

Women Police, Crime against Women and Its Challenges in India

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Abstract

*In September 1910, Alice Stebbins Wells, who stood a little over five feet tall, wore no uniform, carried no weapon, and usually stuffed her star-shaped badge into her pocketbook, joined the Los Angeles Police Department as the "first policewoman" in the United States. Wells's appointment to the 350-member LAPD is recognized as the beginning of women's formal entry into U.S. law enforcement even though her status as the first woman called "policewoman," combined with her leadership in the policewomen's movement. The first documented appointment of women police having power took place in 1950 in Portland, Oregon to help cope with the problems of young women soliciting the attention of lumbermen, miners, laborers and vacationers on spree. The need for women police later increased with the rise in number of women accused, criminals, and victims of crimes such as rape, kidnapping, sexual harassment etc. Origin of women police in India may be traced back to Kautilya's Arthashastra (310 BC). Women were employed mainly as spies and armed women. British Government utilized the women police to aid the suppression of brothels in 1919, and the need for women police to handle the labour strike in Kanpur in 1938. Police women were appointed in Kanpur for the first time in India in 1939, but the force was disbanded after the strike was over. The princely state of Travancore also appointed one woman Head Constable and 12 women Special Police Constables, and they were regularized in the Police force in 1942. It is also reported that few women were appointed in the Port cities of Mumbai, Calcutta and Chennai for frisking duty. Women were also inducted in the police force in greater Mumbai in the year 1939, and subsequently in the district of Sholapur, Kolhapur, and Pune in 1950. **Key words:** Women Police, Corruption, crime, discrimination, human rights, Nirvaya Fund, female infanticide, UNICEF, domestic violence, rape, sexual exploitation.*

When you are in Uniform and you are a man, people see a cop. If you are a woman and you are in uniform, people don't see a cop, they see a woman.

-Female officer in an all-female police team.

According to National Human Rights Commission (NHRC) statistics indicate that in the years between 2003 and 2008, 7,468 persons at an average of 1,494 persons per year of 4 persons per day have died in police and prison custody in India.

The large and complex societies maintain a formal agency, called the police, to enforce law and order. "The term police is used to denote a body of people organized to maintain civil order and to investigate breaches of the laws" (Encyclopedia Britannica, 1973:662). It is derived from the Latin word 'politia' which stands for the condition of a 'polis' or state.

The changes in the traditional gender role now taking place in our society have made it possible for women to enter traditionally masculine typed fields such as police work. The research finding shows that Women police officials perform their job as effectively as men, men are still believed to be more competent (Lunneborg, 1989, Martin, 1990). Men are thought to have more of the directive, assertive personality traits necessary for the job of police officer. Women, who are thought to possess more accommodating personality traits, are believed to be less effective as police officers. These beliefs about men's and women's personalities reflect the stereotype that is held within the larger society. Despite the social changes of recent years, particularly in women's occupational roles, people still believe that women and men have different personality traits (Spence, Deaux & Helmreich 1985).

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The Early Policewomen, 1900-1928:

In September 1910, Alice Stebbins Wells, who stood a little over five feet tall, wore no uniform, carried no weapon, and usually stuffed her star-shaped badge into her pocketbook, joined the Los Angeles Police Department as the "first policewoman" in the United States.

Wells's appointment to the 350-member LAPD is recognized as the beginning of women's formal entry into U.S. law enforcement even though her status as the first woman called "policewoman," combined with her leadership in the policewomen's movement and her role as founder and first president of the International Association of Policewomen, have provided her with a distinction that is historically inaccurate.

Women had functioned as police before Wells's selection. In 1893, the Chicago Police Department gave Mary Owens, the widow of a Chicago policeman, the rank of "policeman" with the power of arrest. Her employment was part of a pattern around the nation; at a time when departments offered no pensions or death benefits, widows were often hired as matrons to provide them with an income. What was unusual about Owens is that she was given the title and pay of a policeman rather than a matron. Her duties, including visiting courts and assisting detectives on cases concerning women and children, were typical of matrons and later of policewomen. Owens, who served for 30 years before she retired, is usually credited with being the first woman with full arrest powers conferred by a municipal law enforcement agency.

The first documented appointment of Women police having power took place in 1950 in Portland, Oregon to help cope with the problems of young women soliciting the attention of lumbermen, miners, labourers and vacationers on spree. The need for Women police later increased with the rise in the number of women accused, criminals, and victims of crimes such as rape, kidnapping, sexual harassment etc.

Origin of Women police in India:

Origin of Women police in India may be traced back to Kautilya's Arthashastra (310 BC). Women were employed mainly as spies and armed women. Mauryan Kings who were guarded by Amazons trained in the use of swords and archery. It is also said that trained tribal women resisted invaders alongside their menfolk in the Northern part of India. However, there is no record about the induction of women on a regular basis in the police organization till the 20th Century. According to historical sources, British Government utilized the Women police to aid the suppression of brothels in 1919, and the need for Women police to handle the labour strike in Kanpur in 1938.

Policewomen were appointed in Kanpur for the first time in India in 1939, but the force was disbanded after the strike was over. The princely state of Travancore also appointed one woman Head Constable and 12 women Special Police Constables, and they were regularized in the Police force in 1942. It is also reported that few women were appointed in the Port cities of Mumbai, Calcutta and Chennai for frisking duty. Women were also inducted in the police force in greater Mumbai in the year 1939, and subsequently in the district of Sholapur, Kolhapur, and Pune in 1950.

It was only after Independence (August 1947) that women were appointed in the police force on regular basis in different states after the partition, which brought endless misery and degradation to women. It was, therefore, necessary for the Ministry of Relief and Rehabilitation to appoint Women police for recovery of abducted women and girls for rehabilitation. Since then there has been the regular induction of Women police in the states of India. It is also seen from the available sources that Women police were employed in maximum numbers in the lowest subordinate ranks, in the police organization. The Women police were inducted for the first time only to perform the social services function in relation to women and children.

Table-1. Strength of Women police and Police Stations in Indian States

State	Number of Women police	Number of Women police Stations
Andhra Pradesh	1,719	27
Arunachal Pradesh	288	---
Assam	559	1
Bihar	882	--
Chhatisgarh	1,107	4
Goa	315	1
Gujarat	2,474	7
Haryana	1,358	1
Himanchal Pradesh	605	--
Jammu and Kashmir	1,634	3
Jharkhand	1,701	22
Karnataka	2,753	10
Kerala	2,783	03
Madhya Pradesh	2,289	09
Maharashtra	9,105	--
Manipur	459	01
Meghalaya	174	--
Mizoram	222	--
Nagaland	353	--
Orissa	3,092	06
Punjab	1,472	06
Rajasthan	2,662	14
Sikkim	179	--
Tamil Nadu	10,225	196 (A)
Tripura	659	01
Uttar Pradesh	2,154	12
Uttarakhand	1,153	02
West Bengal	1,177	--
Andaman & Nicobar Islands	193	01
Chandigarh	262	--
Dadar & Nagar Haveli	22	--
Daman & Diu	10	--
Delhi	3,220	--
Lakshadweep	16	
Puducherry	190	03
Total	57,466	330

Source: BPR&D Publication, New Delhi.

The crime against women is increasing day by day. In 2015, the crime against women was 3,29,243 incidents and it increased by 3,38,954 incidents in 2016. In 2013, the Ministry of Home Affairs targeted 33 percent reservation for women in the police and recommended each police station to have at least three women sub-inspectors and ten Women police constables to ensure women help-desks are staffed at all times. The situation is pathetic despite the Union home ministry sending advisories in 2009, 2012 and 2016 to all the state governments and Union territories to increase the strength of Women police personnel to 33 percent.

The United Nations General Assembly defines "violence against women" as "any act of gender-based violence that results in, or is likely to result in sexual, physical and mental harm to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

" The 1993 Declaration on the Elimination of Violence against Women noted that this violence could be perpetrated by assailants of either gender, family members and even the "State" itself. Worldwide governments and organizations actively work to combat violence against women through a variety of programs. A UN resolution designated November 25 as International Day for the Elimination of Violence against Women.

Table-2. Percentage of Female and Male Police Officers in Selected Countries

Country	Year	Female police officers	Male police officers
Post Conflict			
South Africa	2006	29%	71%
Cyprus	2006	16%	84%
Sierra Leone	2006	15%	85%
Kosovo	2006	14%	86%
Transitional and Developing			
Jamaica	2001	18%	82%
Czech Republic	2001	12%	88%
Venezuela	2001	10%	90%
Romania	2005	8%	92%
India	2006	2%	98%
Developed			
Australia	2002	29%	71%
Canada	2006	18%	82%
Sweden	2001	18%	82%
United States	2006	12-14%	88-86%
Finland	2004	10%	90%

Source: Denham Tara, "Police Reform and Gender." Gender and Security Sector Reform Toolkit. Eds. Megan Bastick and Kristin Valasek. Geneva: DCAF, OSCE/ODIHR, UN-INSTRRAW, 2008. p. 4.

Challenges before the Women police:

Women police officers in India have formed a national forum to fight sexual harassment and discrimination from their male colleagues. The forum was announced at the end of the country's first conference for women in the police, which gathered representatives from 24 states. Women officers say men have difficulty accepting them as equals. India's highest ranking female police officer, Kiran Bedi, told the BBC they had to function under difficult conditions, particularly in terms of the lack of appreciation from male counterparts. There were also problems balancing home and career, she said.

Crimes against Women - Women are also victims of many of the general crimes such as murder, robbery, cheating, etc. Only the crimes which are directed specifically against women are characterized as 'crimes against women'. Crimes against women are broadly classified under two categories:-

(A) The Crimes under the Indian Penal Code (IPC)

- (i) Rape (Sec. 376 IPC)
- (ii) Attempt to Commit Rape
- (iii) Kidnapping & Abduction for specified purposes (Sec. 363-369 and 371-373 IPC)
- (iv) Homicides for Dowry, Dowry Deaths or their attempts (Sec. 304-B IPC)
- (v) Cruelty by Husband or his Relatives (Sec. 498-A IPC)
- (vi) Assault on Woman with intent to outrage her modesty (Sec. 354 IPC)
- (vii) Insult to the modesty of Women (Sec. 509 IPC)
- (viii) Importation of girls from Foreign Country (up to 21 years of age) (Sec. 366-B IPC)
- (ix) Abetment of Suicide of Women (Sec. 306- IPC)

(B) The crimes under the Special and Local Laws (SLL) :

The gender specific laws for which crime statistics are recorded throughout the country are:

- (i) Immoral Traffic (Prevention) Act, 1956
- (ii) Dowry Prohibition Act, 1961
- (iii) Indecent Representation of Women (Prohibition) Act, 1986
- (iv) Commission of Sati (Prevention) Act, 1987
- (v) Protection of Women from Domestic Violence Act.

On 02.04.2013 Criminal Law (Amendment) Act 2013, came into force which has amended various sections of the Indian Penal Code, the Code of Criminal Procedure and the Indian Evidence Act. It has enhanced punishment for crimes like rape, sexual harassment, stalking, voyeurism, acid attacks, indecent gestures like words and inappropriate touch, etc. The new laws have provisions for increased sentences for rape convicts, including life-term and death sentence, besides providing for stringent punishment for offenses such as acid attacks, stalking and voyeurism.

- (ii) The Ministry of Home affairs is overseeing the notification and implementation of Victim Compensation Scheme (VCS) in the States/UTs. All the States/UTs has notified their respective VCSs with the objective to support and supplement the existing VCSs notified by the States/UTs and reduce disparity in the quantum of compensation, paid for victims of similar crimes in different States/UTs. A central victim compensation Fund (CVCF) with an initial corpus of `200 crore has been sanctioned. A provision to sanction upto `5 lakh to victims of acid attack has also been made from this Fund.
- (iii) The Ministry of Home Affairs has issued an advisory on 22.04.2013 whereby the States/ UTs were requested to raise the women representation in Police to 33%. As far as Police forces in UTs are concerned, Ministry of Home Affairs has already taken a policy decision in this regard.
- (iv) Ministry of Home Affairs has issued a comprehensive advisory dated 12.05.2015 on Comprehensive approach towards crime against women which inter-alia emphasizes
 - (a) Registration of Crime against Women
 - (b) Increasing representation of women in Police
 - (c) Some women specific measures that need to be adopted
 - (d) Increasing Gender Sensitivity in police
 - (e) Strengthening of investigative apparatus on crime against women
 - (f) Maintaining database of criminals having history of sexual Crimes
 - (g) Adherence to newly enacted legislations and Hon'ble Supreme Court Guidelines
 - (h) Speedy trial of cases
 - (i) Lack of forensic laboratories
 - (j) Social connotation of crime against women and
 - (k) Creation of cyber cell to tackle cyber crime.
- (v) Ministry of Home Affairs has issued another advisory dated 20.04.2015 on expediting cases of acid attack on women. Under Central Victim Compensation Fund special financial assistance of `5.0 lakh to acid attack victims has been provided.
- (vi) Ministry of Home Affairs had decided to set up 150 units of investigating units on crime against women (IUCAW) in different States/UTs to create dedicated investigative capacity to a fast track investigation into heinous crimes against women like dowry death, acid attack, human trafficking, rape etc. Central Government is supporting the state on 50:50 fund sharing pattern. Now it has been decided to further increase the number of such units to 564 in the country. The Bureau of Police Research and Development (BPR&D) under the Ministry of Home Affairs has been supplementing the efforts of the States/UTs by organizing various programs and workshops to sensitize police officers at various levels in the States towards prevention of crimes against all vulnerabilities.

Nirbhaya Fund: A corpus fund called 'Nirbhaya Fund' has been set up by the Government of India in 2013 for supporting initiatives by the Government and NGOs working towards protecting the dignity and ensuring safety of women in India. The Ministry of Home Affairs and the Ministry of Women and Child Development, along with several other concerned Ministries, have worked out the details of the structure, scope and the application of this Fund. In pursuance of the aforesaid announcement, an integrated Computer Aided Dispatch (CAD) platform is envisaged which will support a Geographical Information System (GIS) Based Call Taking which will receive the call and dispatch a Global Positioning System (GPS) fitted Police vehicle to the spot. This will help to improve the efficiency in responding to distress calls made by women and provide speedy assistance.

The distress/emergency alarms generated by landlines/mobiles, email, chat, SMS, internet of things, voice over internet and more specifically those generated by women through mobile phone applications or individual devices pioneered by the Department of Information Technology (DIT) would be tracked.

Department of Telecommunication has allotted emergency number '112' for this system. The project involves overall expenditure of `321.69 crore from the Nirbhaya Fund.

Crime against Women: Sexual Harassment- Dowry

In 1985, the Dowry Prohibition (maintenance of lists of presents to the bride and bridegroom) rules were framed. According to these rules, a signed list of presents given at the time of the marriage to the bride and the bridegroom should be maintained. The list should contain a brief description of each present, its approximate value, the name of whoever has given the present and his/her relationship to the person. A 1997 report claimed that at least 5,000 women die each year because of dowry deaths, and at least a dozen die each day in 'kitchen fires' thought to be intentional. The term for this is 'bride burning' and is criticized within India itself. Amongst the urban educated, such dowry abuse has reduced dramatically.

Child Marriage: Child marriage has been traditionally prevalent in India and continues to this day. Young girls live with their parents until they reach puberty. In the past, the child widows were condemned to a life of great agony, shaving heads, living in isolation, and shunned by the society. Although child marriage was outlawed in 1860, it is still a common practice. According to UNICEF's "State of the World's Children-2009" report, 47% of India's women aged 20–24 were married before the legal age of 18, with 56% in rural areas. The report also showed that 40% of the world's child marriages occur in India.

Female infanticides and sex selective abortions

Sex-selective abortion and infanticide:

India has a highly masculine sex ratio, the chief reason being that many women die before reaching adulthood. Tribal societies in India have a less masculine sex ratio than all other caste groups. In spite of the fact, tribal communities have far lower levels of income, literacy and health facilities. It is therefore suggested by many experts, that the highly masculine sex ratio in India can be attributed to female infanticides and sex-selective abortions.

Domestic violence:

The incidents of digestive violence are higher among the lower Socioeconomic Classes (SECs). There are various instances of an inebriated husband beating up the wife often leading to severe injuries. Domestic violence is also seen in the form of physical abuse. The Protection of Women from Domestic Violence Act, 2005 came into force on October 26, 2006.

Mental stress:

"Those women police who are the only earning members in their family are even subjected to harassment by their husbands and other family members," Ms Bedi said.² "This puts them under a lot of mental stress." A recent survey funded by the British High Commission in India said there was enough evidence to indicate that gender issues affected the equality of opportunity for women in the work place. According to the survey, 58% of women in the police said they had been held back from exercising their authority. It showed that 49% said their ideas were not followed while 45% said a mistake made by them was attributed to their gender. "Being a woman in the police is a punishment," the report quoted one female officer as saying.

Aruna Bahugana, an officer from the southern state of Hyderabad, told the BBC that male officers felt policing was too difficult a job for women. She said women had to empower themselves and speak out whenever they faced discrimination.³

Corruption

The level of police corruption in India is breathtaking. According to a 2005 report by "Transparency International India", more than one tenth (12%) of all households in India has reported to have paid bribes, in that year, to the police to get service, and 87% of those who interacted with the police perceive it to be corrupt.

² Sen, Ayanjit, India's Women police Fight Discrimination, BBC News, 21st February, 2002. (http://bbc.co.uk/2/hi/south_asia/1834498.stm).

³ Sen, Ayanjit, India's Women police Fight Discrimination, BBC News, 21st February, 2002. (http://bbc.co.uk/2/hi/south_asia/1834498.stm).

The most people (60%) who encounter the police face an indifferent attitude, which is often a signal that they should pay a bribe. There are also cases where torture would result if the bribe isn't paid. The complaints of bribery are likely to bring about retribution by the police. It should be noted that perceptions of police corruption do not differ dramatically between low police staffed states and high staffed states, thus strengthening the argument that corruption is not merely due to police overextension and lack of suitable infrastructure, even though that is a real concern as well. Not only is corruption rampant, it is done in the open. 81% of those who paid bribes reported doing so directly to police officers rather than middlemen. This suggests that bribery itself has become institutionalized and that some instances of it are not even perceived as deviant..

The ramifications of corruption are wider than just a diversion of needed resources and the undermining of investigations.

NHRC statistics indicate that in the years between 2003 and 2008, 7,468 persons at an average of 1,494 persons per year of 4 persons per day have died in police and prison custody in India. However, the real numbers are much higher. Cases of persons whose torture did not lead to death are not recorded and the NHRC does not distinguish between "normal" custodial death, such as old age, and death resulting from torture.⁴⁸ According to one estimate, there are 1.8 million cases of torture, ill treatment, and inhuman behavior in India every year. The number of actual prosecutions from these numbers is staggeringly low. Despite having about 1,500 cases of (reported) custodial death per year, only 4 police officers were convicted in 2004 and 3 officers were convicted in 2005.

Last but not the least the women police is demand of the time. Women police are playing very important role around the world. Many developed countries have more women police who are serving their respective nations. India is a second most populated country in the world and half of the population is women. But there representation is very low in the police department. It is a matter of great concern. There representation should be atleast 33 percent as per government norm. The government should take the initiative to provide them good training in school itself so that choose the police as career in future and serve the nation. It is also important because the crime against women are increasing day by day. The rape, murder, torture, sexually exploitation domestic violence, child marriage, dowry death, ill treatment and discrimination are very common in India. There is the need to change attitude of men towards the female. It could be possible only after providing them empowerment through education and job. The police profession is one of the important and challenging professions for women. It enhances the power and status in the society. The women police not only protect themselves but can also protect the girls and women in the society. The women police can become the role model for young generation. It will reduce the crime against women in the society. It will reduce the police brutality in the police custody as well. The women police have the power to reduce the corruption from the system as well as from the society. The women police have a bright career as a profession. It will also help to be a part of nation building process and established the good moral values in the society.

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