC, section 376 (i) IPC. Section 27 of POCSO will also apply as her medical examination would have to be done in accordance with the POCSO Act.

In Bharti's case, it is a case under section 375 IPC. A case under section 376C would also be made out as the Contractor is in a position of authority over her. Section 357C of Cr.P.C (medical examination of the victim) would also apply

5.   What Standard Operating Procedures would be followed?

•   The case should be lodged in the Daily Diary on the day that a case is being reported. The Daily Diary Report should contain essential details of the case
•   An Investigation Officer (IO) should be assigned to the case
•   The victim should not be made to come to the police station without her will. The First Information Report (FIR) should be lodged as a recording of the victim's statement
•   Evidence collation should be undertaken on priority (including medico-legal examination upon consent of the victim)
•   Inspection of the scene of crime and forensic data collection should be followed as per standard protocols
•   Information dissemination to media (privacy and confidentiality of the victim to be maintained)
•   Creating charge sheet and initiating trial in court

6.   In the given case study, give character analysis of each person (from your experience of having dealt with similar cases at your workplace)

The objective of this question is to understand biases and prejudices on the grounds of caste, creed, gender and socio-economic realities. The words 'character analysis' is leading to the extent that it helps the conversation get candid and that everyone can openly talk about reasons they attribute the gender based crimes to. This will be the point of intervention when the bias and prejudice must be address using a human rights and gender equality based approach

Case Study 1 - Rescuing / helping vulnerable women and girls in public spaces / hotels / medical facilities / public transport

Scenario 1: Rekha is seen in a state transport bus with a man / woman who she does not seem to be her relative (gauging through Rekha's body language and conversations)

Scenario 2: Rekha checks into a hotel with a man, against her will. The hotel manager notices that Rekha is distressed / uncomfortable / frightened / appealing for help in non-verbal communication

Scenario 3: Rekha is taken to a doctor and upon asking standard questions regarding medical history; the doctor notices that Rekha is emotionally unstable / shaken / scared

What happened with Rekha

Rekha is a 16 year old girl who lived in Munnar district of Kerala. She studied in Class X and lived in a hostel. Rekha befriended the cleaner of the bus in which she regularly commuted. Shyam who is the cleaner, convinced Rekha to elope with him. He called her to a place named Adimli and from there he told her that they will go to KotManglam. When Rekha reached Adimli, she realized that Shyam had not come. She waited for him for a while and then took a bus to Muvtapura. In the bus to Muvtapura, she saw a woman (Usha). Rekha got off at Muvtapura and took a bus to Kottayam. She wanted to go to her aunt who lived in Kottayam. When Rekha reached Kottayam, she realized it was late evening and she was scared to go through the dark lanes, leading to her aunt's house. Rekha then decided to take another bus to Mundkayyam where her uncle lived. She went to the bus stop and was waiting for the bus when Usha (the woman who she saw in the Muvtapura bus) approached her and introduced Rekha to a man named Dharmarajan. Dharmarajan told Rekha that he will drop her to Mundkayyam in the morning. He offered that for the night, she can stay with his mother.

Under the pretext of taking her to his mother, Dharmarajan took Rekha to a lodge named Metro and there he raped her. Next day he took Rekha to Ernakulam through state transport bus. From there, Rekha was taken to Kumali, Kozikode and many other places where she was raped by several men and sometimes by many men at once. This continued for several days and Rekha contracted sexually transmitted infection. She was taken to the doctor for treatment.

In the meanwhile, Rekha's father lodged an F.I.R that his daughter is missing from the hostel. When the police interrogated, they also came to know that Rekha used up the money given by her family for other purposes and has pawned off her jewelry.

Case Study 2 - Public space vulnerability of a migrant laborer who is sexually violated

Scenario: Bharati is a migrant laborer who lives with her family in a makeshift tent that is near a construction area where she and her family works. She has been raped by the contractor and goes to the police station to register the complaint.

What happened with Bharati

Bharati is a migrant laborer from Bihar who has come to Bhopal with a group. One day she goes to the police station to file a complaint of rape by the contractor she works for. She also told the police that she and her husband have been working without pay for many months and that their wages have been withheld by the same contractor.

The contractor turns out to be an influential figure in the area. Hence, before registering the complaint, he is summoned to the police station for his statement. The contractor tells the police that the woman and her husband have taken loan from him and without paying it off; they wish to leave his employment. Since he has objected to that, the woman has staged the rape as a fraud case to get away.

Exercise 2 – Gender Sensitive Public Spaces – SafetiPin Safety Audit

Steps to follow while undertaking this exercise:

* Explain the nine parameters of SafetiPin Safety Audit that defines benchmark of public place safety
* Divide the participants either in smaller groups or as per their districts / beats / areas of jurisdiction
* Give them half an hour to make a list of all the public places that are safe and unsafe as per SafetiPin parameters
* Ask one representative from each group to make a presentation and invite feedback from other groups
* Before concluding every presentation, ask the representative and the group he / she belongs to, about the actionable points they can come up with that can improve public place safety of women and girls

The Objective of the Exercise:

The SafetiPin Safety Audit benchmarks safety of a public place, from a woman's perspective. Considerable importance is given to how a woman feels when she is at a public place. While undertaking this exercise, the participants should successfully establish linkages of a woman's safety with presence of other women in a public space, proper infrastructure and security measures. It is important to reinforce with the police officials here that a woman feels safe when she is convinced that there is no external threat to her when she is out, regardless of the time and place.

SafetiPin Safety Audit Parameters and Actionable Points for Police

Feeling: This parameter denotes the feeling of safety in a woman when she is in a public space

Discussion Points

a.   How does a woman feel when she is at a public space? (Safe, alone, scared, carefree, unsafe, insecure, reassured, relaxed)

b.   What factors can contribute to a woman feeling safe? (Specific hours of the day, nature of public place (residential, commercial, academic, others etc))

Action Points for the Police

•   If at the time of police patrolling, women are found walking alone (especially at night) or standing at public transport transit points alone; pro-active and sensitive outreach to be undertaken for them

•   Mapping areas that become deserted at certain hours and customizing patrolling hours and priority in those areas

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Gender Usage: This parameter denotes presence of other women as a reassuring factor for a woman / girl in a public space

Discussion Points

a.   Is the public space, safe enough for women to traverse it, regardless of the time of the day?

b.   Is the nature of the public space, the primary deciding factor for women to access it? Does that restrict women's use of a public space, to need based?

Action Points for the Police

•   If at any point a police officer encounters inordinate proportion of women and men in a crowd, to summon law enforcement team for cutting through the crowd and ensuring that women are safe

•   If at any point, a police officer feels that women are inordinately lesser than men in a certain public space, ensure that the local police beat is notified to be alert

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Public Transport: This parameter denotes safe travel for women and girls in public transport and their experiences while waiting for the same. Frequency, availability and quality of public transport are very important in understanding how women and girls might or might not feel safe

Discussion Points

a.   What is the frequency of public transport in a public place and can there be a systemic check on the safety of women and girls?

b. Can stakeholder partnerships improve safety and infrastructure of the public place? How can that be brought about?

Action Points for the Police

• Strengthening allies at toll nakas, shop vendors near bus stops / other modes of transport so that they become key informants to the police on women's safety while waiting at the public transport transit point or boarding public transport

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Walkpath, Security, Visibility, Openness, Lighting: This parameter denotes safe and functional infrastructure that contributes to the feeling of safety in women and also ensures expedited outreach to them in case of a requirement

Discussion Points

a. Can stakeholder partnerships improve safety and infrastructure of the public place? How can that be brought about?

Action Points for the Police

• Customizing patrolling and strengthening allies with community and stakeholders as per anti-social activity patterns in the area (and also potential scope of such activities)

· Customizing patrolling as per law and order concerns of the areas

· Strengthening community policing and planning 'bandobast' mob management keeping in mind safety of women and girls

· Customizing patrolling as per infrastructural issues of the area and notifying higher police officials on collaborating with public works department to not only address infrastructure failures but also draft a safety plan for women and girls through organizational consultation

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People: This parameter denotes presence of other people in a public place that can contribute to a woman's feeling of safety or lack of it

Discussion Points

a. Do you know specific peak hours and lean hours in your jurisdiction / beat / area?

b. Can you undertake pro-active policing measures in those areas that encourage women to access it, knowing that institutionalized efforts are made towards the same?

Action Points for the Police

• Strengthening community policing and planning 'bandobast' mob management keeping in mind safety of women and girls

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Exercise 3 – Chartering Action Points

Steps to follow while undertaking this exercise:

- On a Flipchart / Blackboard / White Board, write 'Goal – Police Effectively Ensuring Public Place Safety of Women and Girls'
- Underneath that, make two columns
- Ask the participants to get creative with ideas that would meet the Goal that is written on top
- Keep probing and asking questions on ideas so that more ideas are elicited

Note: The person who is administering this exercise must mentally segregate the ideas into 'long term' and 'short term'. All the short term ideas should be written on the left and all the long term ideas to be written on right. Do not write the words 'Short Term Ideas' and 'Long Term Ideas' on the board until after all the ideas are written down. The participants should be able to give ideas freely and too many mental filters

- Once all the ideas are written down on the board, take a green colored and a red colored marker / chalk / pen
- Underline in red color, all the ideas that deal with changing the system
- Underline in green color, all the ideas that deal with an individual police officer's / his peers / his immediate environment's initiative
- Once all the ideas have been underlined in red and green, focus on the column for 'Short Term Goals'
    1. Ask participants to take a sheet of paper from their notepads and make two chits out of the torn sheet
    2. In one chit, each participant should write their favorite red colored idea and favorite green colored idea
    3. All the chits have to be collected in a ballot box / tray
    4. Ask one of the participants to count vote and write down their number against each idea
- Repeat steps 1 to 4 with the ideas written in the column 'Long Term Goals'
- The ideas with more votes are the Action Points drafted by the participants

The Objective of the Exercise:

Based on the exercises given in the first two sections, the participants should be able to draft action points that are realistic, immediately applicable and are 'low hanging fruits' in making public spaces safe for women. For a long term vision, the participants are encouraged to think about the end goal towards which all the drafted action points would serve.

To draft an end goal of making public places safe for women, it would be helpful if the trainer asks / goes back to two important questions:

1.   What Kind of Police do Women Want?
2.   What changes would we see in society if women access public spaces freely, without inhibitions and unhindered?

In 2015, Centre for Social Research drafted a Twenty Point Agenda in the National Consultation hosted in New Delhi, "City Security: Smart Security and Policing and State Response: Law Enforcement and Public Safety". Given below are the twenty points. In case these points do not get covered in the discussions, the trainer can introduce it to the group and get their feedback on it, for inclusion.

1.   Removal of stigma associated with women who are abused and assaulted; shift the blame to the perpetrators
2.   Ensuring amiable work environment to increase the proportion of women in police forces
3.   Ensure timely justice through setting up systems such as single window clearance for speedy implementation of schemes and policies of the government
4.   Gender sensitization trainings of police to handle cases of violence against women
5.   Encourage and incentivize police officials to take up the role of police trainers
6.   Work towards for better working conditions for the police force
7.   Increase collaborations and partnerships between police and civil society
8.   Work towards changing public image of police to inculcate more faith in the police
9.   Draft consolidated national goals regarding women's issues that civil society organizations can work towards in a unified manner
10.   Specialized hospitals or forensic labs should be set up for survivors of gender based violence
11.   Utilize current research and consider recommendations of national organizations and committees while charting action plans
12.   Increase new research initiatives on appropriate technologies to combat the prevalent forms of violence
13.   Compulsory introduction of gender sensitization for children and youth in school curricula
14.   Increase access to special police cells for women and refocus police priority on gender sensitive law response instead of providing unprofessional mediation services.
15.   Compilation of national and international level best practices on battling gender based violence
16.   Encourage change from below through community involvement and exploring potential for community policing; particularly in urban areas
17.   Broaden the working definition of safety to include aspects of general wellbeing, happiness and access to spaces
18.   Ensure gender budgeting at the law making stage
19.   Ensure an intersectional approach to safety
20.   Challenge patriarchy at all levels, beginning with the family

ENCHANCING PUBLIC PLACE SAFETY OF WOMEN

What Kind of systemic efficiency do Women expect from the Law Enforcement?

Infusion of Best Practices– Systemic Response of the Law Enforcement

Drawing from international best practices can be one of the ways to deal sensitively and empathetically with gender based crimes in public spaces. However, overcoming pressures of poor human resource capacity, lack of funds and infrastructure is desirable to optimize best systemic response.The best practices outlinedbelow are windows that open fresh discourses and generate creative ideas for customization as per local requirements and enhance police response to women and girls.

Introduction to the session

The proposed group discussion is way in which the participants can have projective discussions (i.e. discussions about other policing systems and not one's own). Theseexercises are breather and an objective third party analysis of international and national best practices.

Exercise 1 - Group Discussion on International Best Practices

Steps to follow while undertaking this exercise:

*   Divide the participants into groups and give them the Best Practice Document of onecountry each
*   Give them half an hour to discuss among themselves. The participants are expected to keep the discussion focused on the following questions:
    1.   What are the key take-aways from the country's best practices in policing
    2.   How can that be adapted to Indian policing?
    3.   In the process of adapting to Indian context, which key-takeaways are long term plans?
    4.   In the process of adapting to Indian context, which key-takeaways are such that can be adapted immediately?
    5.   How differently do you feel about policing after discussion?
*   Ask one representative from each group to present
*   Ask other groups to respond and add to the discussion

Exercise 1 - Group Discussion on National Best Practices

Steps to follow while undertaking this exercise:

- Project the Indian best practices on the screen and ask a few participants to read aloud
- After each best practice that has been read aloud, ask for a round of opinions based on the following questions:
  - ¤ What are the key take-aways from the particular best practice?
  - ¤ How can that be adapted to one's own beat / area / jurisdiction?
  - ¤ Which points from the best practice do you think can be replicated?

The objective of the exercises

The exercises are platforms for police officials to critically evaluate merit of best practices in policing with the intention of customizing it to the local requirement. This exercise will help draw into focus the lack of systemic reforms undertaken to improve police services. For example, in Prakash Singh vs Union of India (2006), the Supreme Court gave directions to the central and state governments to set up authorities to lay down guidelines for police functioning. The Court also required that minimum tenure of service be guaranteed to key police officers to protect them from arbitrary transfers and postings. However, studies have noted that no State has fully complied with the Supreme Court directions.[5] Identifying common issues in policing from across the world and the country while unifying over the cause of better legal response mechanism for women and girls; will cement the commitment to mitigation of gender based crimes.

     1.   **International Best Practices – Northern Ireland**

Source of information: The Report of the Independent Commission on Policing for Northern Ireland, "A New Beginning – Policing in Northern Ireland" (1999)
Weblink: https://cain.ulster.ac.uk/issues/police/patten/patten99.pdf

Northern Ireland Policing took cognizance of the Best Practice in Boston (USA) where public-police partnership model worked well. The community was given advice and help for education, employment, healthcare and counseling. It was reported to have built mutually-reinforcing partnership and thawed the hostility between community and police

    a.   Issues Identified

- Drug abuse, traffic offences, joyriding, vandalism, loutish behavior, crimes against the elderly

    b.   Challenges

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5.   The Wire, "No State Fully Complied With SC Directives on Police Reforms, Finds Study" 23rd April 2018 available at https://thewire.in/government/sc-police-reforms-directives

- Serving different religious communities
- Serving communities with different economic profiles (lower working class, mixed middle class)

c.   Rationale for Best Practice

- Need for the police to be polite and helpful
- Police participation in the community and responding to it
- Focusing on problem solving aspect in crime and not only legal redressal of a crime

d.   Key initiatives as Best Practice Model for Policing

- **Foot patrolling:** "Driving around the streets is very different from walking on them. In a patrol car, the only time you talk to people is after a crime has occurred. You're not a fixture in people's lives. You're an authority, not a friend; an occasional presence, not a personality. You become them not us." (Quoted from Boston (USA) Commissioner of Police)

- **Neighboring Policing Teams:** "The beat manager and his/her team should organize their own community liaison mechanisms and, in partnership with schools, clubs, businesses and so on, they should decide on such matters as how to programme their patrols – whether, for example, to have a police presence outside schools when the children leave for home, or in dark car parks at the end of office hours. We believe that decisions taken in this way are much more likely to be responsive to local community needs than directions from senior ranks far removed from the neighborhood."

- **Help Desks:** "Beat managers should be encouraged to set up mechanisms whereby they or their team members can be contacted by area residents if they are needed. Help desks at police stations may be one way of doing this. There are various ways of addressing this need, and managers should work out with their local community what suits them best. The community in turn needs to have a good understanding of what they can expect from the police, in the context of agreed local priorities. Not all 999 calls, for example, can receive the same immediate response; public and police need to be clear about how such calls should be prioritized."

National Best Practices

a.   Issues Identified
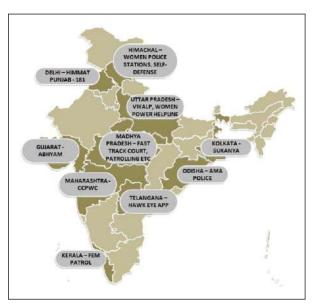
- Rising violence against women

b. Challenges

- Lack of safety for women in public spaces
- Lack of security for women at homes

c. Rationale for best practice

- Building more efficient connection between women and police
- Expediting faster resolution of crime through best practices
- However, none of the best practices deal with community engagement with the police that positively impacts reduction of crimes against women

North India

Delhi has the Himmat App, Punjab has a 181 helpline, and HimachalPradesh has women police stations and self-defense workshops for women and girls. UttarPradesh has VIKALP that ensures confidentiality, privacy and effective action for crimes against women and a Women Power Helpline for efficacy in reporting of crimes. It should be noted that the effectiveness of the app is dependent on the user and the assumption that the user will resort to using app at the time of distress. Given the gender divide in India pertaining to the digital access and usage, the effectiveness of creating an app for women's safety is under a cloud of doubt.

Central India

Madhya Pradesh has Fast Track Courts for giving justice to crimes against women, a women's helpline[6], a justice tracking branch that looks into all cases from the stage of reporting to judgment, 'Jan Sunvai' that is an open forum for citizen to approach any officer regardless of the rank and seniority, women's police stations, family counseling centres, officers deputed for anti-human trafficking, self-defense workshops for girls and Nirbhaya Patrolling squad in areas that have high traffic of people, especially women and girls.

East India

Kolkata has 'Sukanya' that administers self-defense workshops to women and girls. Odisha has 'Ama Police Samiti' that has night patrolling, increased security guards, community awareness programs,

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6. Rape cases must be heard daily and be concluded within two months after charges are filed.

monitoring of public place infrastructure such as street lights, self-defense workshops, trauma and disaster management.

West India

Cyber **Maharashtra** has cyber crime investigation labs, cyber police stations and they sensitize law enforcement agencies for handling cyber crime cases for women and girls under their 'Cyber Crime Prevention against Women and Children' program. **Gujarat** has 'Abhyam' that is a woman's helpline or guidance, counseling and legal information dissemination for women.

South India

Telangana Police has a 'Hawk Eye' App for a woman that is an Emergency Response SOS App and Kerala has FEM patrolling for mitigating sexual harassment of women and girls in city's public places.

Kerala: Government of Kerala launched Janamaithri Suraksha Project in 20 selected Police Stations in March, 2008. Under this, Janamaithri Kendrams were opened in District and Battalion Headquarters. These centres help people to come and interact with police.

Annexure 1
About the Project 'Making Cities Safe for Women'

Introduction to the Project – 'Making Cities Safe for Women in India – Gender Sensitization Training of Police Officials'

CSR's 'Making Cities Safe for Women in India' seeks to promote women's safety in three urban centers of Bhopal, Jodhpur and Gwalior by training police to respond to crimes against women. The overarching objective of the project that is implemented by The Asia Foundation in association with Korea International Development Agency (KOICA); also includes generating data through technology on women's safety perceptionsand facilitating dialogues with government officials and key stakeholders to share data and information on women's safety for policy level change.

The police are mandated to address crimes against women and promote public safety. When it comes to women's safety, senior officers in police departments in Rajasthan and in Madhya Pradesh have taken initiatives to promote women's safety[7], but this more needs to be done at the ground level to assure women that they are safe and can seek help from the police when in distress. Under this project, the Centre for Social Research (CSR) held three sets of trainings for a total of 90 police officers to sensitize them to crimes against women in public spaces to improve the quality and quantity of police response.

This report documents the proceedings of the police trainings undertaken in Gwalior (19th and 20th January 2019), Jodhpur (1st and 2nd February 2019) and Bhopal (9th and 10th February 2019). The focal discourse point of the police training was making public spaces safe for women and the role of law enforcement in ensuring the same.

Objectives of the Project 'Making Cities Safe for Women in India – Gender Sensitization Training of Police Officials'

The overarching objective of the project 'Making Cities Safe for Women in India' is to make inroads into making Indian cities safer for women, but also to measure and assess safety perception so that women

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7.   Madhya Pradesh has Fast Track Courts for giving justice to crimes against women, a women's helpline, a justice tracking branch that looks into all cases from the stage of reporting to judgment, 'Jan Sunvai' that is an open forum for citizen to approach any officer regardless of the rank and seniority, women's police stations, family counseling centres, officers deputed for anti-human trafficking, self-defense workshops for girls and Nirbhaya Patrolling squad in areas that have high traffic of people, especially women and girls.

also feel safer. The ultimate measurement of women's safety in any urban setting is reduced rates of crimes against women. But when it comes to safety perception, even the feeling that the police are more sensitive, approachable, and likely to file complaints of violence or harassment, contributes towards a perception of safety that is difficult to measure quantitatively. Given its expertise working closely with police departments for several years; under this project CSR conducted gender sensitization training sessions for the police officials in the three cities of Bhopal, Gwalior, and Jodhpur. This activity sought to initiate conversations around gender norms and women's safety in public spaces with police personnel.

Law enforcement agencies are duty-bound to maintain peace, and law and order in the society. Women's safety is of paramount importance because for various reasons, women are unable to have an unhindered access to public spaces. Just like men, women also need to work, live, and enjoy recreational activities in public spaces. Most women feel extremely reluctant to go to public spaces and feel the need for a male escort / companion to feel safer.

Owing to economic demands and rigors of life, more women and girls are being educated and there have been institutional and government initiatives at integrating women in the workforce. This has led to women's increased utilization of and access to public spaces, despite it being difficult for women to traverse the same. Regressive gender stereotypes that define women's role in the society and public infrastructure not being gender sensitive are obvious deterrents to women claiming their right to public spaces.

While working towards ensuring women's safety, police departments must ensure that their officers on the ground put aside personal bias which may be patriarchal in nature or counter to the principles of gender equality. The two day workshops held with police officers on the importance of gender equality in accessing public spaces was an initiative to start a dialogue on such issues and try to unpack some of the biases inherent in day to day policing which result in poor safety perceptions of women in urban areas.

Strategic planning in the Project 'Making Cities Safe for Women in India – Gender Sensitization Training of Police Officials'

In preparation for the two-day sessions with police officers, CSR conducted a Training Needs Assessment (TNA) and also held expert panel consultations in the three project cities. As part of the TNA, CSR interacted with police officials at the police stations, faculty and students at police training academies, civil society organizations (CSO), paralegals and survivors of crimes against women. The discourse between the CSR team and the stakeholders were based on desk research on the general overview of crimes against women and the existing redressal mechanisms in place that are responsible for mitigation of crimes and ensuring citizen safety. The expert panel consultations consisted of intensive dialogues with experts in each of the city, including CSOs, activists, academicians, and senior leadership from police training academies. The primary objective of the TNA and expert panel

consultations was to identify key issues in women's safety and set in place a methodology and approach for the specific training style dialogues with police at a later stage of the project. The workshop style training sessions this report is capturing were based on prior research, stakeholder discussions, and modules content designed by subject matter experts.

Key issues in gender sensitive law enforcement

At the desk review and stakeholder discussions that were undertaken in the year 2018; CSR identified certain key issues around perceptions of gender roles and norms. These perceptions contribute to creating an environment and attitudes that promotes gender inequality when it comes to women's experience in accessing public spaces and also their feeling of personal safety.

- CSR's desk review revealed that in police functioning, there is a lack of gender sensitization training and a lack of uniformity in the orientation given to police officers on how the law and existing systemic / infrastructure are designed to protect women and how this should be implemented in certain gender based crimes.In turn, this affects their ability to empathetically and legally address crimes against women and contributes to public apathy and mistrust towards the police by the community.

> *"The police usually blame women for reporting false cases / misusing the laws"*
>
> City level stakeholders who work on mitigating crimes against women

- When CSR engaged with city level stakeholders, it found that based on their experiences, the key barriers which prevent crimes against women from being successfully addressed are the complex nature of legal procedures, further compounded by the general nonchalance on the part of law enforcement to address crimes against women. Given the magnitude of 498A (Dowry Act) cases being filed, special all-women police stations were created.. However, soon enough, a pattern emerged where all cases in which women and girls are complainants are generally directed to these women's police stations without much consideration or scrunity of the existing work burden on them or their capacity to handle such cases. Complainants often expect police to make personal visits, follow-up visits and pro-active inquiries. They not only face disappointment when this does not happen, but also find that their complaints do not translate into First Information Report as per the law. The victim resorts to help from the CSOs, who are pressure groups that ensure the police follow legal procedures. This equation between police and CSOs often result in friction. The police officials also cite poor infrastructure and inadequate workforce that puts inordinate burden on existing personnel who already undertake strenous law and order (bandobast) duties / VIP duties (providing security for politicians) and walk-in cases of crime.

- CSR's main take-away from the dialogues with the police during the workshop style training sessions that were undertaken in 2019; is that the police in all the three cities operate with socio-

cultural mindsets that are not aligned with principles of gender equality. It was clear that the police in Tier-2 cities operate with a gender-bias skewed in favor of men and have patriarchal mindsets which need much more unpacking if they are to make significant headway in making these cities safer for women. As a result, during the sessions, this was the focal point around which their gender perceptions and biases were challenged and linkages to crimes against women in public spaces were made, giving them the opportunity to address some of these deep seated perceptions and attitudes about women and their right to mobility, equal access to public spaces, and their role in society

Annexure 2
List of Ice-Breaking Exercises

Method 1

Ask everyone to share her/his name and share something about himself/herself that no one in the room may know about

Method 2

As everyone to share her/his name and share something about himself/herself that she/he is really proud of

Method 3

Ask participants to sit in a circle and give a ball to one of the participants. The participant has to say her/his name, slowly and loudly to the others, and then throw the ball to a participant sitting opposite to them. The second participant tells his/her name and throws the ball again. They go on with this until every participant has shared their name with the group.

Method 4

Ask each individual to introduce her/his name by adding an adjective before their name. The adjective should begin with the same letter as their name. For instance, "I AM HAPPY HARPREET"

Annexure 3
Recommended Reading and Audio-Visual Materials

Reports

- "Safety of Women in Public Spaces in Delhi: Governance and Budgetary Challenges": Centre for Budget and Governance Accountability (CBGA) and Jagori (2017)

- "Safe Cities Index" Safetipin (2019)

- "A New Beginning – Policing in Northern Ireland": The Report of the Independent Commission on Policing for Northern Ireland, (1999)

- "Standard Operating Procedures on Trafficking in Persons for Commercial Sexual Exploitation for Law Enforcement Agencies, Government and Non-Government Service Providers": Arz Foundation, Goa (2016)
  Weblink

- https://www.goapolice.gov.in/documents/10184/1778591/sop.pdf/900e0fee-1c89-4304-ae27-e9487bfc51ad

- "Standard Operating Procedure for Investigation of Crimes against Women": Odisha Police (2018)
  Weblink

- http://odishapolicecidcb.gov.in/sites/default/files/CB%20CIRCULAR-2-18%20SOP%20FOR%20CRIME%20AGAINST%20WOMEN-ilovepdf-compressed%20%281%29.pdf

Audio Visual Materials (Available on YouTube)

- The Day after Everyday – A Film by Anurag Kashyap
- #StartWithTheBoys - Vogue Empower and Madhuri Dixit

- Safer Roads, Safer You –Institute of Road Traffic Education in association with Good Year
- My Choice – Vogue Empower
- What women and men think about women safety in India? – The New Indian Express

Annexure 4
Feedback Forms and Pre and Post Training Questionnaire

Pre and Post Training Questionnaire

A. Please tick whichever statement is correct

1.   Women who step out late at night alone are asking for trouble
2.   Women who dress provocatively want attention from men.
3.   Violence against women is decreasing in India
4.   India has a low female workforce participation rate.

B.   Imagine a woman comes to you and informs you she was sexually harassed by three men on a bus. She was taking the bus to watch a late night movie by herself and the three men groped her body and made obscene comments about her. Please write down what you would say to her immediately after she has narrated the incident to you:

C.   You are the local police officer for an area that is known for having a high crime rate. The neighbourhood mistrusts the police and avoid any interaction with the police. Public places that are usually frequented by the local population are eating joints, a park and a shopping area. Women are rarely seen in public places alone. Mostly they come with their family members to these public places. There is one bus stand in the area which is dark at night as there is no street lighting. What are some proactive steps you can take to gain the trust of the local population?

Feedback Forms

1.   Did the training on Making Cities Safe for Women enhance your knowledge about women's safety in India in public places regarding:
       a.   Women's vulnerability in public places and reasons for the same
       b.   More understanding of gender perceptions and how that impacts legal resolution of gender based crimes
       c.   Laws and policies and schemes for increasing women's safety
       d.   Best practices followed in other countries

2.   Please provide feedback on:
      a.   Agenda
      b.   Reading Materials
      c.   Any other feedback
      d.   Please provide feedback on the quality of resource persons

Annexure 5
'Gulmohur' – Sakhi One Stop Crisis Centre at Vidisha, Madhya Pradesh

Under the aegis of Madhya Pradesh Police and Department Women and Child Development, Mr .Vineet Kapoor (erstwhile Superintendent of Police, Vidisha District and incumbent Deputy Director of Madhya Pradesh Police Training Academy, Bhauri) initiated 'Gulmohur' as a one stop crisis centre that is located in the premises of the main kotwaali (police station) in the city of Vidisha, Vidisha District.

In the 'Gulmohur' project, the Department of Women and Child Development provides temporary shelter home for the women victims and responds to their basic needs. The Madhya Pradesh Police contributes in initiating the legal procedures and also provides counselling facility to the victim. Gulmohur one stop crisis centre forms are made available at all the police stations in Vidisha District and at the time of its initiation, an awareness generation campaign was undertaken to ensure stakeholder partnership in resolving and mitigating crimes against women. Hence, many cases from different villages / smaller towns in Vidisha District are referred to Gulmohur crisis centre. Some hospitals and Jan Sunvai (public hearing of cases and police-citizen interaction forum) platforms also refer cases to Gulmohur.

The Gulmohur initiative prides itself on the performance of its dedicated staff and consistent adherence to legal procedures in order to resolve the crime against woman. Every day, the Gulmohur staff spends a dedicated hour in procuring the Dial 100 report of the District and undertakes follow-up phone calls to the women in distress who had called on the number. The aim of the call is to ensure that the woman has been responded to, by the police and adequate legal procedures have been undertaken. Gulmohur also has dynamic interaction with other departments such as Court, Collectorate and Child Welfare Committee (A Special Juvenile Police Unit Officer is also stationed at Gulmohur centre to address cases pertaining to minors.)

The Gulmohur initiative is not only a comprehensive and efficient response centre to gender based violence from across the spectrum but it also has Standard Operating Procedures that streamline the processes keeping gender sensitive interaction and human rights central to the discourse.

The Gulmohur staff and centre can be contacted at Vidisha city's main police station, for further information on the initiative and to replicate the model in other police stations.

Annexure 6
Trends and Tools in Policing

Centre for Social Research in association with The Asia Foundation drafted a Police Training Manual (2015), "Facilitating Change – Restructuring Gender Relations: A Manual for Police Trainers". The Police Manual covered Domestic Violence and Human Trafficking. The following content has been extracted from the manual and serves as an orientation on modern policing and the citizen expectation from the law enforcement.

Policing Trends over the Years

Briefly, worldwide policing trends can be categorised[8] as follows:

Political Era

Prior to 1930, the police system had a decentralized structure that was authorized by political sanction and law, functioning broadly in the social sphere. The relationship with the community was a personal one to ensure political and community satisfaction.

Reform Era

Between 1930-80, law enforcement agencies were centralized, governed by lawand the need for professionalism, functioning primarily to control crime. There fore police-community interface was professional and non-personal.

Community Era

Since the 1980s, the police structure has been decentralized and gets its sanction from community support, the law and the need for professionalism, operating to ensure provision of services to the community. The police-community link has become more personalized with the goal of ensuring a better quality of life and people's satisfaction.

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8.   Peak and Glensor, 1999

The Indian Police Force was established after the British Rule, when the colonial authorities needed a system to check and curb the power of criminals and freedom fighters. However, there was neither a formal system in place nor any safeguards to tackle human rights abuse. The classic case that illustrates this point is the JALLIANWALABAGH incident in Punjab, April 13, 1919[9]

At that time the Indian police blindly obeyed British command for almost two centuries. The legacy inherited from the British Raj carries the baggage of former prejudices and attitudes, so police often forget that they are public servants and not dictators.

Police personnel are undoubtedly drawn from that very society bogged down with gender bias where insensitivity to women is deeply institutionalized and internalized. An absence of respect and undisguised contempt for women marks past cases where the police have perpetrated several forms of human rights abuse on women.

To change the functioning and organization of the police system, Police Reforms Committees[10] were established in the country. Unfortunately, the well-meaning suggestions of these committees achieved little more than piles of dusty paper. The paltry set of recommendations that did manage to get implemented continue to be debated by police and politicians alike. The Police Act 1861 still dictates how the police should function. Several groups who attempted to change the system, met with little success.

Over the years, increased awareness among the people themselves acted as a catalyst to bring about the much-needed change in policing. Individuals, civil society groups, and the media began to focus on the need for increased participation in policing, as well as all spheres of decision-making. Since the police, too, are products of society, they cannot be transformed overnight; so, the best method was to institute alterations in their style of functioning through effective training. This spurred decision makers to emphasize the benefits and success of training for the police force.

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9. Due to a peaceful protest at Amritsar, against a proclamation issued by General Dyer on April 12,which sought to ban public meetings and demonstrations, the police were instructed to shut twoexits out of the three there and open fire on the masses.

10. National Police Commission, Ribiero, Padmanabhaiah and other State Police Commissions.

Comparison of Policing Models

The table below evaluates the methods and philosophies adopted during different phases of policing.

Methods & Philosophies	Traditional	Problem-oriented	Community oriented
Command structure	Bureaucratic	Formal, but less rigid	Localized
Discipline	Punitive	Punitive & corrective	Punitive & corrective
Decision making	Top down	Top-bottom interactive	Bottom-up
Agency emphasis	Law enforcement	Social problems	Community interaction
Tactics	Purely reactive	Proactive & reactive	Proactive & reactive
Training	Emphasis on criminal law, self-defense, and weapons	Traditional emphasis with focus on social problem identification and communication skills	Heavy emphasis on communication skills and human diversity. Less concerned with traditional training focus
Staffing	Military model, physical attributes over intellectual skills	More emphasis on education and training skills	High emphasis on education & training. Least emphasis on physical skills
Evaluation	Quantitative; heavy emphasis on productivity (focus on process)	Mixed, quantitative & qualitative. Focus on both process & outcomes	Quantitative; emphasis on results. Less focus on process
Rules	Heavy emphasis; vast array of intricate rules policies, and procedures	Policies are more general. Retains substantial body of r rules and procedures	Broad policy guidelines. Least restrictive rules & procedures
Media Relations	Confrontational; heavy emphasis on secrecy and control of information	Consultative; works with media to identify problems and solutions	Open; views media as part of community team
Politics	Non-political; isolated from government	Apolitical; works closely with government leaders to identify problems and solutions	Political at grassroots level. Involves all members of organization with community leaders at all levels

Question	Traditional	Community Policing
Who are the Police?	A government agency principally responsible for law enforcement	Police are the public and the public are the police: the police officers are those who are paid to give full time attention to the duties of every citizen
What is the relationship of the police force to the other public service providers?	Priorities often conflict	The police are one department among many responsible for improving the quality of life
What is the role of police?	Focusing on solving crimes	A broader problem solving approach
How is police efficiency measured?	By detection and arrest rates	By the absence of crime and disorder
What are the highest priorities?	Crimes that are high value(e.g. bank robberies) and those involving violence	Whatever problems disturb the community most?
What, specifically, do police deal with?	Incidents	Citizens. problems and concerns
What determines the effectiveness of police?	Response time	Public cooperation
What view do police takeoff service calls?	Deal with them only if there is no real policework to do	Vital function and great opportunity
What is police professionalism?	Swift, effective response to serious crime	Keeping close to the community
What kind of intelligence is most important?	Crime intelligence (study of particular crimes or series of crimes)	Criminal intelligence(information about activities of individuals or groups)
What is the essential nature of police Accountability?	Highly centralized; governed by rules, regulations, and policy directives; accountable to the law	Emphasis on local accountability to community needs
What is the role of headquarters?	To provide the necessary rules and policy directives	To preach organisational values
What is the role of the press liaison department?	To keep the heat. off operational officers so they can get on with the job	To coordinate an essential channel of communication with the community
How do the police regard prosecutions?	As an important goal	As one tool among many

Tools for Effective Policing

When assessing the effectiveness of policing, the tools used by the police as indicators are categorized into two types: procedural and behavioral. First Information Report (FIR) addresses the procedural aspect and effective communication denotes the behavioral and attitudinal aspects.

The filing of the FIR initiates the criminal justice process, and signals the start of the investigation by the police. The FIR should be lodged at the first opportunity of the cognizable offence and the information should relate to the circumstances of the offence.

Cognizable vs. Non-cognizable

Cognizable offences are ones in which the police can register the First Information Report (FIR). Non-cognizable offences are those where the police cannot investigate matters on their own and must seek orders from the magistrate if they wish to investigate.

A cognizable offence is a case where the police can arrest without a warrant. All cognizable cases involve criminal offences. Murder, robbery, theft, rioting, counterfeiting etc. are some examples of cognizable offences.

Non-cognizable offences are those criminal infractions, which are relatively less serious.

Examples of non-cognizable offences include public nuisance, causing simple hurt, assault, and mischief etc. The police cannot register criminal cases or cause arrests with regard to non-cognizable offences. In all such cases, the police have to take permission from a magistrate for registration of a criminal case.

The FIR has to be written by the police officer receiving the report, then read out to or posted to the appellant. The powers of investigation are vested with the Station House Officer (SHO), Sub-Inspector (S.I.) or any police personnel, as the power to investigate. It includes the power to delegate investigation to any of the subordinate officers. So, it is imperative that all police personnel are equally trained and sensitized to what are essentially gender-based crimes.

A responsible officer familiar with the case should be dispatched to assist the police in investigation. It would be more effective for the same officer to conduct the case so that it does not have to start afresh. This saves valuable time, which the accused could misuse to destroy evidence.

Supreme Court Directives on recording FIR

- When a victim reports a crime at the station she must be informed about her rights to a lawyer BEFORE any questions are asked of her. The fact that she has been given the opportunity to have legal representation must also be recorded in the FIR

- A report via telephone given by a person, who discloses her identity, can be reduced in writing and treated as an FIR

- The complaint can be registered at any police station even if it is out of the jurisdiction of the occurrence. It is then to be sent to the relevant station

- ANY PERSON can lodge an FIR, whether or not they have seen the committal of the offence or if they do not know the victim's name. It is not necessary that the FIR contain all the details but omissions of important facts affecting the probabilities of the case are relevant under s.11

Evidence Act in judging the veracity of the prosecution case. What is significant is that the informant must disclose the commission of a COGNIZABLE OFFENCE

- After a complaint of a cognizable offence is given, it is immediately registered, and a copy is to be given to the complainant of the FIR

- If she wishes for legal representation but does not have her own lawyer, the police must arrange this for her.

- All police stations must keep a list of referable lawyers who have been approved by the Court

- The lawyer will explain to her the nature of the proceedings; prepare her case; assist her in court and in the police station; give her guidance on agencies and organizations and assist her in any required counseling and rehabilitation

- In cases of rape anonymity must be observed

- In cases of rape extra-sensitivity is required - usually requiring the statement to be recorded by a female police officer. But this is not essential if the officer in charge is aware of the human rights issues we are dealing with

- It is a widely practiced habit of recording FIRs after the investigation has been conducted. This being that if there is some difficulty and the suspect cannot be arrested then in terms of conviction and arrest records they will not be unsuccessful

- The FIR forms a crucial part of the investigation papers and Courts of Law give considerable weightage to this evidence. A dilatory FIR running into 100,000s serves no purpose. It must be brief and to the point. It should bring out the alleged crime and mention oral and documentary evidence as far as possible. This helps as it also ensures a speedier disposal. Experience has shown that when FIR is not lodged properly, and time is consumed it allows the delinquent to take advantage of the various provisions and especially those in the INDIAN EVIDENCE ACT

- FIR in a cognizable offence is filed under section 154 of the CrPC and based on various judicial pronouncements it is now established that the FIR should be quick in time viz. much time should not be allowed to elapse between the detection of the crime and lodging of the complaint

- If the original FIR is displaced and another document takes its place it shall lose its validity in court

- FIR is the initiator of investigation into a cognizable offence; therefore, a FIR should never be quashed before an inquiry

Under Section 161 of the Code of Criminal Procedure (CrPC) & Section 162 CrPC, the following provisions relate to witnesses –

The witness may be required to attend for examination and if so, the witness must obey. Witness statements are to be recorded in the case diary and in the original language in which it was made, for the sake of accuracy. Care should always be taken that names of witnesses are mentioned in the FIR. If their names do not appear in it and they are examined later, the presumption is that they were not present at the spot and has been brought in later. Names of the accused persons should also figure in the FIR.

What to Include. ELEVEN W's
1.   W - What the information has come to convey?
2.   W - In what capacity?
3.   W - Who committed the crime?
4.   W - Whom was the crime committed against?
5.   W- When (Time)?
6.   W . Where (Place)?
7.   W - Why (Motive)?
8.   W - Which way (actual occurrence)?
9.   W . Witnesses?
10.   W - What was taken away?
11.   W - What traces were left by the accused?

Omissions in the FIR result in many acquittals. They are seriously viewed as substantial defects. For instance, if the FIR does not mention that the appellant had stabbed the deceased, it is a grave omission; because this critical fact is relevant under section 11 of the Indian Evidence Act, 1872 in judging the veracity of the prosecution case. Omitting such facts stymies the case from the very beginning. In such cases the police are to be found to be influenced or unqualified to record the FIR correctly. In both cases a failure of justice takes place. Refer to the Annexure for the consequences of not filing an FIR correctly.

Similarly, mistakes committed in the FIR by unauthorized personnel can affect the outcome of a case in the court of law. In the case judgments, judges have frequently pointed out that proper procedures must be followed. The main reason for mistakes creeping into FIRs is that the police do not question informants in the way they should. They lack knowledge, record them hastily or do it in a ritualistic fashion. Though it is natural that informants may exaggerate or conceal the facts in the FIR, it is the duty of officers to question them patiently, and ingeniously, with the utmost care and caution.

Incomplete investigation owing to the ignorance of the investigating officer. In Lakshmi Singh v. State of Bihar, it was held that the failure to send blood stained earth from the place of occurrence to the chemical analyst might indicate the defense version is true. Cases resulting acquittals because material pieces of evidence collected from the scene of the crime were not sent for forensic examination. Failure of the police to send material evidence for such examination has been deprecated by the Supreme Court in the case of Raghunandan v. State of Uttar Pradesh, 1974, Cr. L.J. 453, A.I.R. S.C.463 In Aprem Joseph vs. State of Kerala the Supreme Court held the view that undue and unreasonable delay in lodging the FIR, therefore gives rise to suspicion which puts the Court on guard to look for the possible motive and explanation for the delay and consider its effect on the trustworthiness of the prosecution version.

Use of FIR as Substantive Evidence:

FIR cannot become substantive evidence if used in the following ways:

1. For corroboration purposes - It cannot be ignored altogether and can be used to corroborate the statement of the eyewitnesses.
2. For contradicting the evidence of the person giving the information.
3. For proving as admission against the informer.
4. For refreshing the informer's memory.
5. For impeaching the credit of an informer.
6. For proving informer's conduct.
7. For establishing the identity of accused, witnesses & for fixing spot time as relevant facts under Section 9, Indian Evidence Act.

FIR can become substantive evidence if:

1. During declaration when a person deposing about the cause of his death had died (Dying Declaration).
2. When the injuries are being caused in the presence of the SHO in the station and the injured makes a statement to the SHO saying that the accused injured him.
3. When the informer who has written the FIR or read it, fails to recall to memory those facts but is sure that the facts were correctly represented in FIR, at the time he wrote it or read it.

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The Asia Foundation is a non-profit international development organization committed to improving lives across a dynamic and developing Asia. Informed by six decades of experience and deep local expertise, our work across the region addresses five overarching goals—strengthen governance, empower women, expand economic opportunity, increase environmental resilience, and promote international cooperation.

CSR

Centre for Social Research

Centre for Social Research is one of the leading Women's Institutions working in the field of social action since 1983. It has more than 18 years of experience in providing Gender Sensitisation Training for a safe and productive work environment. CSR was founded by a group of concerned social scientists dedicated to promote the empowerment of women, deprived castes and groups. The goal of the organisation is to achieve economic self-sufficiency and raise awareness on social, political and legal issues among women of India. At present, CSR comprises four interdependent and equally vital departments: Advocacy and Campaign, Research and Knowledge Management, Development, the Gender Training Institute.