Towards a More Humane Police Force

What is the issue?

Chief Justice of India N.V. Ramana expressed concern at the degree of human rights violations in police stations in the country

What does NCRB data reveals?

- Human rights violations in police stations include
    1. torture
    2. custodial deaths
    3. atrocities against women
    4. fake encounters, etc.
- An average of about 100 custodial deaths have taken place every year between 2010 and 2019
- A judicial inquiry which is mandatory for every suspicious custodial death was conducted in 26.4 cases
- Ratio of the number of arrests to the number of IPC offences has decreased from 1.33 in 2010 to 0.96 in 2019
- On an average about 47.2 criminal cases were registered annually against policemen in last 10 years

As per the NCRB data, Tamil Nadu ranks on the 2nd spot in number of custodial deaths behind Uttar Pradesh

What are the reasons for human rights violations?

- to extract quick confession from the suspect
- to teach the person concerned a lesson
- taking law in their own hand through extrajudicial actions
- to assert power or authority

What are the safeguards available in this regard?

Constitutional safeguards

- **Article 21** - Right to life, Right of persons to life with human dignity. For example, handcuffing is prima facie inhuman

- **Article 22** - Rights to the arrested and detained persons
    - right to be informed of the ground of arrest
    - right to consult a lawyer and to be defended by a lawyer of his choice
    - right to be produced before a magistrate within twenty four hours

International efforts

- **Universal Declaration of Human Rights (UDHR) -** No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment
- **International Covenant on Civil and Political Rights -** Every human being has the inherent right to life and no one shall be arbitrarily deprived of his life

What kind of reforms are needed?

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- **Reducing the number of arrests** - arrests should be made only when it is necessary to prevent the person from tampering with evidence, committing any further offence,etc.
- **Separation of investigating police-** the investigating police should be separated from the law-and-order police to ensure better expertise in investigation
- **Increase in number of investigating officers -** Malimath Committee recommended that an investigating officer should preferably investigate not more than 10 cases every year
- **Subject experts -** With increase in newer types of crime like white collar crime and cybercrime, subject experts are needed
- **CCTV cameras -** Supreme Court has directed States to install CCTV cameras in police stations with a storage facility of audio-video recording for 18 months
- **Scientific tools of interrogation -** like the lie detection test, narco test and brain fingerprinting test must be encouraged
- **Display boards on human rights** - CJI suggested to install display boards on human rights to disseminate information about the free legal aid services to deter police excesses

Source: The Hindu



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