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Promoting Good Practices and Standards



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Editorial

Mob violence has added to the list of challenges and problems plaguing our internal security and policing scenario. The gory and ghastly incidents of mob violence breaking out in one or other part of the country merit serious debate and some hard decisions. The media, as is wont, reported the incident of mob violence with all hype and hoopla. It covered these gut wrenching incidents with its unwavering focus on TRP rating, blaming the police and security apparatus without delving into its cause and effects. The media, with few exceptions, missed the tree for the wood.

The growing incident of mob violence is the cause and effect of our flawed criminal justice system. As one renowned Hon'ble Judge of Supreme Court has aptly commented that more mob violence would follow, if justice is delayed and pending cases keep on piling. The lack of efficiency on part of police is also to be blamed for people losing faith in the system and resorting to random mob violence. But putting police in dock for the growing mob violence would be akin to simplifying the issue having deep roots in the socio-political and economic system of the country.

In western countries the police has been instrumental in mobilizing people to vigilantism and it has resulted into what is known as community policing. Though the context has been different from our country, the fundamentals remain same: Reform and empower police in real sense of the term. While the world has changed, and the society has undergone a sea change; the criminals and terrorists have become tech-savvy, our policing system remains stuck in *danda*-wielding era of 50s, botched by outdated training modules, skill and gadgets. What is needed is outright police reform, which has been gathering dust in the hierarchy of power since 2006, when a judicial verdict of setting deadline and parameters for police reform was pronounced.

Coming to the IPJ issue of July-September 2007, we are covering various aspects of policing and internal security ranging from crime scene investigation to sex offenders, and from cyber crime to community policing. The policing in technology-driven globalized era has become diverse and multi-faceted, and we must be aware of these facts. Hence, in this issue we are dealing with various and diverse aspects of modern-day policing.

In the article, 'Crime Scene Investigation: The Foundation Stone of Crime Detection, Investigation and Prosecution', by Dr. B.P. Maithil and Rajesh Mishra, IPS, underlines the importance of crime scene investigation and how it can act as foundation stone of crime detection and prosecution.

Shri H. S. Bhawara and Baljit Kaur, in their article titled as 'Sex Offenders: A Socio-psychological Aspect' maintain that sex offence is a socio-psychological crime and it should be dealt with accordingly. The main focus of the article is the reaction of the society to sex offenders and their treatment.

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Editorial

The article, 'Cyber Crime- A Global Concern' by Shri Vishwanath Paranjape discusses the various types and aspects of the cyber crime. It underlines the global dimension of the cyber crime and how it can adversely affect our internal security.

Shri T. Krishna Prasad, IPS, in his timely article, titled as 'Trafficking in Persons- An Overview' deals with the types, causes and prosecution of traffickers in persons. He maintains that trafficking in persons leads to substantial damage to our human resources and it is a challenge for effective policing.

The article titled as 'Measuring the Efficacy Levels of Police Training Officers' by Vijaya Somasundaram and Dr. Beulah Shekhar discusses how to measure the efficacy level of police training Officers. They argue that the development of such measure 'requires a careful assessment of the semantic structure of the tool used and elements viewed as resource or barriers' by training officers.

Shri B. R. Rawat in the article 'Forensic Chemistry in the Investigation of Narcotic Drugs and Psychotropic Substances' maintains that forensic chemistry can be very useful in cracking the cases of narcotic drugs and psychotropic substances through drug characterization and impurity profiling studies.

The article, 'A Time to Empower Woman' by Shri T.G.L. Iyer deals with the empowerment of women and how can it usher in the era of prosperity and all round development in the society. The best way to empower the women is through education.

Shri Anurag Garg in his article, 'Road Safety- The Path Ahead' discusses the different aspects of road safety. He asserts that police investigators must pay attention to investigation of road accidents, using scientific aids and tools to ensure effective prosecution.

Shri Om Raj Singh in an article titled as 'People's Perception of Women Police' discusses how general people view women police. He maintains that people's perception of woman police is good and this can help in speedy and effective trial of cases pertaining to child and women.

The article, "Changing Public Expectations and Community Policing' by Dr. Anand Kumar Tewari delves into different nuances of public expectations and community policing. He argues that for effective community policing and fulfilling the changing expectations of people, the recommendations of the National Police Commission should be implemented.

We hope that these articles would help in clearing doubts and misconceptions, to some extent, about police and policing in our society.



Gopal K.N. Chowdhary
Editor

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Abstracts & Key Words

Crime Scene Investigation : The foundation stone of crime detection, investigation and prosecution

*Dr. B.P. Maithil and Rajesh
Mishra*

Key Words

Crime investigation, Prosecution, Scene of crime, Physical evidence, Homicide, Crime scene management, Forensic expert, Medico-legal expert, Ballistics expert, Court of law.

Abstract

“The crime scene is a place or physical entity, where tangible and potential evidence relating to a crime is found.” Crime scene investigation is the foundation in all heinous crimes, especially homicides. Collection of physical evidence from the crime scene is the most important part of investigation. In the contemporary society, investigating officer often may not have full understanding of the practical needs and constraints involved in scientific analysis of evidence, which are likely to negatively affect their ability to identify vital evidence. Truly, the most challenging and the most important aspect of any physical evidence examination begins at the crime scene. The recognition, documentation and collection of physical evidence are crucial steps needed to get information from physical evidence. These tasks can be accomplished only with the criminalist or crime scene investigator

who has special knowledge, skills and abilities. The fundamental tasks involved in any crime scene include securing the crime scene, proper searching and documenting the crime scene, and recognizing, collecting and packaging of physical evidence. No amount of work or dedication in the laboratory can ever substitute for a poorly preceded crime scene. In some cases like arson, explosion, road accidents and firearm, the expert needs further knowledge, skills and abilities in particular subject areas in order to provide crime scene reconstructions and connect the information and render an opinion regarding the events of the crime. Investigative leads can be obtained from crime scene as physical evidence is a silent witness which can help to show that a crime has been committed, the *corpus delicti* and give insight to the perpetrators’ method of operation, the modus operandi etc. Thus, the crime scene investigation is the foundation for the role of the criminalist to recognize and collect these evidences at the crime scene and, through the rigorous examination of physical evidence in the laboratory, help make the facts of the case clear for an investigator, judge or jury.

Sex Offenders : A socio- psychological study

H.S.Bhawara and Baljit Kaur

Key Words

Sex offender, Treatment, Forensic and Socio-psychological aspect.

Abstract

Sex offenders are perhaps the most detested individuals in today’s society. The most appropriate way of addressing sex offenders continues to be an issue debated among psychologists, criminologists, private citizens and the legislature. Since the late 1980s, there have been numerous movements calling for tougher penalties for sex offenders by law enforcement, legislatures and communities. These movements support chemical castration, community notification, formalized registration and civil commitment. At first glance, such actions may appear as proper precautions to ensure the safety of society against further victimization by convicted sex offenders. However, these actions also need to be examined in terms of whether they serve their intended function of curbing recidivism. Further, one needs to question whether the constitutional rights of the offender are violated. The focus of this article is on the society’s reaction to sex offenders and their treatment.

Cyber Crime—A global concern

Vishwanath Paranjape

Key words

Cyber Crime, Internet, ARPANET, Internet Protocol, World Wide Web, Hackers, E-commerce, Information Technology Act 2000, Access, Indian Penal Code, Cyber Terrorism,

Cyber Criminals, Cyber Law, Global concern.

Abstract

The advent of computer age has undoubtedly proven a boon to mankind so far as faster communications, easy access of information and storing of wealth of knowledge are concerned. In fact, it has proved a better and viable substitute to functioning of human mind. But as the saying goes, “all that glitters is not gold”, this highly sophisticated technology of Internet system has its own pitfalls. As an offshoot of the development of computer technology, criminal activities in the form of cybercrime have emerged posing a challenge before law enforcement agencies. Significantly, these crimes involve both, the use of computer as an instrument for committing the cyber crimes and at times, computer itself becomes a target of crime, such as viruses, sabotaging a computer system, theft of data input or intellectual property and so on. Some of the computer related crimes, to name only a few are stalking, data-adding, E-mail spoofing, internet frauds, child pornography etc.

Since cyber criminality has become a global phenomenon, the countries all over the world are striving hard to combat this menace. Not lagging behind, India has also enacted a comprehensive legislation called the Information Technology Act, 2000 for the prevention and control of cybercrimes apart from amending as many as twenty

Sections of Indian Penal Code in order to bring offences relating to electronic documents or records within its fold.

The impact of cyber space criminality is so great that international community is making untiring efforts to work out a globally acceptable uniform law to curb this evil, but there are certain vital issues such as socio-economic diversities, policy considerations, lack of uniformity in procedural laws, jurisdictional problems etc., which are impeding the process of universalisation of cyber laws. The present article is intended to highlight some of these vital aspects of cybercrimes and measures to prevent their incidence.

Trafficking in Persons – An overview

T. Krishna Prasad

Key Words

Sexual exploitation, Begging and Child Labour, Child Camel Jockey, Psychological and Physical harm.

Abstract

About two million persons are trafficked every year all over the world. People are trafficked for many purposes. But men, women, and children are trafficked for forced labour into construction, agriculture, shops, and factories. Children are trafficked for camel jockeying, and to be child labours, or into brick factories, rug-making, sweetshops, or cocoa plantations because their small bodies and little fingers are useful in making or packing these products.

Women and children are trafficked for domestic servitude and sexual exploitation. Generally speaking, almost every country in the world has trafficking problem. Countries can be divided roughly into countries of origin (usually the resource-poor countries or countries that are politically or economically unstable); countries or destination (usually resource-rich developed countries, where demand is located); and transit countries (countries along a trafficking route, where traffickers have safe passage and harbour). Some countries, such as India, Thailand and Nigeria, are countries of origin, transit, and destination.

The loss of family and community support networks makes traffickvictims vulnerable to traffickers' demands and threats, and it contributes in several ways to the breakdown of the social structures. Trafficking tears children from their parents and extended family. The profits from trafficking allow the practice to take deep roots. India is an Origin, Transit and Destination country for women, men, and children trafficked for the purposes of sexual and labour exploitation. Indian men and women are trafficked into situations of involuntary servitude in countries in the Middle East and children may be forced to work as beggars or camel jockeys.

Measuring the efficacy levels of Police Training Officers

Vijaya Somasundaram and Dr. Beulah Shekhar

Key Words

Self-efficacy, Trainer/Teacher

efficacy, Semantic Structure, Resources, Barriers.

Abstract

Training the trainer is an important issue and its starting point is an evaluation of the trainers' efficacy beliefs. To develop a suitable measure of police training officers' efficacy requires a careful assessment of the semantic structure of the tool used and elements that are viewed as resources or barriers by the officers, either in the external environment or within themselves.

A time to empower women

T.G.L. Iyer

Key Words

Feminine mystique, Independence through education, SEWA, 33 percent representation, Self-esteem, Hole in the soul, Partner, Joint-effort, Empowerment instead of exploitation.

Abstract

Woman is dependent, first on father, then on the husband and later on the son. Woman should develop identity, dignity and status. Girls are considered as liabilities instead of assets. Education of women can lead to independent thinking and establish an identity. SEWA in Ahmedabad is a movement making women self-reliant. 33 percent reservations for women will not work unless it is implemented in practice. The experience of insufficiency should be converted into self-reliance, courage and freedom. Self-esteem should be inculcated in women. It is only the

man who can empower the woman; Instead of a fault-finder, man should be a good human being. The secondary position of the woman in society and home should become primary which is possible only when she is given a leading and positive role to play in the affairs of the community.

Road Safety – The path ahead

Anurag Garg

Key Words

Growth in fatal accidents, Scientific investigation, Vulnerable road users, MV Act 1988, Driving licenses, Lax regime, Driver's comfort, Vehicle design, Regulating working hours, Benchmarking repair work shops, Strict enforcement, Serious traffic offences, Non-motorized transport, Road safety education, National Road Safety Council.

Abstract

In 2003, about 84,430 persons lost their lives in road accidents and about 3.8 million suffered injuries imposing a heavy socio-economic cost to the nation. In the absence of scientific investigations of road accidents, the real causes and consequences are not known and it is difficult to plan remedial measures. Police investigators must pay more attention to investigation of road accidents and use scientific aids not only to ensure conviction of offenders but also to understand the extraneous factors responsible for accidents. The available data suggests that passengers travelling in buses, trucks and lorries constitute 38% of the total fatalities. Also,

heavy vehicles are involved in majority of the fatalities among vulnerable road users. Thus, there is a need to examine the safety issues concerning heavy transport vehicles. Liberal regime of issue of driving licenses, unregulated design of bus and truck bodies, poor driver comfort in transport vehicles, unregulated working hours of transport drivers, poor standard of repairs in roadside workshops and weak enforcement of serious traffic offences are responsible for poor road safety in the country. Apart from addressing these issues, some policy initiatives like safeguarding, interests of vulnerable road users and non-motorized vehicles in the planning, designing, development and maintenance of road networks including road safety in educational curriculum of schools to increase awareness about road safety and to nurture good road etiquettes are required. Road safety is a serious issue which has to be addressed by adopting multidisciplinary approach at various levels of governance with active cooperation of all stakeholders and civil society through concerted and sustained efforts.

People's perception of women police

Dr. Om Raj Singh

Key Words

Masculine domain, Equanimity, Expectation, Homogeneous entity, Prime goal, Assessment, Potentiality, Validation, Assumption, Perception, Phenomenon, Humanitarian, Performance,

Perspective, Sympathetic, Empathy, Cruelty, Torture.

Abstract

The concept of women police is relatively a new phenomenon but with the expansion of women police in the police organization, there has been a demand for a separate women police station. Women are not bold enough by nature and not quite sure whether their problems will be listened and understood in the right perspective and whether they will receive a sympathetic hearing. In addition they perceive a danger to their personal security as number of cases were reported to the media where women were molested by the police men. Our constitution accords special attentions to the concern and problems of women, accordingly a number of laws have been enacted to protect interests of women. Important changes were incorporated in the IPC and the criminal procedure code in the year 1983. As per the provisions of this Act, cruelty in terms of mental and physical torture, abetment to suicide of a woman by her husband or husband's relatives is punishable with imprisonment for a term upto three years and also liable for fine. This Act has also provided for a thorough enquiry by a police officer for death of a woman within seven years of marriage. A nation can progress only if the other half of its population is free from any sort of exploitation. Perception of people about women police is good and introduction of women police will

be healthy for the trial of women and children.

Changing public expectations and community policing

Dr. Anand Kumar Tewari

Key Words

Public Expectations, Role of Media, Empowerment of Women, Community Policing, Vigilantism, Community Participation, Police Public Partnership.

Abstract

The expectations of the public are changing with time. There is a challenge in front of the police to meet these expectations. Community Policing will go a long way in meeting the changing expectations of the public. Public opinion is depicted by the pictures inside the brains of the people. Police should have capacity to gauge changing aspirations of people. Expectations are changing. Over a period of time aspirations of people change. During the Hawala scam, several Ministers had to resign. This is a change over a period of time. Perceptions become visible in infrastructure. Among the Civil Services, people don't prefer Indian Foreign Service today. It is not a sudden change. During the last few years, the Masters of Business Administration degree has got more importance. Till 1991, it was an ordinary degree. During 1992 to 1994 Business finance of the Masters of Business Administration became important. Now again the barometer has fell. Entry of women in the rank

of Indian Police Service officer and Sub Inspector is a change. Police Manuals are very old. There is a need to review the Official Secrets Act. Secrecy should be based on commonsense. The Government of National Capital Territory (NCT) of Delhi is one of the few States to enact the Right to Information (RTI) Act. It has been successful in creating awareness amongst people regarding the infrastructure and civic works in their area. However, there have been complaints in several cases where the Act has been misused to gather information against an individual. Recommendations of the National Police Commission should be implemented. Changing attitudes of public have become visible over a period of time particularly during last decade and last 2-3 years. The Government of India has initiated various media and documentation support in the forms of Campaign, Legal Literacy Manual, etc. The Mass media under the control of the Government of India are also telecasting relevant programmes and information for the purpose. Police should use scientific methods of detection of crime. Crime prevention is the job of police. More and more people will start asking for crime prevention. Preventive methods of police should be strengthened. On radio, television and newspapers preventive methods should be publicized; for example, to prevent burglary, when you go out, keep television on and front room light on.



Key Words

Crime investigation,
Prosecution,
Scene of crime,
Physical evidence,
Homicide,
Crime scene management,
Forensic expert,
Medico-legal expert,
Ballistics expert,
Court of law.

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CRIME SCENE INVESTIGATION : THE FOUNDATION STONE OF CRIME DETECTION, INVESTIGATION AND PROSECUTION.

Dr. B.P. Maithil* and Rajesh Mishra**

Introduction

The term “*crime scene*” has now become established in its application to the meeting place of the persons involved in the crime, who exchange traces with one another and with the scene, leave odds and ends and marks of tools, wearing apparels, means of transport, hands and feet. It provides rich information to establish *corpus delicti*, to link between the criminal, the victim and the scene and finally to evaluate the pattern of events. Except in case of forgery where, the utility is limited, otherwise the crime scene is of great importance in almost all crimes. The success or failure of the investigation depends entirely upon the proper handling of the crime scene, as the opportunity to examine is available only once, and if not fully exploited, the vital information may be lost for ever. The significance of crime scene has rocked sky high in recent years. A few years back, the investigating officer examined the crime scene only as a legal formality and solved the crime through his interrogative skills and concept of eyewitness. In

recent years this concept is disappearing due to several reasons in our society. He is now being increasingly restricted by the social and political pressures to muster eyewitness. Moreover, due to improper scientific knowledge, he had no faith in their efficiency, and now he is unable to beat the trodden path. Most of the stock witnesses get hostile. The rate of convictions is dipping down alarmingly. Now, the investigating officers are looking for crime scene examinations with a scientific approach. They realize that the crime scene has the potential to establish the identity of the offender, and its object of crime, the victim and his surroundings, the *modus operandi*, the weapon of crime, and the linkage between the criminal, the victim and the scene. It is now potentially accepted that the crime scene examination provides the proof beyond reasonable doubt, the resounding refrain of the judiciary.

Evidence found at crime scene, not just corroboratory, but often provide the only decisive evidence in many cases; hence, it has



acquired a new feature of crime investigation.

Management of crime scene

A successful crime scene investigation needs several requirements, which are described below.

A quick response time

An immediate response is always needed, otherwise, the potential clue materials available at the crime scene may be destroyed by relatives, friends of victim, suspect and its associates, curious media persons, weather, and by high ranking police officers. Recent revolution in means of transportations and communications helped to reduce the response time. Awareness towards forensic science is also helpful for crime scene protection as the first person who approach the spot is always the complainant. Thus, the excellent way to handle the crime scene in an efficient and successful manner is the reduction of response time.

The scene of crime unit or “clue team”

The crime scene investigation is required to be conducted by trained, skilled and efficient person with legal backing to provide better proof against a criminal, beyond reasonable doubt.

The forensic expert with improved mutual exchange of information with investigating officer has a vital responsibility to conduct crime scene investigation. The role of forensic expert at the crime scene is strictly advisory. However, the protection of crime scene, collection, preservation, packaging, sealing and dispatch of physical evidence are to be done by the investigating officer and his team who has been assigned forensic expert in his turn carries some preliminary scientific examinations to weed out irrelevant artefacts. The forensic expert at the crime scene has to assist the investigating officer in the following:-

- to establish *corpus delicti*.
- to ascertain real or false nature of the crime.
- to identify the clues, latent, minute, hidden.
- to provide possible leads to locate the criminal, by connecting evidences and modus operandi.
- to reconstruct the crime scene to dig out the sequence of crime.
- to link or de-link the crime with others.
- to identify the criminal and provide line of investigation.

Crime scene photography

Scene of crime unit should always include photographer and in some cases videographer also.

Abstract

“The crime scene is a place or physical entity, where tangible and potential evidence relating to a crime is found”. Crime scene investigation is the foundation in all heinous crimes, especially homicides. Collection of physical evidence from the crime scene is the most important part of investigation. In the contemporary society, investigating officer often may not have full



understanding of the practical needs and constraints involved in scientific analysis of evidence, which are likely to negatively affect their ability to identify vital evidence. Truly, the most challenging and the most important aspect of any physical evidence examination begins at the crime scene. The recognition, documentation and collection of physical evidence are crucial steps needed to get information from physical evi-



Photography is one of the most important tool of the crime scene investigation. "One picture is worth of a thousand words" this statement certainly appropriates the value of crime scene photography. Crime scene photographs are practical and valuable tools for investigative point of view for:-

- Documentation of crime scene, location of *corpus delicti*, potential clues, the routes of entry and exit.
- Collection of significant details, which may have been overlooked.
- Refreshing the memory of witnesses, investigating officer and forensic expert.
- Linking the circumstantial evidences.
- Reconstructing the crime scene and
- Providing a visible piece of evidence before the court of law.

Evidences like finger print, shoe print, footprint, tire mark, tool marks are located, developed and matched with photography only.

Medico legal expert

In heinous offences against person like homicides, medico-legal expert proved to be critically helpful and provides:

- Cause of death, time of death and mode of death.

- Nature of the injuries and their status whether these are ante-mortem or post mortem.
- Injuries caused are by the accused or self-inflicted.
- Type and number of weapons used by the accused.
- In case of suspicious death whether it is a suicide, a homicide or an accident.

Ballistics Expert

Cases involving abuse of firearms are increasing with a significant number in recent years. In such cases crime scene examination by a ballistics expert seems to be essential. His role at crime scene is:

- to ascertain the nature, calibers and number of firearms used in the crime;
- to find out the range and direction of fire;
- to locate the projectiles scattered at crime scene;
- to eliminate suspect weapons on the basis of preliminary examination of gun-shot residues, injuries and projectiles; and
- to provide possible sequence of crime by reconstruction.

Need of other Experts at crime scene

A growing necessity of other specialists is often required



depending upon the nature of the crime. This includes Explosive expert in all explosive cases in order to find out nature and intensity of explosion. Forensic Anthropologist to identify human remains, forensic Deontologists in cases like mass disasters to identify victims on the basis of teeth pattern. Document Expert in cases involving handling of delicate documents like burnt and fragile written notes as well as in letters found a crime scene of suicidal cases.

Narcotic drug analyst is often required if there is a case of drug intake at youth parties, which is catching up now a days. Finally, today it is a computer era. So, there is a growing necessity of computer expert to deal with cyber crimes more effectively.

Crime scene examination report before court of law

The forensic science and crime scene examination form a unique partnership with law enforcement agencies and the law. The forensic expert who visits the crime scene has three important roles. First, he conducts examination of crime scene by analyzing physical evidences found at crime scene. Secondly, he advises the investigating officer to send physical evidences to the laboratory with proper preservation and packaging.

Finally, he communicates and interprets the findings in the court of law. Proper documentation of crime scene report is the basic need. Failure of this in the court may destroy the findings from the crime scene. The documentation of crime scene report should include the following:-

Basics information

Case number, section, date and time of information, name of police station and name of investigating officer etc.

Crime scene

Location and condition of crime scene, nature of crime scene, weather conditions, lighting status especially in the night.

Description of crime scene

Condition and position of the deceased, any object of offence left at crime scene, evidence about presence of culprit, the modus operandi, details about visible or trace evidences.

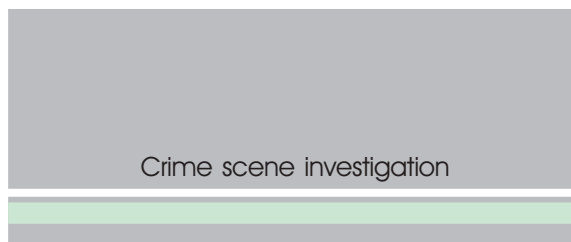
Sketch

Sketch should be drawn at crime scene itself. It may be drawn to scale or may not be, but should contain all relevant details. The ultimate purpose of such a sketch is the graphic presentation of the facts of crime.

dence. These tasks can be accomplished only with the criminalist or crime scene investigator who has special knowledge, skills and abilities. The fundamental tasks involved in any crime scene include securing the crime scene, proper searching and documenting the crime scene, and recognizing, collecting and packaging of physical evidence. No amount of work or dedication in the laboratory can ever substitute



for a poorly precede crime scene. In some cases like arson, explosion, road accidents, fire-arm, the expert needs further knowledge, skills and abilities in particular subject areas in order to provide crime scene reconstructions and connect the information and render an opinion regarding the events of the crime. Investigative leads can be obtained from crime scene as physical evidence is a silent witness which can help to show



Photography

Photography speaks a thousand words with single photo. Thus, photography is the most important document of the crime scene examination. Videography makes the scene alive for ever and can provide all details in a few seconds. Thus, the court can visit the crime scene in the court premises. In the recent years digital photography is the best way of recording the crime scene - its versatility, no studio work immediate results make this much more effective. Apart from traditional photography, polylight, UV light, infrared light and laser are used to locate the trace evidence like fingerprints, foot prints, tyre marks, hairs, fibers, washed blood or semen stains.

Collection of evidence

To produce an article as physical evidence before the court it:-

- must properly be identified;
- must show a proper chain of custody;
- must be relevant and
- must fulfill all legal requirements.

Possession of evidence

It is advised that the number of evidence handlers should always be the minimum. The best sequence

would be : Scene of crime to investigating officer, to the laboratory and finally to the court of law.

Thus, the most important and delicate handler is the investigating officer. He should record the name of persons involved in the following:-

- Location, collection, preservation, packaging and sealing.
- Witnesses of each step.
- Dispatch to laboratory.
- Receives from laboratory.
- Produces in the court.

In this way proper record can be made to maintain the chain of custody of evidence.

Expectations from forensic expert

The author has been working in scene of crime unit for a long period. Whenever the unit visits the crime scene, almost every investigation officer seeks for an immediate and preliminary finding about the crime at the scene itself. They often ask about the nature of the case whether it is a homicide, suicide or an accident in suspicious deaths; cause of fire in arson cases, possible finger, footprints in theft or robbery cases. The author feels that it is their immediate need just to get the line of investigation on which they can proceed quickly. The author has

Crime scene investigation



experienced that most of the investigating officers are not bothered about the outcome of the laboratory reports of physical evidence which they sent for examination due to some practical reasons like:

- the reports from laboratory often come after a long period;
- the reports are normally summoned by the court, hence investigation officers have least interest about the contents of the same;
- sometime the investigating officer is transferred from his place of posting; and
- sometime they often get engaged in some other much more important work.

Looking to the above reasons, preliminary findings of crime scene examination served a lot for the benefit to the law enforcement agencies.

Conclusion

As crime detection improves, through advances in forensic science, criminals may find other ways of covering their tracks. Some may find high-tech ways of leaving false tracks from crime scene, others may resort to more data by ways of actually destroying the crime scene altogether through arson or explosions. Therefore, the crime

scene examination is very relevant in today's crimes. In the coming era crime scene investigation will become imperative for all types of heinous crimes. The present day scientific investigation of crime needs strengthening, which can not be done without forensic science support service like crime scene examination, since no crime can take place where there is no mutual contact between the accused, the victim, place of occurrence and other material objects, so that they can present clue materials which can answer the following questions before the investigating agency of crime:-

- Has any crime been committed?
- How and when the crime was committed?
- Whether the versions of eyewitnesses are true or false?
- Whether a suspected person is guilty or innocent?

Perspectives

Thus, crime scene investigation is almost important and would make it more effective in crime investigation. The approach to investigation should always be guided by the findings at crime scene observed by forensic expert because the investigating agency is very often baffled to solve these crimes due to improper scientific knowledge. In India, most of the

that a crime has been committed, the *corpus delicti* and give insight to the perpetrators method of operation, the modus operandi, etc. Thus, the crime scene investigation is the foundation for the role of the criminalist to recognize and collect these evidences at the crime scene and, through the rigorous examination of physical evidence in the laboratory, help make the facts of the case clear for an investigator, judge or jury.

investigations are done by police officer up to rank of sub-inspector or inspector; hence many points may be missed as they, at times, do not have update scientific knowledge of crime investigation. Although apart from forensic science laboratories, several states have scene of crime or clue unit in India, but looking at the importance and expectations from investigating agencies these units need to be strengthened with modern facilities and legal backing. The physical evidence recovered during investigations of crime scenes is one of the critical areas in contemporary law enforcement. Often, the facts and tangle items of evidence derived from these investigations make the difference between success and failure when a case is brought to trial. With the evolution of the scientific aspects of forensic science, more attention must be paid at crime scenes to recovering and maintaining the integrity of evidence, which will be eventually examined by specialists in the laboratory. At the last we should not forget that the ability of laboratory to provide scientific interpretations is dependent to a great

extent on the recognition, recovery and documentation of evidence at crime scene.

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SEX OFFENDERS : A SOCIO-PSYCHOLOGICAL STUDY

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Introduction

Sex offenders are perhaps the most detested individuals in today's society. Treatment of sex offenders has been widely debated and argued as to whether rehabilitation is possible. "Once an alcoholic always an alcoholic, once a sex offender always a sex offender". This is an ideology being adopted in sex offender's treatment. It involves the belief that sex offenders cannot be "cured," rather they can learn to "control" their behaviour. Cognitive behavioural treatment programmes are growing in number and appear to be the most effective in dealing with sex offenders. Ongoing treatment and management of sex offenders "are indispensable parts of any rehabilitation programme, if public safety is to be insured." Further, one needs to question whether the constitutional rights of the offender are violated. Evaluations of sex offender treatment are very difficult to design and conduct. Most suffer from methodological deficiencies, such as lack of a controlled comparison to untreated offenders, inadequate measures of re-offense or

recidivism, small samples, or inadequate follow-up periods.

Researchers and treatment professionals agree that more and better research is needed, but they disagree over how to interpret existing findings. Some conclude from the conflicting evaluation results that, as yet, there is no evidence that treatment reduces re-offense rates of sex offenders. Others believe that the findings from several studies that treated offenders have lower recidivism rates than untreated offenders indicate that *some* kind of treatment may be effective for *some* offenders. The focus of this article is on the society's reaction to sex offenders and their treatment.

Literature Review

New Jersey was the first state to pass "Megan's Law" after a young girl was raped and murdered by a convicted child molester who had moved into her neighbourhood. The purpose of the law is to equip the community with information necessary for the protection of children against child molesters (Cody, 1997). According to this law,

Key Words

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STATIC 99 Test

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Abstract

Sex offenders are perhaps the most detested individuals in today's society. The most appropriate way of addressing sex offenders continues to be an issue debated among psychologists, criminologists, private citizens and the legislature. Since the late 1980s, there have been numerous movements calling for tougher penalties for sex offenders by law enforcement, legislatures and commu-

the identification of the victim is not to be released. A description of the sexual offence is provided, which can, at times, be sufficient for victim identification. Regardless of the public opinion on the rights (or lack thereof) of sex offenders, most would agree that the rights of victims, and particularly their identities, need to be protected. Sex offenders registration and community notification are the additional requirements imposed by the society for the protection of the community against sex offenders. Another measure that has been implemented as a means of protecting society against sex offenders is the chemical castration by hormones-suppressing drug which lowers testosterone level, thereby decreasing a man's sex drive.

The area which has received the most attention from the fields of psychology and criminology is whether it is beneficial to provide treatment to sex offenders. This matter continues to be controversial even among the foremost experts in the field of sex offender research. On the one hand, some believe that sex offender treatment is beneficial (Marshall, 1996), while there are some who do not (Furby, Weinrott and Blackshaw, 1989 and Quinsey, 1998). The method most often used in determining whether a particular treatment modality has been successful is the measure of recidivism. Recidivism is considered the best measure of treatment efficacy

since the primary goal of sex-offender treatment is the reduction of future victimization (Prentky and Burgess, 1990). Therefore, in exploring whether treatment of sex offenders is beneficial, it is essential to examine recidivism rates between those offenders who receive treatment and those who do not.

Despite the fact that numerous experts have shown that treatment does indeed reduce recidivism among sex offenders, there has been a decrease in funding for sex-offender treatment programmes in India. Treatment programmes are funded by several sources, including county and state funds, medical assistance, private insurance, and offender contributions. But due to the complexity of funding and reimbursement mechanisms and because sex offender costs are not accounted for separately, we were unable to determine how much state government spends on sex offender's treatment. The lack of funding and available treatment for sex offenders is, in part, due to public opinion that sex offenders cannot be successfully treated. The accuracy of such an opinion needs to be explored and is best accomplished through an examination of recidivism rates among sex offenders.

In response to public concern about sex crimes, the Legislature has toughened penalties for sex offenders, increased funding for programmes that treat sex offenders,



and taken steps to ensure that more offenders receive treatment. However, basic descriptive information about the number of treatment programmes in operation and the number of sex offenders who receive treatment is lacking. Also, legislators have asked whether sex offender treatment programmes are effective in reducing the rate at which sex offenders commit additional crimes.

Experts consider the Static 99 test to be one of the most effective tools for determining the likelihood of sex offenders re-offending. Based on their answers, sex offenders are assigned a score, which can be used to help determine their management and treatment.

They are asked about the followings:-

- Their age. (People under the age of 25 are at higher risk).
- Whether they have lived with an intimate adult partner for at least two years? (A person who is not able to sustain an intimate relationship is at higher risk).
- Convictions for assault and battery, as well as sexual molestation, even if the assault happened in a separate incident before the sex crime.
- Convictions for non-sexual violence. (Violent people are at higher risk).

- Convictions of all types. (Those indicate that they don't go along with society's norms and are not afraid to break the law).
- Convictions for non-contact sexual offences. (Offences such as public exposure, the possession of child pornography, obscene phone calls, etc.)
- Convictions for other types of sex offence.
- Sex offences against non-family victims. (Incest has a much lower risk of occurring again, because the victim pool is much smaller).
- Convictions for sex crimes against strangers.
- Convictions for sex crimes against male victims.

Forensic Psychology

There is a great need for forensic psychologists to provide information to the public and legislature regarding sexual offenders and their treatment. It appears that several of the recent actions taken against sexual offenders will be ineffective in accomplishing the goal of protecting society. When it comes to child molesters it is noted that most men who molest children are incapable of having a healthy relationship with a woman. The innocence of children gives them a feeling of power. They feel as if they were not good enough to make adult

nities. These movements support chemical castration, community notification, formalized registration and civil commitment. At first glance, such actions may appear as proper precautions to ensure the safety of society against further victimization by convicted sex offenders. However, these actions also need to be examined in terms of whether they serve their intended function of curbing recidivism. Further, one needs to ques-



tion whether the constitutional rights of the offender are violated. The focus of this article is on the society's reaction to sex offenders and their treatment. More than 95 percent of child sexual molestations are committed by men.

Sex offenders : A Socio-psychological study

connections, and with a child they feel they aren't challenged. The child is perceived as being safe for them. Once the line has been crossed, confusion and guilt set in for the child, who often feels he or she has been a willing participant. Sex offenders know how to play on those emotions or will attempt to convince the child, through fear or by other means. "They are very manipulative."

More than 95 percent of child sexual molestations are committed by men. The group referred as "seducers" frequently seek out jobs or volunteer work such as coaches or baby caretakers that will give them easy access to children. In other cases, seducers are extended family members or friends of the family. Seducers make up about 40 percent of all offenders who have served time in prison. Sex offenders carefully study their prey before striking. Molesters says that they observe the victims and identify those that are most susceptible; they look for victims that appear lonely, that are left alone or given a great deal of freedom outside the home. Once they have chosen their victim, they begin "courting" them. "They almost never begin by talking of sex; they start by taking them to places, to movies, to swimming pools, and to the ice cream parlour". Later, they will begin touching them, "usually by brushing their hand on their leg." Eventually, the molester will

try and isolate the victim to somewhere they can be alone.

Cordoba and Chapel (1983) acknowledge that the society is more willing to allow sex offenders back into the community if they have undergone antiandrogen therapy. It appears that there is a direct conflict between society's outcry for severe punishment of sex offenders and mental health experts who maintain that there is effective treatment for such individuals. Chemical castration, community notification and registration are all aimed at protecting society from sex offenders who are likely to recidivate upon release from prison.

Numerous studies have shown the effectiveness of treatment for sexual offenders in reducing recidivism. Policy makers should be educated on the fact that public awareness needs to be focused primarily on the family, where most sexual offenses occurs. With this in mind, efforts need to be on funding prison and parole treatment programmes which are designed specifically for this population.

Suggestions for future Research

In order to illustrate the discrepancy between society's perceptions of sex offenders, studies should be conducted which directly compare the statistical data

gathered in the department of corrections with society's perceptions of recidivism among sex offenders and the effectiveness of treatment for this population. It is likely that the results will show that the legislature support the misperceptions within society rather than the data available from corrections and mental health professionals. However, the fields of Law and Criminology have scarcely produced any research on this topic. Perhaps this is because professionals in the mental health arena are those who most often provide the treatment. However, it is essential for individuals working within the mental health and the criminal justice systems to find common ground on the issue if the goal of reducing victimization is to be actively pursued. When agencies become convinced that a cause is worthwhile and urgent, the money should be immediately allotted.

It is necessary that research be conducted addressing the reluctance by legislatures to implement treatment programmes for sex offenders. There is a lack of communication between the respective disciplines and thus, research would do well to target educating the public, the legislature and the prison system on the efficacy of sex offender treatment. The ineffectiveness of treatment with particular groups of sex offenders clouds public perception on the overall effectiveness of treatment. For this reason, research is needed to address those sex offenders who do not respond well to existing treatment modalities. Limited studies are also needed to assess how best to treat child molesters, rapists, exhibitionists and homosexual pedophiles. Research needs to focus on the heterogeneity of sex offenders in order to present a more accurate picture of what type of treatment works best for whom.

Ongoing treatment and management of sex offenders "are indispensable parts of any rehabilitation programme, if public safety is to be insured." The treatment and management programmes should include:-

1. Mandatory treatment by therapists who are supervised and trained in cognitive behavioural theory with sex offenders.
2. Evaluation for medication.
3. Proper monitoring and supervision of vocational, social, recreational and leisure activities.

"Continuity of treatment is considered a critical factor in managing sex offenders. Maintenance is for ever, and relapse prevention never ends" The best thing that parents can do to protect their children is to educate themselves about child molesters and teach their children what to do to avoid becoming victims.

Given the current state of knowledge, we cannot make specific recommendations about whether or how to expand treatment. In the absence of solid evidence about treatment effectiveness, policymakers have to make decisions about treatment on other grounds, such as public opinion, values and beliefs, potential risks and benefits, or cost considerations.

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Key Words

Cyber Crime,
Internet, ARPANET,
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Act 2000, access,
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Cyber Terrorism,
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Global concern.

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CYBER CRIME—A GLOBAL CONCERN

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God has gifted mankind with mind and brainpower, which distinguishes them from other creatures and makes man superior among other living beings of the universe. As the society progressed, the demand of the time that changed and used human mind differently which eventually led to the discovery and inventions of various notions beginning from the need for survival to luxuries of modern life. It is the human mind which generates within men a desire for knowledge and capacity for reasoning which culminates into the growth of modern science and technology.

Science as a branch of knowledge is a study of natural phenomenon by way of observation, identification, description, experimentation and systematic investigation and a thrust for reasoning to find out truth beyond usual concepts. Undoubtedly, it has given new dimensions to human capabilities. Both, science and technology have contributed to the development of human society. Technology may precisely be defined as the application of science or knowledge or any manner of accomplishing or applying such

knowledge for any particular task using any technical process or method. Thus it is the human innovation in action that involves the generation of knowledge and process to extend human capabilities or satisfy emerging human needs and wants. It is, therefore, evident that technology brings out changes in the natural world through scientific application of knowledge for material comfort of human beings. As such, the development of science and technology has universally benefited the world by providing all comforts of life. Human activities in the present-day world are directly or indirectly affected by science in many ways. From radio, telephone, television to supercomputers all such technical mechanisms are the contributions made by science and technology.

Importance of Computers

Ever since the emergence of civilization men has always struggled for progress, exploring out new modes and technologies for better conditions of survival. Of all the significant advances made by the mankind, the invention of computer is perhaps the most noteworthy



achievement which has not only made the human life easier and comfortable but acts as a substitute for human mind for storage of knowledge. From the functional point of view, the computer has even excelled human mind as a source of storing knowledge and information. Internet services have now made it possible for a person to chat and visually see and talk to a person who is sitting thousands of miles away in any part of the world.

As a medium of communication, computer has brought about revolutionary changes in transmitting information and has increased our capacity to store, search and retrieve any information through its application. The present Internet system has enhanced our capacity to communicate over long distances on the frequency waves without any need for any physical connectivity.

Internet

The term "Internet" has been defined as a vast global network of computers storing information on every conceivable subject of interest to mankind. Interestingly, it has a historical origin. During the cold war between the two mighty world powers namely, USA & USSR during the first half of the 20th century, the military command and the security concerns needed a technology which could withstand a nuclear attack. The

idea of a network of computers emerged from analogy with the transport systems, which had been designed so that there were multiple paths to every point. The establishment of large number of inter-connected computer network permitted messages to be routed in different and multiple ways. Thus a nuclear invasion on one or more sites would not disable the communication system as a whole. In addition, information could be sent in "packets" through different routes which could be reassembled when they arrive at the destination¹.

It must be stated that the idea of linking computers or the concept of Internet stems from the U.S. Department of Defense Project called the 'ARPANET' (Advanced Research Project Administration Network) which was developed in late 1960's. It was a research project to link computers in Universities and Research Laboratories. The initiation of the project was to determine a wholesome method of linking together different packet network to enable cross-network communication.

This endeavour was referred to as the Internet working project and the resulting mesh of linked packet networks was called the 'Internet'. Thus the Internet at that time was an aggregation of a packet networks funded and hosted by government and educational enterprises

Abstract

The advent of computer age has undoubtedly proven a boon to mankind so far as faster communications, easy access of information and storing of wealth of knowledge are concerned. Infact, it has proved a better and viable substitute to functioning of human mind. But as the saying goes, "All that glitters is not gold", this highly sophisticated technology of Internet system has its



own pitfalls. As an offshoot of the development of computer technology, criminal activities in the form of cyber-crime have emerged posing a challenge before law enforcement agencies. Significantly, these crimes involve both, the use of computer as an instrument for committing the cyber crimes and at times, computer itself becomes a target of crime, such as viruses, sabotaging a computer system, theft of

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throughout the United States. Enabling this inter-communication was the development of Internet protocol (INTERNET PROTOCOL) which defined how data-packets are routed across the various networks. The primary aim of this mini-network (ARPANET) was to enable transmission of data files and long distance computing including accessing data and research files at distant sites. In 1973, the first international connections to ARPANET were established with Britain and Norway². Until, 1980's the Internet was a combination of public networks, that allowed primarily academics and government to communicate freely.

The Internet network further developed after the introduction of 'World Wide Web' (www.), through which it became graphical and interactive. The World Wide Web is a network of the sites that can be searched and retrieved by a special protocol not 'Hyper-Text Transfer Protocol' (HTTP). The protocol simplified the writing of addresses; automatically searched the Internet for the address indicated and 'called-up' the document for viewing³.

Undoubtedly, Internet is the most rapidly expanding phenomenon over the years. Since inception, its unconceivable efficacy made it a life of millions of people. It is a network of networks, thereby connecting

various computers all over the world to one another, either directly or indirectly. Its utilizing applications have extended the number of users from the primarily academic and government purposes to the general use of a common man. Internet in the present context is insidious and has universal application in providing quick and cheap access to a variety of information extending the area of global communications and giving opportunities to people for performing their functions. It is no longer the realm of a computer expert alone, but has its utility everywhere and for every individual.

Cyber Crime

The advancement in technology has always brought with it increasing criminal applications and an ever-increasing opportunity for committing crime and Internet is no exception to this. It is a fact that development of computer technology has opened new opportunities and possibilities of the perpetration of crime in the field of cyber-world. In reality, the impact of such crimes is so great that it poses a serious threat to personal as well as public security. Taking the example of e-commerce, which generally refers to all forms of transactions that relate to communication activities involving both, the application of information and communication technologies to an enormous range of activities such as, production, distribution, marketing



etc. on a global scale? In the present global scenario, this extensive use of commercial technique has an immense bearing on transactions making the way easier for misusing it for many unlawful and illegal purposes, which constitute crime.

Definition of Cyber Crime

The offences which take place on or using the medium of the Internet are known as cyber crimes. These include a plethora of illegal activities. The term “cyber crime” is an umbrella term, under which many activities may be grouped. Today, there are many disturbing activities occurring in cyberspace because of the anonymous nature of the Internet, which makes it possible to indulge into variety of criminal activities with impunity. The people with intelligence have been grossly misusing this aspect of the Internet to facilitate criminal activities in cyberspace.

It must, however, be stated that cyber crime may involve conventional criminal activities such as theft, fraud, forgery, defamation, mischief etc., all of which are subject to punishment under the Indian Penal Code. Besides, the abuse of computer has given birth to a number on new crimes which were hitherto unknown and are now penalised under the Information Technology Act, 2000. It would, therefore, not be correct to say that the offences that are

punishable under the Information Technology Act alone are termed as “cyber crime” as the Indian Penal Code also covers many such cyber crimes such as cyber-defamation, sending threatening e-mails, e-mail spoofing etc. A precise and sturdy definition of cyber crime may be ‘unlawful acts wherein the computer is either a tool or a target, or both’. The cyber crimes wherein the computer is used as a tool may include financial frauds, cyber pornography, online gambling, intellectual property crimes, e-mail spoofing, stalking, etc. The cyber offences wherein computer is a target include different kinds of viruses which have been elaborately discussed in the subsequent paragraphs.

According to Pawan Duggal, cyber crime may be said to be those species of which genus is the conventional crime; and where the computer either is an object or is a subject of the conduct constituting the crime⁴. Thus any activity that uses a computer, as an instrumentality, target, or a means for perpetuating further crimes, comes within the ambit of cyber crime.

The foregoing definition of cyber crime clearly indicates that there exists a very thin line of demarcation between the conventional crime and the cyber crime. The *sine qua non* for cyber

data input or intellectual property and so on. Some of the computer related crimes, to name only a few are stalking, data-adding, E-mail spoofing, Internet frauds, child pornography etc., Since cyber criminality has become a global phenomenon, the countries all over the world are striving hard to combat this menace. Not lagging behind, India has also enacted a comprehensive legislation called the Information Technology



Act, 2000 for the prevention and control of cyber-crimes apart from amending as many as twenty Sections of Indian Penal Code in order to bring offences relating to electronic documents or records within its fold. The impact of cyber space criminality is so great that international community is making untiring efforts to work out a globally acceptable uniform law to curb this evil, but there are certain vital issues such as socio-economic

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crime is that there should be an involvement, at any stage, of the virtual cyber medium i.e. the computer.

Some authorities hold that 'cyber crime' is a misnomer. This term has nowhere been defined in any statute, Act, or law, passed by the Indian Parliament. The concept of cyber crime is not radically different from that of a conventional crime as both include conduct whether act or omissions, which causes breach of rules of law and entail punishment.

In the Indian context, cyber crime may be defined as "acts that are punishable under the Information Technology Act or which would be liable to penal consequences under the Indian Penal Code".

The term; 'cyber crime' is normally used to show a range of criminal activities which specifically relate to computers and telecommunication infrastructure that supports their use. But it is preferred to use the term 'cyber crime' to encompass within it any proscribed conduct perpetrated through the use of, or against, digital technologies. Presently, the cyber crimes are on the increase, throughout the world, the latest being the cyber-terrorism. The factors responsible for this, to name only a few are, large scale computerization in the economic

sector, computer network being readily accessible, more people becoming computer literate and, last but not the least, ever-increasing number of computer users in all spheres of life. The proliferation and integration of computers into every facet of society has inevitably led to an enormous increase in computer related criminality. Criminals have adopted advancement of computer technology as a tool for their illegal activities.

Reasons for Cyber Crimes

Professor H.L.A. Hart in his classic work entitled *'The Concept of Law'* has stated that human beings are vulnerable and therefore, rules of law are required to protect them. Applying the same analogy to cyberspace, it may be stated that computers, despite being high technology devices are extremely vulnerable. It is easier in fact to affect the persons and their computers in general by the misuse of the technology. Such kinds of activities cause some injury to some persons directly or indirectly. Computers are so vulnerable that some kind of legal mechanism is required to protect and safeguard them against cyber criminality. The use of computer technology has made it easy for offenders to commit any crime by or against it. The reasons for vulnerability of computers may briefly be stated as follows:-



1. Capacity to store data in comparatively small space

The computers have a unique characteristic of storing data in a very small space. They can store huge amounts of data in small space like lacs of pages can be written and stored in a CD-ROM. This storage capacity has enough space to remove or derive information either through physical or virtual medium in a much more easier way.

2. Easy to access

Computer is an electronic device carrying out its functions with the help of complex technology rather than by the human actions. This creates a problem in protecting and guarding any computer system from unauthorized access where there is every possibility of breach, not due to human error, but due to the complex technology. For example, a bank's vault which usually contains a few lacs of rupees, is well guarded from unauthorized persons. The vault itself is made up of very strong materials, located in a reinforced room, guarded by gun-totting security personnel. Trusted employees jealously guard the keys and/or access codes. The Bank's servers, on the other hand which virtually control hundreds of crores of rupees are far easier to break into. The strongest of the firewalls and

biometric authentication systems have been cracked in the past and would probably continue to be cracked in the future as well. A secretly implanted logic bomb, key loggers, that can steal access codes, advanced voice recorders, retina imagers etc. that can fool biometric systems can be utilized to get past many a security system.

3. Complexity

The computers work on operating systems and these operating systems in turn are composed of millions of codes. Human mind is fallible and it is possible that there might be a lapse at any stage. The cyber criminals take advantage of these lacunas and penetrate into the computer system. These hackers easily exploit the numerous weaknesses in operating systems and security products. It is far easier to find weakness in existing operating systems rather than designing and developing the secure operating systems.

4. Negligence

Negligence is closely connected with human conduct. It is, therefore, quite probable that while protecting the computer system there might be any negligence which in turn, provides a cybercriminal to gain access and control over the computer systems.

diversities, policy considerations, lack of uniformity in procedural laws, jurisdictional problems etc., which are impeding the process of universalisation of cyber laws. The present article is intended to highlight some of these vital aspects of cybercrimes and measures to prevent their incidence.

5. Loss of Evidence

Loss of evidence is very common and obvious problem as all the data are routinely destroyed. Since the computers store their information in the form of data, it is easy to destroy all such information after applying it for some unlawful purpose. Because of the lack of evidence, it is easy to commit crime with the assistance of this mechanism. Further, collection of data out of territorial extent also paralyses the system of crime investigation.

Cyber Criminals

The cyber criminals may constitute various groups/categories. This division may be justified on the basis of object that they have in their mind. The main categories of cyber criminals may be as follows:-

1. Children and adolescents between the age-group of 6-18 years

Most amateur hackers and cybercriminals are teenagers. The simple reason for this kind of delinquent behaviour pattern among children is seen mostly due to the inquisitiveness to know and explore things. To them, who have just begun to understand what appears to be a lot about computer, it is a matter of pride to have hacked into a computer system or a website. Other cognate reason may be to prove themselves outstanding amongst other fellow-children in their group. Further, the reason may be psychological as well. These young rebels may also commit cyber crimes without really knowing that what they are doing is a wrongful act.

2. Organised Hacktivists

Hackers are mostly organized together to fulfill certain objectives. Hacktivists are hackers with a particular (mostly political) motive. The reason may be

to avenge their political bias, fundamentalism etc. In other cases, the reason may be social, communal or religious activism etc. The Pakistanis are known to be the notorious hackers in the world. They mainly target the Indian Government sites with the purpose to fulfill their political objectives. The attacks on approximately 200 prominent websites by a group of hackers known as "Pakistani Cyber Warriors" are a good example of political hactivists at work.

3. Professional Hackers / Crackers

The vast use of computers in business organisations and industrial management for storing data and information in electronic form led to employ some hackers by competing organisations to filch the credible, reliable and valuable information. This attraction for the use of professional hackers in industrial intelligence also flows from the fact that no physical presence is required to gain access to essential documents which hacking can retrieve. Further, they are well employed to crack the system of the employer basically as a measure to make it safer by detecting the loopholes.

4. Discontented Employees

This category includes those persons who have either been sacked by their employers or are dissatisfied with themselves. In order to avenge, they normally hack the system of their employer. Till now such employees had the option of going on strike against their employers but, now with the use of computers and the automation processes it is easier for disgruntled employee to do more harm to their employers by committing computer related crimes, which can bring the entire system down.

Cyber Law

Most countries have enacted their cyber laws to prevent and control cyber crimes. In India, the

Information Technology Act, 2000 is a comprehensive legislation which deals with computer related crimes and provides penalties for such offences. The borderless medium of Internet has increased the incidence of cyber criminality which needs to be channelised and regulated by effective cyber laws. Cyber law is a law that encompasses within it a variety of politico-economic and legal issues related to the Internet and other communication technology including Intellectual property, privacy, freedom of expression, etc. Thus cyber law may be said to be that branch of law which deals with the newly emerging legal issues arising as a result of development of the Internet and other communication mediums functioning over cyber space.

Cyber law is important because it touches almost all aspects of transactions and activities on and concerning the Internet, the world-website and the cyberspace. The growth of Internet gave rise to numerous issues varying from domain name to Intellectual property rights, E-commerce, encryption, electronic contacts, online banking and other cyber crimes. Computer is a vulnerable object to be attacked and it is difficult to stop or repel the attackers who cannot be identified. It is relatively easy to misuse Internet for ulterior purposes and selfish interest in the modern computer age. Internet is seen as an effective means of communication, source of knowledge, information, channel of entertainment etc. and therefore, it can be said to be multi-functional in nature. Being multi-functional, the crimes perpetrated by the use of Internet are also multi-dimensional. This has necessitated the legal regimes all over the world to regulate new developments within their legal framework so as to eliminate cyber crimes and the related illegal activities. There is a wide range of cyber criminality taking place in the form of indecency, invasion of privacy, theft, obscenity, credit card frauds, threats, defamation, misleading information etc.

Global concern for combating cyber crime

In the global perspective, there is no unanimity of opinion as regards concern for control and minimization of the incidence of cyber crime. The obvious reason for this variation in approach towards Internet crime is the difference in the organisational set-up of various legal regimes. Although, there have been a few international conventions and treaties to provide legal control to this borderless criminality yet they are not adequate to control the global nuisance of cyber crime.

Thus it would be seen that development of Internet has proved to be a boon to mankind, but at the same time it has opened new vistas for criminal activities, especially for the white collar criminals to indulge in illegal activities across the world with least chance of detection. Since Internet has formed a space which nobody owns or controls, one may use or even misuse it for a variety of purposes which may be legal or illegal. Cyber crime is a newly emerging branch of criminal activity in the field of information technology requiring attention of the law enforcement agencies to probe into the ramifications of cyber crime in their various forms and the modes and techniques adopted by cyber criminals in carrying out these criminal activities. The need of the hour is to ensure effective regulatory legal measures to contain these crimes which are fast extending their tentacles all over the world.

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Key Words

Trafficking,
Sexual Exploitation,
Psychological Trauma
ITPA
Psychological and
Physical Harm
Public Health Implication
Child Camel Jockey
Forced Labour
Slavery
Removal of Organs

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TRAFFICKING IN PERSONS – AN OVERVIEW

T. Krishna Prasad*

1.0 Case Illustrations

1.1 Sexual Exploitation : Sudha (17 years) in a village in West Godavari district, passed 10th class, was in two minds, whether to continue further education or not. The family was challenged with poverty at every step and there is rising expectation and competition to increase the life style in the village. Around that time, Sunita, who went away for employment to Mumbai 10 years back, came to the village for a festival visit. She was wearing costly dresses and came in a car. She was carrying cell phones, camera, and other gadgets. She was approached by the parents of Sudha to show her job opportunities. Sunita promised a good job such as receptionist in a corporate office and gave one thousand rupees to the parents of Sudha. They were very happy that their daughter will also earn money and send some money home. After a week Sunita and Sudha boarded the train and went to Mumbai. On reaching the Mumbai Railway Station, they were received by two men and taken in a car to a place which looked strange. As the

evening approached, the place became busy, with lot of men arriving and taking away women into rooms. Sudha tried to escape but got caught and beaten by a madam who said Sunita has sold her. That night Sudha was raped by seven men. The saga continued. She was forced to have sex six times a day. She could not escape and her living conditions were very bad. After nine months, she fell ill and she was taken to doctor, where she was detected to HIV +ve.

1.2 Begging and Child Labour : Sathyam, 8 years old, in Karimnagar was promised good clothes, food and education. His poor parents accepted. He was taken to Rajasthan by a construction company to do labour work carrying brick loads on his head. He does not know his salary, his work timings, where his workplace is located, cannot speak nor can understand the local language. The food that is given to him is neither adequate nor the type his mother used to serve back home. He found himself estranged memories of his Home, parents, siblings, village slowly started fading. Life offered no hope, nothing to look forward to.



1.3 Child Camel Jockey : The trafficking and exploitation of South Asian and African children as camel jockeys has increased in the Gulf States, which, with the discovery of oil and the associated surge in wealth, transformed camel racing from a traditional sports pastime to a multi-million dollar activity. Today, thousand of children , such as Salim (6 years), some as young as three or four years of age, are trafficked from Bangladesh, Pakistan, and other poor countries and sold into slavery to serve as camel jockeys. These children live in an oppressive environment and endure harsh living conditions. They work long hours in hot temperatures live in unsanitary conditions, receive little food, and are deprived of sleep so that they do not gain weight and increase the load on the camels.

They are harassed by the handlers, who often beat them. Some are reportedly abused sexually. Many have been seriously injured and some have been trampled to death by the camels. Those who survive the harsh conditions are disposed off once they reach their teenage years. Having gained no productive skills or education, scarred with physical and psychological trauma that can last a lifetime, these children face dim prospects. They often end up leading destitute lives. Trafficked child camel jockeys are robbed of their childhoods and of their future.

1.4 Sudha, Sathyam and Salim are the victims of trafficking. They were cheated, tricked, coerced, forced and kept captive for exploitation – physical, mental or sexual.

2.0 Trafficking can be defined as

The recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power or a position of vulnerability or giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation. Exploitation includes sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

3.0 Scope of the problem

About two million persons are trafficked every year all over the world. People are trafficked for many purposes. But men, women, and children are trafficked for forced labour into construction, agriculture, shops, and factories. Children are trafficked for camel jockeying, and to be child labours, or into brick factories, rug-making, sweetshops, or cocoa plantations because their small bodies and little fingers are useful in making or packing these products. Women and children are trafficked for domestic servitude and sexual exploitation.

Abstract

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plantations because their small bodies and little fingers are useful in making or packing these products. Women and children are trafficked for domestic servitude and sexual exploitation. Generally speaking, almost every country in the world has trafficking problem. Countries can be divided roughly into countries of origin (usually the resource-poor countries or countries that are politically or economically

TRAFFICKING IN PERSONS

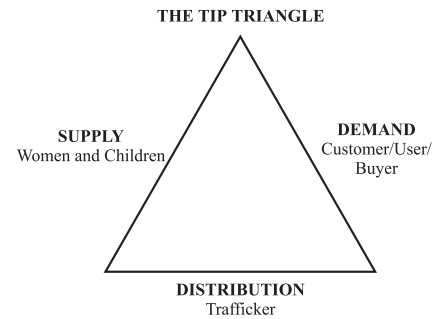
3.1. Generally speaking, almost every country in the world has trafficking problem. Countries can be divided roughly into countries of origin (usually the resource-poor countries or countries that are politically or economically unstable); countries of destination (usually resource-rich developed countries, where demand is located); and transit countries (countries along a trafficking route, where traffickers have safe passage and harbour). Some countries, such as India, Thailand and Nigeria, are countries of origin, transit, and destination.

3.2. Human trafficking is certainly a big business. According to UN source traffickers of people make annual profits of some \$7 billion (Rs. 31,500 crores) in prostitution alone.

4.0 The causes of trafficking

4.1. The causes of human trafficking are complex and often reinforce each other. Victims constitute the supply, and abusive employers or sexual exploiters (also known as sex buyers) represent the demand. The people who act as conduits to traffick persons are traffickers and represent Distribution. Typically, demand side and Distribution side gain economically and the supply side suffers from all angles.

4.2. The supply of victims is encouraged by many factors



including poverty, the attraction of perceived higher standards of living elsewhere, lack of employment opportunities, organized crime, violence disparities, socially challenged, government corruption, political instability and armed conflict.

4.3. On demand side, factors driving trafficking in persons include the sex industry and the growing demand for exploitable labour. Sex tourism and child pornography have become worldwide industries, facilitated by technologies such as the Internet, which vastly expand the choices available to "consumers" and permit instant and nearly undetectable transactions. Trafficking is also driven by the global demand for cheap, vulnerable and illegal labour. For example, there is great demand in some prosperous countries of Asia and the Gulf for domestic servants who sometimes fall victim to exploitation or involuntary servitude.

4.4. There is an insatiable demand from Middle east for "virgin" brides from Hyderabad City. Often



the newspapers and media show a 16 years old bride being married off to a 70 years old Sheik. What happens after the marriage is anybody's guess. How many times she will be sold over and again is something that is just not possible to know.

5.0 The social cost of trafficking

Victims of human trafficking suffer a horrible life. Psychological and physical harm, including disease and stunted growth, often have permanent effects. In many cases the exploitation of trafficking victims is progressive : a child trafficked into one form of labour may be further abused in another. Another brutal reality of the modern-day slave trade is that its victims are frequently bought and sold many times over - often sold initially by family members.

5.1. Victims forced into sex slavery are often subdued with drugs and subjected to extreme violence. Victims trafficked for sexual exploitation face physical and emotional damage from forced sexual activity, forced sexual abuse and exposure to sexually transmitted diseases including HIV/AIDS. Some victims suffer permanent damage to their reproductive organs. When the victim is trafficked to a location where he or she cannot speak or understand the language, this compounds the psychological damage caused from isolation and domination by traffickers.

5.2. 89% of people trafficked into sex trade want to escape. 60 to 70% of women in sex trade have been raped. 70 to 95 % have been physically assaulted, and 68% met the clinical criteria for post traumatic stress disorders.

5.3. The Human Rights dimension : Fundamentally, trafficking in persons violates the universal human right to life, liberty, and freedom from slavery in all its forms. Trafficking of children violates the inherent right of a child to grow up in a protective environment and the right to be free from all forms of abuse and exploitation.

5.4. Promoting social breakdown : The loss of family and community support networks makes traffickvictims vulnerable to traffickers' demands and threats, and it contributes in several ways to the breakdown of the social structures. Trafficking tears children from their parents and extended family. The profits from trafficking allow the practice to take deep roots. The "opportunity" of becoming a trafficking victim can lead vulnerable groups to look the other way, away from schooling and family structure, thereby defeating national programmes of primary education etc. The loss of education reduces the vulnerable groups' future economic opportunities and increases their vulnerability to

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demands and threats, and it contributes in several ways to the breakdown of the social structures. Trafficking tears children from their parents and extended family. The profits from trafficking allow the practice to take deep roots. India is an Origin, Transit and Destination country for women, men, and children trafficked for the purposes of sexual and labour exploitation. Indian men and women are traf-

TRAFFICKING IN PERSONS

being re-trafficked in the future. The lure of money will eventually influence some weak persons (weak link in the chain) of the vulnerable groups to become conduits of the Organized Traffickers. These “small time” pushers become both influential as well as hated persons in the vulnerable group. This leads to a serious suspicions, breakdown of Trust within the social group, thereby promoting social breakdown.

5.5. Fueling organized crime

: The profits from human trafficking fuel other criminal activities. According to the US Federal Bureau of Investigation, human trafficking generates an estimated \$9.5 billion (Rs. 42,750 crores) in annual revenue. It is closely connected with money laundering, drug trafficking, document forgery and human smuggling.

5.6. Public health implication

: Victims of trafficking often endure brutal conditions that result in physical, sexual, and psychological trauma. Sexually transmitted infections, pelvic inflammatory disease and HIV/AIDS are often the result of being used in prostitution. Anxiety, insomnia, depression and post traumatic stress disorder are common psychological manifestations among trafficked victims. Unsanitary and crowded living conditions, coupled with poor nutrition, foster a host of adverse

health conditions such as scabies, tuberculosis, and other communicable diseases.

5.7. The link between HIV/AIDS and TIP: Approximately 4.2 crore people are living with HIV/AIDS worldwide. The global epidemic affects women and children who are trafficked for purpose of prostitution. Globally, women in prostitution and those who have been trafficked for prostitution have a high prevalence of HIV and other STDs. For example, in South Africa, HIV prevalence among women in prostitution is 70.4 percent. In Zambia it is 31 percent, in Cambodia it is 28.8 percent and in Nepal, our neighboring country, it is 20 percent.

5.8. In addition, the HIV/AIDS epidemic may be spread by human trafficking. Some experts have linked sex trafficking to the spread and mutation of the AIDS virus. They believe that sex trafficking is aiding the global dispersion of HIV sub-types. HIV cannot be controlled without preventing TIP.

5.9. Erosion of government authority: Many governments struggle to exercise full law enforcement authority over their national territory, particularly where corruption is prevalent. Armed conflicts, natural disasters, and political or ethnic struggles can create large populations of internally displaced persons, who could be



vulnerable to trafficking. Human trafficking operations further undermine government efforts to exert authority, threatening the security of vulnerable populations. TIP includes big money parallel economies that weakens legitimate governments. This is more so in small and developing economies.

6.0 Indian scenario

India is an Origin, Transit and Destination country for women, men, and children trafficked for the purposes of sexual and labour exploitation. Indian men and women are trafficked into situations of involuntary servitude in countries in the Middle East and children may be forced to work as beggars or camel jockeys. Bangladeshi women and children are trafficked to India or trafficked through India en route to Pakistan and the Middle East for purposes of sexual exploitation, domestic servitude, and forced labour. Nepalese women and girls are trafficked to India for sexual exploitation, domestic servitude, and forced labour. India is also a growing destination for sex tourists from Europe, the United States, and other Western countries. India is also home to millions of victims of forced or bonded labour.

6.1. Comprehensive statistics on trafficking-related investigations, prosecutions, convictions, and sentences are not available. Available

statistics show 195 prosecutions and 82 convictions obtained for offences related to trafficking for sexual exploitation in 2004. An estimated 2,058 prosecutions and 1,051 convictions for child labour offenses in 2004.

6.2. India being both a destination and a transit zone for traffickers is faced with the problem of tackling inter-state as well as international trafficking. A survey sponsored by the Central Social Welfare Board (CSWB) in 1991 in six metropolitan cities of India indicated that the population of women and children victims of commercial sexual exploitation is between 70,000 to 1,00,000. It also reveals that about 30% of them are below 18 years of age.

6.3. As many as 24,179 in the last 3 years were reported missing in the country. As many as 7134 persons for the same period, were reported missing from Delhi, 2485 from West Bengal, 2014 from Tamil Nadu, 1840 from Haryana and Kerala, 1671 from Orissa, 1344 from Maharashtra, 1,157 from Uttar Pradesh, 1,080 from Andhra Pradesh. Now, the question is where have they gone and what is the possibility of them being trafficked, detained and exploited sexually or physically.

6.4. Legal Framework : The Government of India being a signatory to the Convention on the

ficked into situations of involuntary servitude in countries in the Middle East and children may be forced to work as beggars or camel jockeys.

elimination of all forms of Discrimination against Women also brought about legislations responding to Article 16 dealing with family law and family life. In the well known cases, Vishal Jeet Vs. Union of India and Gaurav Jain Vs. Union of India, the Supreme Court called on the central and the state governments to set-up advisory committees on matters relating to child prostitution and to develop strategies for their rescue and rehabilitation. The Secretary, Department of Women and Child Development also constituted a committee on prostitution, child prostitute and children of prostitute.

6.5. The primary legal framework that deals with the problems of trafficking in the prevention of human trafficking is ITP Act of 1986. This Act is supplemented by the provisions of the Indian Penal Code (IPC) that are based on the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others.

6.6. The Immoral Traffic (Prevention) Act does not prohibit prostitution per se. It penalizes commercial sex workers who are caught soliciting customers in public places whether by words or gestures or wilful exposure of a person. It is ironic that a sex worker can practice her profession inside a house but cannot solicit clients on the streets. The law has several loopholes. Another incongruity is that while minor girls are rounded up during raids and detained in homes, the pimps, brothel keepers, and clients go scot-free. They also manage to secure bail and continue running their business while blatantly exploiting the minor girls.

6.7. The Immoral Trafficking Prevention Act (ITPA) criminalizes the offenses of selling, procuring, and exploiting any person for commercial sex as well as profiting from prostitution. However, Section 8 of the ITPA also criminalizes the act of solicitation for prostitution, which has been used in the past to arrest and punish women and girls who are victims of trafficking. The Inter-Ministerial Committee on

Trafficking in Persons has drafted revisions to the ITPA, in consultation with civil society groups and has submitted these revisions to Parliament for consideration. The revisions would eliminate Section 8, thereby affording victims of trafficking greater protections.

6.8. The Juvenile Justice Act of 1986, amended in 2001, provides modest criminal penalties for sexual offences committed against minors, including the prostitution of children, but provides strong protections for child victims of trafficking through child Welfare Committees in each state and mandatory care provided in state-approved protection homes.

6.9. The juvenile Justice (Care and Protection of Children) Act, 2000, has elaborate provisions for the care and protection, treatment, education, vocational training, development and rehabilitation of children in the age group 6 to 18 years rescued from those procuring, inducing and taking person for the sake of prostitution and detaining persons in premises where prostitution is carried on. Such children are covered under the enlarged definition of children in need of care and protection. The Act provides scope for voluntary institutions to run children's homes, drop-in-centres, juvenile homes, special homes, etc.,

6.10. The Child Labour Act of 1986 has adequate provisions for the freeing and rehabilitation of children found in forced labour conditions, but carried provisions for criminal sentences of a maximum of only three years. Similarly, the Abolition of Bonded Labour Act of 1976 provides adequate protections for victims of bonded labour but carries only a maximum sentence of three years imprisonment.

6.11. Thus, we find that the penal section and punishment are not commensurate with the dimension of this problem and the damages it is causing to the Social fabric of society. Therefore, the quantum of punishment should be increased. As well, the onus of proof (Sec. 114A Indian Evidence Act) should be on the trafficker, particularly when the victim is complaining.

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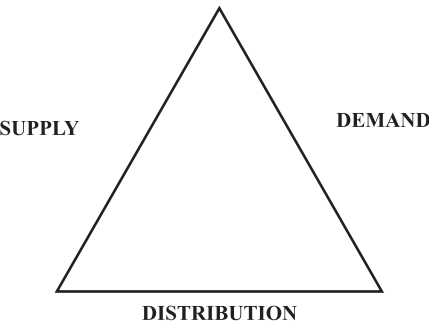
6.12. Any property or structure, be it a building or a vehicle or a farm house, used for the purpose of trafficking or is proved to have been procured out of the earnings of the trafficking should be seized, forfeited and auctioned. The proceeds of the auction should be deposited in the state Exchequer which can be later on used to fund the Rehabilitation Homes.

in large numbers and prosecuting them. Very very little has been done to prosecute the perpetrators of this evil. The organized crime, the gangsters continue to have their sway on the victims, continue to make a mockery of this law of the country. PITA act now provides an opportunity to crack down on these perpetrators, aptly using sections 3,4,5 & 6 of the Act.

7.0 Effective strategies in combating trafficking

To be effective, anti-trafficking strategies must target all the three sides of triangle,

- (a) the supply side
- (b) the distribution side - the traffickers, and
- (c) the demand side - the owners.

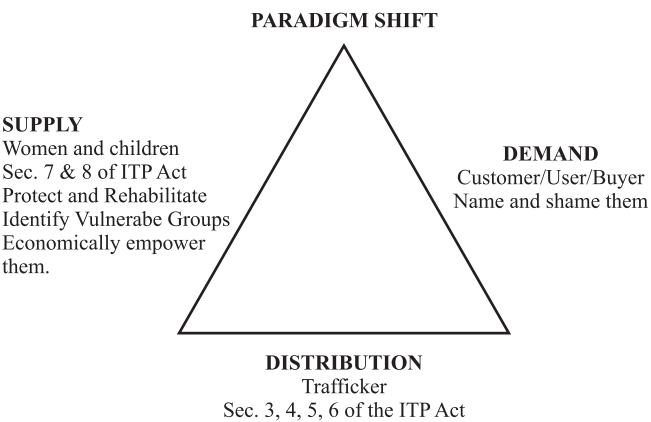


7.1. Traditionally, the law enforcement agencies have been targeting the sex workers and arresting them

7.2. Thus, in the supply, demand and distribution triangle, the present strategy demands a shift to the distribution i.e., trafficker which needs to be broken to crack the network. The network of the traffickers should be crippled.

7.3. On the supply side, the conditions that drive trafficking must be dealt with through programmes that alert communities to the dangers of trafficking, improve and expand educational and economic opportunities to vulnerable groups, promote equal access to education, educate people regarding their legal rights, and create better and broader life opportunities. Launch massive publicity and awareness programmes.

7.4. The second paradigm focus or on the supply side, instead of harassing the victims now. the much required shift is to rescue them, protect, rehabilitate and reintegrate them. It involves, identification of the target groups and economically empowering them and thereby calls for a strong will and huge budget.



7.5. Regarding traffickers, law enforcement must vigorously prosecute traffickers, identify and plug trafficking routes through better intelligence gathering and coordination. The clarity should be there in the entire enforcement agencies that the victim is not the problem. The problem is the traffickers, the pimp, the madam and the pusher. Therefore, prosecution should be against traffickers and not against the victim.

7.6. The Third paradigm focus is on the demand side, wherein a customer/user/buyer should be targeted, arrested, named, publicized and shamed.

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7.7. Local, state, national and regional programmes to fight trafficking must be coordinated. By drawing public attention to the problem, governments can enlist the support of the public in the flight against trafficking. Anti-trafficking strategies and programmes developed with input from stake-holders (civil society and NGOs) are the most effective and likely to succeed most as they bring a comprehensive view to the problem. Coordination and cooperation whether national, bilateral, or regional will leverage country efforts and help rationalize the allocation of resources.

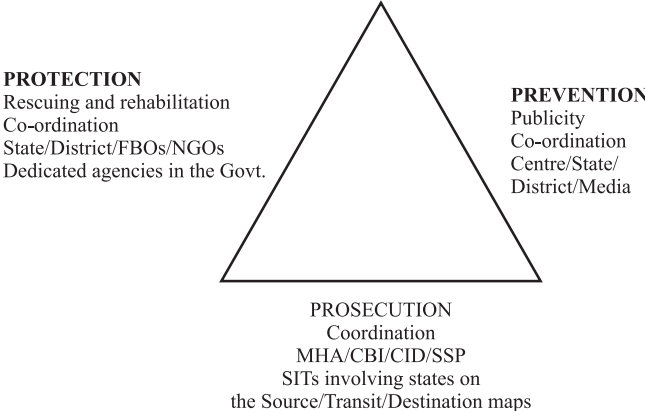
7.8. Knowledge about trafficking must be continually improved, and the network of anti-trafficking organizations and efforts strengthened. Religious institutions, NGOs, schools, community associations, and traditional leaders need to be mobilized and drawn into the struggle. Victims and their families are important stakeholders in the fight against trafficking.

7.9. Government officials, across the departments side as police, revenue, judicial and women and child welfare, must be trained in anti-trafficking techniques and methods, and trafficking flows and trends must be closely monitored to better understand the nature and magnitude of the problem so that appropriate policy responses can be crafted to tackle trafficking. Such an attempt was made by A.P. Police Academy in its 2 day workshop in Vijayawada on 28th and 29th November 2005.

8.0 The "3 Ps" i.e.,

- (a) Prevention of Trafficking;
- (b) Protection of victims including rescuing and rehabilitation; and
- (c) Prosecution of perpetrators needs to be addressed on a balanced and focussed manner so that all the three strategies are aggressively taken up.

PARADIGM SHIFT - PPP



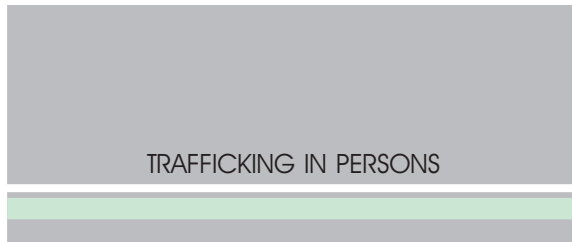
8.1. On the Prevention side of the triangle nation wide awareness programme on a massive scale, should be launched with a perfect co-ordination between all the government departments, NGOs and FBOs.

8.2. On the Protection side of the triangle, the victim should be rescued and rehabilitated. This involves lot of budget and co-ordination between the state headquarters and the district administration. Agencies in the district should be created on an exclusive and dedicated basis without any additional load or burden.

8.3. On the Prosecution side, since the problem is not isolated and is in fact national as well as international, it calls for dedicated investigation and enforcement wings/cells in CBI, State CIDs and vulnerable districts across the length and breadth of the Country.

9.0 Coordination

9.1. Prevention requires coordination at National and State level where electronic and print media is effectively used to reach millions of Indians particularly the vulnerable groups.



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9.2. Protection requires coordination between the State governments, district administration, NGOs, corporate bodies. Budget requirement is huge and implementation requires focused, special exclusive agencies on a dedicated basis and not the same old agencies which implement one hundred and odd other things.

9.3. Vulnerable areas should be mapped immediately. Vulnerable social groups within the vulnerable areas should be identified without any further loss of time. Special projects should be launched with. Officers on Special Duties (OSD) with swaying powers and budget

for each of these vulnerable areas/ vulnerable groups akin to the ITDA concept with a clear cut sub plan.

9.4. The prosecution requires a close coordination between Ministry of Home Affairs, CBI, State CIDs and State Police. Special Investigation Teams (SIT) should be formed involving the districts/states on the source-transit- destination map of the country.

9.5. After all, about twenty lakh persons are trafficked every year world wide. The efforts suggested above are not only worthwhile, but are essential and necessary.



Key Words

Self-efficacy,
Trainer/Teacher efficacy,
Semantic Structure,
Resources,
Barriers.
Gore Committee
NPA
Efficacy Beliefs

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MEASURING THE EFFICACY LEVELS OF POLICE TRAINING OFFICERS

Vijaya Somasundaram* and Dr. Beulah Shekhar**

The backbone of any training programme is a competent and effective trainer. Training the trainer is an element that is sadly lacking in the various institutions that impart training to the police. The Indian Police system continues to be governed by a law enacted two centuries ago, the Police Act of 1860. The act has failed to produce an efficient and a professional police force in the country. This was recognized by the British rulers themselves and is evidenced by a statement of a police commission chairman in 1903, Sir A.H.L. Fraser (Joshi, 1999): *'The police force is far from efficient, it is defective in training and organization, it is inadequately supervised, it is generally regarded as corrupt and oppressive, and it has utterly failed to secure the confidence and cordial cooperation of the people.'*

It is a sad fact that what was stated in that era continues to remain true even now in 2007. The Gore committee set up to look into police training recommended that focus of police training be shifted

from drill and regimentation to the development of proper attitudes through the study of social and behavioural science and modern management norms and techniques. Although several concrete steps were taken up by the government, the quality and the nature of the police training in many of the states continues to remain below par after nearly three decades since the publication of the Gore Committee report. Training continues to remain *'a ritual where unwilling and ill-equipped instructors are performing the rites of training and drilling to the unwilling trainees'* as stated by the report. Except for a few, the trainer post is mostly a punishment transfer that is endured (Sen, 1999). The duties are carried out with the least amount of involvement on the part of the trainer.

The Gore Committee stressed the importance of the role of the trainer as the change agent. But a system deeply entrenched in obsolete values subsumes that

Measuring the efficacy levels of Police Training Officers



knowledge, skills and attitude to train are inherent in the trainer officer. This may be true but as to whether the officer will be or is effective as a trainer is highly doubtful. No measures exist that evaluate this aspect in a police trainer. This theoretical paper attempts to explain a motivational construct called teacher efficacy that measures the belief in a trainer to bring about positive trainee outcomes.

Applied in the police-training situation, one could develop a suitable scale to test the training efficacy of the trainers and perhaps prescribe certain minimum requirements that indicate an efficacious trainer.

Bandura (1994) has proposed that self-efficacy beliefs are key predictors of human behavior. They signify an individual's belief about his capabilities. More specifically when an individual possesses a high self-efficacy for a particular task, he takes it on as a challenge but when his self-efficacy for the same task is low he keeps away from it. According to Pajares (2002)

- ❖ Efficacy beliefs influence the choices people make and the courses of action they pursue.

- ❖ It helps determine how much effort people will expend on an activity.
- ❖ It indicates how long they will persevere when confronting obstacles.
- ❖ It determines how resilient they will prove in the face of adverse situations.
- ❖ The higher the sense of efficacy, the greater the effort, persistence, and resilience.

The concept of Individual teacher efficacy emerged as a consequence of a study by Rand researchers and was defined as "*The extent to which teachers believe that they can control the reinforcement of their teaching activities*", i.e., whether control of reinforcement lay within them or in the environment. Simply put, it means that a highly efficacious teacher believed that he/she could strongly influence/control the student's performance (Tschannen-Moran et al., 1998).

A factor analysis of teacher efficacy scales administered to government high school students in Tamil Nadu revealed two factors that measured the individual teacher's potential and resilience (Somasundaram, in press). The items corresponding to these factors are:-

Abstract

Training the trainer is an important issue and its starting point is an evaluation of the trainers' efficacy beliefs. To develop a suitable measure of police training officers' efficacy requires a careful assessment of the semantic structure of the tool used and elements that are viewed as resources or barriers by the officers, either in the external environment or within themselves.

Measuring the efficacy levels of
Police Training Officers

Name of Factor	Description	Factor Loading	% Variance	Cronbach's á
Individual Potential Factor	When I try really hard, I am able to reach even the most difficult students	0.738		
Individual Resilience Factor	I am confident in my ability to be responsive to my students' needs even if I am having a bad day.	0.816	42%	0.73

Measuring the police trainer's efficacy level may reveal his resilience, potential to teach in unsupportive environments and persistence and effort that he is likely to expend in training the trainees. A prerequisite for developing a trainer efficacy scale involves a study of the semantic structure specified by Bandura for self-efficacy items (from Schwarzer et al, 1999). The requirements are as enumerated below:-

1. The subject should be 'I' since the objective is to assess the individual's subjective belief.
2. Each item should contain verbs like 'can' or 'be able to' that is indicative of the individual's success due to personal competence.
3. Each item should contain a barrier or a resource. A barrier implies a degree of difficulty encountered in the job. It helps reveal the extent of belief in the individual to continue efforts in its wake. A resource implies a supportive feature that enables performance in a job and indirectly indicates a grade of difficulty.

Identifying the different job skill requirements of the profession may serve as good indicators of such

resources or barriers that are likely to support /confront the trainer. Schwarzer et al, (1999) suggest that such skill requirements can be in the following areas:-

1. Job accomplishment.
2. Skill development on the job.
3. Social interaction with the trainees, colleagues and superiors.
4. Coping with job stress.

Another option may be to study the different categories of police trainers in the country and identify what would constitute the barriers and/or resources for each. Police trainers may be National Police Academy trainers for IPS officers or trainers at the State Police Training Colleges for the Inspectors and Sub-Inspectors handling both regular and/or refresher courses. Some barriers faced by the latter may be:-

- ❖ Wide differences in the educational backgrounds (faculty wise) of the trainees.
- ❖ Language barriers.
- ❖ Insufficient time period of course to complete a heavy syllabi.

Measuring the efficacy levels of Police Training Officers

- ❖ Lack of adequate compensation and incentives.
- ❖ Lack of teaching aids.

In training police recruits it would be apt to consider adult teaching theories and methodology in developing items for measuring the trainers' efficacy. Ron and Susan Zemke (1984) have espoused three observations about adult education:

1. Motivation for learning among adults primarily stems from life-changing events (a promotion, death of a loved one, job change) use for a new knowledge or skill and secondarily from increasing or maintaining self-esteem and pleasure.
2. Learning in adults is better when the curriculum easily integrates with what they already know or believe in and content orientation is straightforward how-to information.
3. Adult learning is enhanced in classrooms where—

- ❖ The environment is physically and psychologically comfortable.
- ❖ The instructor clarifies the trainee expectations early on in the programme.
- ❖ The instructor facilitates and draws out the previous knowledge and experiences of the trainees.
- ❖ The instructor balances the presentation of new material, debate and discussion, sharing of relevant student experiences, and the time.
- ❖ The instructor takes care to protect minority opinion, keeps disagreements civil, integrates various opinions and ideas, and continually reminds the group of the variety of potential solutions to the problem.

It is obvious that the trainer's role ranges widely from a simple instructor to a facilitator and coordinator to an agent of change. His potential in each role as understood

by him will be evident in his underlying self-efficacy beliefs. A trainer efficacy scale must therefore be able to draw out these aspects.

As seen earlier adults have separate need requirements from education. Several barriers may emanate from this point of view (U.S Department of Education, 1998) –

- ❖ Lack of confidence.
- ❖ Lack of course relevancy.
- ❖ Disengagement (inertia, apathy and negative attitudes).
- ❖ Lack of quality (dissatisfaction with the quality of education).
- ❖ Lack of personal priority.

Resources that can enhance or support trainers may include

- ❖ Teaching aids such as projectors, computers, software, etc.
- ❖ Good rapport with other trainers.
- ❖ Adequate compensation.
- ❖ Incentives, allowances.
- ❖ Due respect and status accorded to the role of the trainer both formally and informally.

Having identified the semantic structure, resources and barriers, the next step would be to develop the actual questionnaire. The BPR&D can consider a longitudinal study to develop a valid and reliable scale for trainer efficacy. The basic consideration would be a comprehensive coverage of all the identified elements. About 40-50 questions may be considered as adequate. The scale so developed has to be subjected to rigorous validity and reliability tests maybe over a three-year period by administering it to a sufficiently large and representative sample of police training officers. Factor

Measuring the efficacy levels of Police Training Officers

analysis must be performed to draw out the vital aspects and structure of the scale. The resultant scale can then be used as a standard scale for testing the trainer efficacy of police training officers.

The author requests that the BPR&D consider and undertake the above as a project directed at improving the standards of police trainers in the country.

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FORENSIC CHEMISTRY IN THE INVESTIGATION OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

Dr. B.R.Rawat*

Introduction

A major and overriding characteristic that sets criminalistic apart from other scientific disciplines is its unique concern with the process of individualization. Criminalistic strives to relate the object to a particular source. Some time it may require to prove that two drug samples have the same source that is having their origin in common batch. This involved determining the ratio of the concentration of the drug to that of any adulterants and diluents present. The amount and type of impurities detected reflects the purity of the starting materials, the synthesis procedure followed, reaction conditions employed. Normally, the comparison should include a large number of known trace components of which the concentrations can be accurately determined. They should not include volatile components which are susceptible to loss by evaporation. Whenever possible the impurities chosen for comparison should be stable. They should be produced along with the main drug and not arise from its decomposition. For a comparison to be meaningful, it

should be known to the analyst, either by personal experience with unrelated samples or by reference to the work of others, that there are large inter-batch variations in the quantities of the impurities to be measured.

Clandestine laboratories are frequently crude and are operated by individuals with limited synthesis experience. Their lax control of synthesis conditions leads to varying side reactions. The ability of the analyst to arrive at a conclusion regarding the relationship between samples is strongly dependent on the experience of the analyst regarding comparative studies. The relationship between two samples can not be absolutely proved by the quantitative analysis of the impurities; prudence regarding the interpretation of the results is strongly required.

A drug can be natural, semi synthetic or synthetic; bhang, charas, ganja, opium, cocaine, heroine and LSD are drugs of addiction. The search for perfect drug which would cause euphoria without producing after effect or complication so far has



Key Words

Forensic chemistry,
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tropic Substances,
Characterization,
Impurity Profiling,
Investigation.
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Noscapine

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Abstract

Forensic chemistry can provide useful information for drug law enforcement authorities in investigating the cases pertaining to narcotic Drugs & Psychotropic substances through drug characterization and impurity profiling studies. Chemical links between samples can be established and material from different seizures can be classified into groups of related samples, specific

been unsuccessful. Weather Plant-based such as opium, morphine, cocaine, semi synthetic as heroine and synthetic such as various amphetamines, pethidine, methadone and designer drugs, illicit drugs are normally complex mixtures which rarely contain the drug alone, their chemical composition show large variability. As well as containing the drug itself, samples may contain one or more of the three types of key components.

Natural Components: It is present in raw materials (e.g. coca leaf, opium) used for the production of certain plant – based drugs such as cocaine, morphine and heroine, which are co- extracted during production, and are not completely removed from the final product.

By-Product: They are generated during drug manufacturing and related to the method of manufacture. Samples of synthetic drugs such as amphetamines may contain various synthetic impurities consisting of residual traces of chemical essential to the drug manufacturing process and by-products resulting from side reactions. The presence and relative concentration of these impurities are dependent upon the quality of starting materials used, the route of synthesis, the reaction conditions, the extent of purification of the final product, and overall skill of the clandestine chemist.

Cutting Agents: These are added at any point in the distribution chain, subsequent to drug manufacture. The drug supply chain is long and complex, consisting of producer, trafficker, distributor, suppliers and user. Once the drug is processed or manufactured, a drug producer may supply to one or more traffickers, a trafficker may supply to one or more distributors, a distributor may supply to one or more suppliers and a suppliers may supply to one or more drug user. At each stage of chain cutting agents may be added with the result the impurity profile of drug may become more complex. The further away the drug from source greater is the chance that diluents and adulterants will be added.

Detailed chemical analysis of drug by screening and instrumental methods such as FTIR, HPLC and GC/MS a complex chemical profiles can be obtained with different drug samples. By such examination a characteristic chemical signature can be assigned to every drug samples. These impurity profiles may contain natural components, by-products and cutting agents. Drug characterization and impurity profile can provide a complete history of the sample and therefore, play a key role in characterizing samples and useful information for investigating agencies.



The main type of drugs of abuse of forensic interest are cannabis, amphetamines, benzodiazepines, heroin and cocaine. They appear in sub-gram quantities as so called street seizures in the possession of individual users, in large amounts in the hands of local drug dealers, and in kilogram quantities as imported drugs (mainly cannabis, heroine and cocaine). Forensic chemist has to determine whether or not a controlled substance is present, how much of the substance is present and the relationship of drug samples to each other through comparison and profiling.

Cannabis

Cannabis samples submitted to laboratory can be in one of three forms: herbal material, resin and oil. The main physiological active ingredient of cannabis is delta ⁹-tetrahydrocannabinol. Identification of herbal cannabis is achieved by visual examination under microscope. Ethanol extract of herbal material, resin and oil are subjected to thin layer chromatography (TLC) for screening and comparison. The preliminary screening by TLC will provide a good indication as to whether or not the blocks of resin are from same batch, reversed-phase HPLC will confirm this. HPLC is particularly useful because unlike GC-MS, it does not require the

samples to be derivatised. Tetrahydrocannabinolic acids are thermally labile and would decompose under GC-MS conditions. The chromatogram serves as the profile of the drug. Percentage of delta ⁹-tetrahydrocannabinol can vary region to region due to different climatic conditions, nature of soil and can be useful for source determination.

Amphetamines

Includes methylamphetamine, 3,4-methylenedioxyamphetamine (MDA), 3,4-methylenedioxy-methylamphetamine (MDMA) and 3,4-methylenedioxyethylamphetamine (MDEA). These drugs are usually synthesized, and when sold as powders are adulterated or diluted with a variety of compounds including glucose monohydrate, mannitol, Epsom salt ($MgSO_4 \cdot 7H_2O$), caffeine and starch. The drugs are usually taken orally, in either powder or tablet form. The marquis test is a useful presumptive test for amphetamines and other drugs. In the presence of amphetamines and methylamphetamine a yellow-orange coloration results and with ring-substituted amphetamines a blue-purple coloration is obtained. Confirmation of drugs by GC-MS with suitable derivatisation, HPLC is used to quantify the drugs but the

links between suppliers and user can be established, drug distribution patterns/networks can be built up and source including the geographic origin of drug samples can be identified. The exact purpose of any comparative study determines the analytical approach. Chemist has to take care in interpreting the results, taking into account peculiarities of different types of drug and the implications of the presence or absence of



different types of impurities, namely manufacturing impurities and cutting agents. Close cooperation between laboratory and law enforcement personnels is essential to maximize the operational value of drug characterization studied for law enforcement investigation work.

comparison of sample require GC-MS. The methods of synthesis of the drugs can be done, and level of impurities expected for each route are known. These impurities which constitute the fingerprints or profile.

Cocaine

Cocaine is naturally occurring stimulant alkaloid derived from the leaves of various *Erythroxylon* species. Cocaine is not only alkaloids extracted from coca leaves, cinnamoylcocaines, truxillines, tropococaine and hygrines have been found in coca leaves and are co-extracted with the cocaine. In the clandestine production, cocaine along with other alkaloids is extracted from the leaves with an organic solvent. The base is then precipitated as cocaine sulphate. The sulphate is dissolved and treated with aqueous permanganate to oxidize certain undesirable impurities. Cocaine alkaloids are then precipitated by the addition of a weak base, filtered off and dried. The cocaine base is usually converted into the hydrochloride salt by dissolving it in an organic solvent, then adding hydrochloric acid usually diluted with an alcohol. The precipitated cocaine hydrochloride is then filtered off and dried. The cocaine is in the final form that appears in the illicit drug market. The nature of the related alkaloids available for sample comparison as

well as their amounts is dependent on the source of the leaves and the procedure used for the isolation and purification of cocaine.

Ecgonine, methylecgonine and benzoylecgonine as source indicators.

Cocaine is a di-ester and is susceptible to hydrolysis by both acids and bases. The presence of ecgonine, methylecgonine and benzoylecgonine in cocaine seizures has been established. These alkaloids have been used for sample comparison.

Cis-and trans-cinnamoylcocaine as source indicators

In addition to methylecgonine, ecgonine, cocaine and benzoylecgonine, the presence of cis- and trans- cinnamoylcocaine are also present in most of samples.

Truxillic acids as source indicators

Truxillic acids have also found in cocaine seizures. Four stereoisomers of this compound are known and are resolvable by GLC.

Heroin

Heroin (diacetylmorphine) is produced by the action of acetic anhydride on morphine. The morphine is obtained from opium

which is in turn obtained from the poppy, (*papaver somniferum*). The alkaloidal contents of opium show large variation. Factor causing these variations include climate and altitude, soil conditions, rainfall, age of plant at the time of lancing. Morphine may or may not be isolated from the opium prior to its acetylation to produce heroine. Reaction conditions during the acetylation process, which varies from laboratory to laboratory introduces additional numerous side- products.

Acetyl codeine and O⁶-monoacetylmorphine as source indicators

Acetylation of codeine present in the morphine at the time the heroine is produced leads to acetyl codeine. Partial acetylation of the morphine can give o6-monoacetylmorphine and can be separated by employing suitable instrumentation.

Noscapine and papaverine as source indicators

Noscapine and papaverine are found in relatively large amounts in crudely processed heroin. In brown heroin samples papaverine level of .1%-3.0% of heroine content have been reported. Noscapine has been reported at even higher values.

Neutral and acidic compound as source indicators

Thebaine under the action of acetic anhydride is converted in to the baol, acetyl-thebaol and 3, 6-dimethoxy-phenanthrene-4, 5-epoxide 9230. Acetylthebaol is neutral and thebaol is weakly acidic, the can be detected and measured (24).

Drug characterization studies: possible information

1. Law enforcement authorities often require evidence to link drug dealers and users; or they may want information on local distribution network. Forensic

laboratories are then asked to determine whether samples of seized drugs are related. By identifying similarities and difference between drug samples, the information generated by drug characterization studies can be used to help answer the following questions:

- Are two or more drug samples connected?
- Does this relationship provide a link between, for example, a drug dealer and a user?
- Does the relationship between samples provide any useful information relating to local, national, regional or international drug supply and distribution networks or any information as to the extent of such networks?
- Where does the sample come from (e.g, geographic, origin, laboratory source)?
- What is the method of clandestine drug production?
- Which specific chemicals are employed in the manufacturing process?

2. From an investigation point of view, sample characterization studies can therefore be carried out either for evidential or for intelligence purposes. They may, thus, be used either to help to confirm a connection between two or more samples, for example, drug supply cases for prosecution purposes. Or they may be used to provide more general intelligence information such as the identification of local, regional or international distribution networks and sources of drug supply, in support of law enforcement investigations.

3. Depending on the nature of the drug sample investigated, the information generated through, drug characterization studies may be used to identify from where, how, and to what extent the drug has been distributed. It may be used to provide background intelligence on the number of sources of drugs, on whether those sources are within a country or are “internationally” based, and on points of drug distribution and drug distribution networks. Information from drug

characterization studies may also be used to estimate how long a particular laboratory has been in operation, and to assess the scale and output of a drug operation.

4. At the national and international level, examination of samples may provide valuable information to identify new or established trafficking routes and distribution patterns. Further, in some cases, the identification of geographic origin (region or country), and sources of international supply, may be used to estimate what percentage of the drug reaching a country has come from which of the different drug producing areas of the world. Drug characterization and impurity profiling may also assist in the identification of output from new illicit laboratories, and in the monitoring of common methods used for clandestine drug manufacture. This, in turn, may provide information helpful to the maintenance of other intelligence gathering tools, for example, precursor monitoring programmes. Finally, drug characterization and impurity profiling studies may provide supportive evidence in cases where a differentiation of illicitly manufactured drugs from those diverted from legitimate sources is required.

Practical value of drug characterization and impurity profiling studies for law enforcement investigation

Establishing specific link between two or more samples

1. Attempts to link samples are aimed at establishing a connection between the samples. Ultimately, that information may be used by law enforcement to establish link between different individuals from whom those samples were seized. Links between samples can be established at various levels, such as source (drug production) or the different stages of drug supply. The fact that impurity profiles can be shown to coincide is of high evidential value, particularly in local distribution cases such as dealer and user cases.

Ultimately, the establishment of a relationship between two drug samples may have a major impact on charges and penalties for the individuals involved (e.g. trafficking charge versus possession, etc.).

2. While providing sound scientific facts, however, chemical characterization studies are only a part of drug comparisons work overall, particularly in cases for evidential purposes where evidence of links is to be presented in court. Results have to be complemented by other information about the samples in question, for example on purity, appearance, packaging etc., and with information relating to the presence or absence of cutting agents.

Establishing drug distribution patterns

1. It is possible to classify material from different seizures into groups of related samples. The identification of such groups may provide useful information in relation to trafficking patterns and distribution networks. Established groups may represent different laboratories or different drug related organizations. The size of a group and the time span over which samples falling within the group have been seized can furnish information on the scale and period of drug operations. Chemical comparisons of clandestine drugs are particularly useful for the investigation of small-scale or local drug supply networks. Such information is, in turn, of value in relation to the confiscation of financial assets.

2. For natural and semi-synthetic drugs, such as cocaine, heroin or cannabis, the establishment of distribution patterns and network is not easy. This is largely due to the fact that there is little or no information on what constitute a “batch” of natural or semi synthetic drugs. Moreover, it is by no means certain that large illicit consignment of such drugs constitute the product of single batch. There is also only limited information on

the extent of manufacturing impurities across batches, countries or geographic region with drug of this type. However, using multiple analytical techniques and with support of intelligence information and physical properties and quantification of their alkaloidal contents such task is not impossible

3. In the case of synthetic drugs such as amphetamines, by contrast, large groups of related samples can be identified, both nationally and internationally. This is of value in that it lends drug enforcement agencies both the time and the opportunity to investigate and then follow up background information associated with a series of related drug seizures. Good intelligence about major dealers in an operation may, thus, be obtained, and major centers of drug supply may be identified. Conditions of clandestine manufacture are usually controlled with synthetic drugs than natural and semi-synthetic drugs. Inter-batch variation may thus be sufficiently small. Samples produced by an established method, though in different batches the same illicit laboratory may be linked by their impurity profiles.

Monitoring methods used for clandestine drug manufacture

Detailed examination of impurity profiles and identification of impurities may provide information on the method and conditions of drug synthesis, and of the chemicals used. Qualitative information, thus, generated may be a valuable tool to regulatory authorities, for instance, to identify new targets in precursor monitoring programmes and to alert to new drug trends. This is more relevant for synthetic drugs, with their higher flexibility in the clandestine manufacturing process, such an approach, routinely used may also help to identify trends in the use of solvents and other chemicals used for heroin and cocaine processing.

Identifying the source of drug samples

The main aim of determining the source of a drug sample is to identify its geographic origin, the clandestine drug production or the source of supply and distribution of the sample.

Discussion

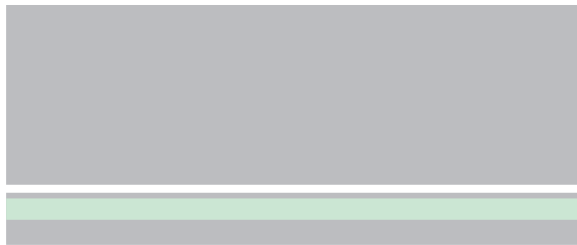
Drug characterization and impurity profiling studies can establish specific links between two or more samples classify materials from different seizures in to group of related samples, thus building of distribution networks, identify the source including the geographic origin of drug sample and to monitor clandestine drug production methods and the chemical used. This information may be used for evidential purposes or may be used as a source of intelligence to identify samples which have a common history.

Drug characterization is a multi-disciplinary collaborative exercise. Maximum usefulness of drug characterization/impurity profiling studies can be expected, if close collaboration between laboratory, police and customs authorities and mutual understanding of purpose, needs, possibilities and limitation of drug characterization/impurity profiling studies are ensured. Since the specific aim of any comparative study determines the analytical approach, there is thus the important need for law enforcement personnel to be clear in specifying the information they expect from the Forensic Chemist. It is also important that drug impurity profiling is not a routine analytical technique. In order to have more insight into seized drug samples than by normal chemical analysis, and to identify any link between two or more seized drug sample, specialized and experienced chemist with dedicated equipments are required because any drug characterization and impurity profiling programme will be going to build appropriate database of results for interpretative purpose.

Forensic Chemistry in the Investigation of
Narcotic Drugs and Psychotropic Substances

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A TIME TO EMPOWER WOMEN

T.G.L. Iyer*

Women's empowerment is a movement that will go on for ever. American author BETTY FRIEDMAN calls it 'feminine mystique', the mobility of women to break out of slavery to freedom. Most women get trapped in the kitchen or raising children during half their life time. It is the lucky few who talk about equality, freedom and independence.

A woman's life career is well defined. It is first the father, then the husband and later the son. She has never been on her own establishing an identity and putting a stamp of her own. Swami Vivekananda spoke that no society can progress with men alone. In such a society, there can be only arrested or stunted development. When women are neglected and they are denied economic and social opportunities for growth and development, there could be only stagnation in their lives.

All empowerment starts from home. Women at home should have freedom and a sense of participation. Then she develops dignity and status. Once a woman took her teenage daughter to Saradadevi at

Dakshineswar and complained that her daughter does not want to marry. She wanted to study and decide about her future later. The Holy mother asked: "Why are you in a hurry to marry her? Let her get education and know what is good or bad in life, instead of destroying her discretion and choice". Remember, that the Holy mother lived between 1853 and 1920 and she was not educated. Still her instinct told her that women could become independent, only if they get education.

Girls are considered to be a liability in our society. Many of them are killed before and after birth because our society thinks that when she grows up she would be a liability instead of an asset. She will not earn, her wedding will be unaffordable and dowry problems will arise resulting in her harassment and isolation. She can't go anywhere unescorted and she becomes vulnerable to molestation and rape. In fact, she can live her whole life only with high security.

Consider the situation in KERALA where there is 100 percent



Key Words

Feminine mystique,
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SEWA,
33 percent representation,
Self-esteem,
Hole in the soul,
Partner,
Joint-effort,
Empowerment instead of exploitation.

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Abstract

Woman is dependent, first on father, then on the husband and later on the son. Woman should develop identity, dignity and status. Girls are considered as liabilities instead of assets. Education of women can lead to independent thinking and establish an identity. SEWA in Ahmedabad is a movement making women self-reliant. 33 percent reservations for women will not work unless it is implemented in

A Time to Empower Women

literacy. Birth ratio has decreased. Women earn and add to the income of the family and men don't consider women as a liability. Most of the women have taken to teaching and nursing profession not only in India but in abroad too. They become saleswomen, roll bidis, weave baskets, carry construction material and perform many other self-employed, self-earning roles. In addition to making and distributing many small products, they mend and resell cooking wares, collect paper from offices and many other jobs to feel themselves WANTED by the community.

In Ahmedabad (Gujarat), Journalists, government officials were condemning the fact that women do hard physical labour but earn very little. Then in 1971, a young Gandhian labour organiser named ELA BHATT did something revolutionary. She asked the women themselves what they wanted? As it turned out, they wanted better conditions on what they were already doing. They wanted safe places to leave their children, higher wages for hand-made products and in construction jobs, stop paying bribes to the police and Municipal officials to sell their wares and relief from money lenders who charged high interests. Finally, they wanted a secure place to keep their small savings to call it their own.

Ela Bhatt's movement earned the label SEWA (Self-employed Women's Association), which led to Child Care Centres and infant crèches. She persuaded the Bank of India to let them open a special branch for issuing micro loans and allow small deposits of their hard earned savings. SEWA has now become one of the most powerful women's Trade Unions and one of the largest in the world. SEWA offers revolving loan-funds to help women farm, set up small business and carving out security to women who are totally vulnerable.

The Brihadaranyaka Upanished says: "The divine person parted one's very body into two; from that came husband and wife. Therefore, Yagnavalkya said this body is one half of oneself, like one of the two halves of a split pea". If the man in the house, the husband, is willing to steer life jointly with his wife, giving her, say some space and some role, the empowerment can be said to have begun. The Home is the nucleus, then it travels to the community and then to the Nation. Women have to be given 33 percent representation in all elected forums but unfortunately the Bill is yet to be passed by the Parliament. Smt. Sonia Gandhi said that "women got reservation in Panchayat bodies due to late Rajiv Gandhi but for the Women's Reservation Bill I have to convince several people within and outside the Congress".



Recognition is the key. One of the greatest gifts a parent can give a female child to help develop self-esteem is to teach her how to think rather than what to think. Skills could be learned, but the seeds of confidence have to be planted at a young age and nurtured throughout the formative years. A mother, for example, should treat the female child on the same level as the male child. She should use criticism constructively, than destructively. Let the girl know that nobody expects perfection but expect her to do her very best.

I remember a seminar I attended where a low paid woman employee - let us call her VIJI - who had limited education, never travelled far and wide and spent her days doing her work quietly to the best of her ability. At first, Viji was shy but with other's encouragement she spoke up, contributed and participated in the discussions. At the end of the seminar she stood up and gave a stunning performance while presenting her impressions about the seminar. She said: "The seminar has given a positive blood-transfusion and I am better equipped now to deal with any situation. Remember that there are standards you can raise by merely encouraging them at the right time at the right place".

Many of the women through tradition and cultural impact develop low self-esteem, which stems due to

the "Hole in the soul" syndrome. Hole in the soul is an experience in insufficiency. The woman feels that she is not or has not enough of what is required to meet the expectations of others. For instance, if a woman is given outdoor duties, she feels overwhelmed, afraid and insufficient to meet the needed requirements. Once the woman is accustomed to outdoor life, she loses the fear and gains more confidence to discharge her duties.

A wife once asked me: "Is there a need for training to play the role of a wife?" When I asked her why she is asking this question, she said: "My husband always screams at me for whatever I do. My problem is how to deal with it?" I explained to her that no person has a right to yell, curse or shout at another and she deserves respect. How others treated her was her decision i.e. accept it or reject it. The same woman met me a few days after and said: "Your suggestion worked. The other day, when my husband shouted I asked him to stop screaming and behave himself. Probably, that was unexpected and he has started behaving properly now". Well, equality, respect, self-esteem etc. sometimes have to be demonstrated instead of accepting things lying down!

Henry Ford, the motor-car manufacturer said: "Don't find fault. Find the remedy". This applies to

practice. The experience of insufficiency should be converted into self-reliance, courage and freedom. Self-esteem should be inculcated in women. It is only the man who can empower the woman, Instead of a fault-finder, man should be a good finder. The secondary position of the woman in society and home should become primary which is possible only when she is given a leading and positive role to play in the affairs of the community.

husband-wife relationship. Three things are to be remembered : (1) When you clap, two palms have to make contact; (2) when you make a mistake, own it, even if not discovered, because it is the first step towards success and (3) there is nothing called impossible; all relationships are possible including man and woman. The point is that instead of considering woman as a pleasure-pot, consider her as a partner who can create pleasure through joint partnership.

It is only man who can empower woman. Whether it is home, office, factory or a business centre, an empowered woman can change the whole scenery making work a game instead of a burden. Follow the Philosophy: "Everyone is responsible and none is to blame". A woman can be made responsible for what she does and when that takes place, man need not interfere with her actions at every step.

A few guidelines will help in changing attitudes and relationships. First, recognise that you are unique just the way you are; the one and only and the very best. Second, remember that one is not contesting or competing with another; it is an attempt to better the present moment. Third, recognise that the self-worth of anyone man or woman is not affected by failure. It is the same throughout life. Fourth, accept responsibility for whatever you do whether it ends in success or failure.

Fifth, enjoy each day, one day at a time, recognising that life is a journey to be embraced moment to moment. Sixth, give yourself a pat whatever may be the end result.

To sum up, be a good finder instead of a fault-finder. Catch yourself and others in the act of doing things right. Man should view a woman as a helper, associate and responsible co-worker. When that attitude comes, the secondary position of woman will become primary. Instead of a slave, she will be a master. Instead of interchanging or reversing the roles of man and woman, let there be joint effort and partnership. When that happens empowerment would begin and power will be shared instead of being exploited. A new chapter would begin and more wonderful things would happen than debating and floating theories endlessly.

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ROAD SAFETY – THE PATH AHEAD

Anurag Garg*

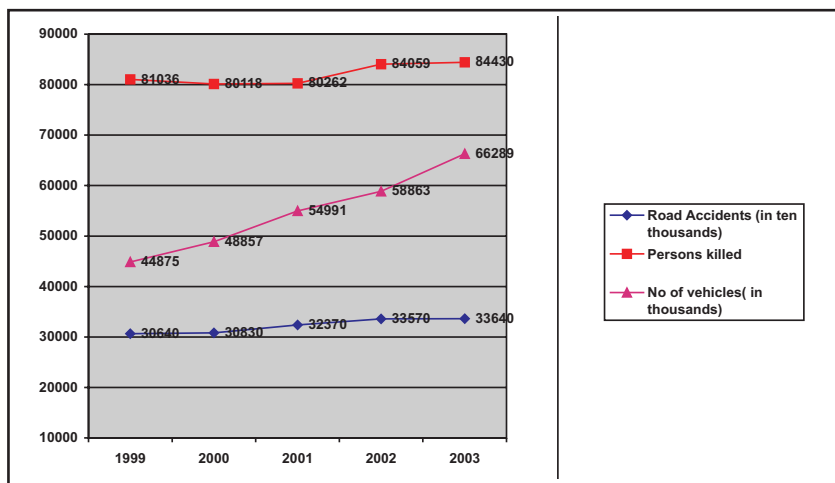


According to “Accidental Deaths and Suicides in India – 2003” published by the National Crimes Record Bureau, about 3.36 million road accidents were recorded in India in 2003. In these accidents 84,430 people lost their lives and about 3.8 million people suffered injuries. The actual number of accidents and the number of persons who were injured in these accidents will be much more considering that many accidents which do not involve fatalities or serious injuries are not even reported or recorded by the police.

The graph below indicates the growth of motor vehicles, road

accidents and fatalities in the past few years. It clearly shows that the number of vehicles in India has increased quite sharply in recent years. Coupled with the phenomenal increase in road network and economic activities, there is bound to be a substantial increase in both passenger and freight movement and unless concerted and multidisciplinary preventive and remedial actions are taken, the number of accidents will continue to rise in the coming years.

Considering that about 70% of the victims of road accidents are in the age group of 15-45 years, these accidents impose a heavy socio-



Key Words

Growth in fatal accidents,
 Scientific investigation,
 Vulnerable road users,
 MV Act 1988,
 Driving licenses,
 Lax regime,
 Driver's comfort,
 Vehicle design,
 Regulating working hours,
 Benchmarking repair workshops,
 Strict enforcement,

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Abstract

The draft policy on transport management available on the website of Ministry of Road Transport reveals that primary causes of road accidents are driver's fault (83.5%), pedestrian fault or fault of passengers (4.7%), mechanical defects in vehicles (3%), bad roads (1.1%), bad weather (0.9%) and other factors like cattle, fallen trees, road blockings, non functioning signals, absence

Road Safety – The path ahead

economic cost on the country. Planning Commission had assessed the social cost of road accidents in the country in 1999-2000 at Rs. 55,000 crores which constituted about 3% of the Gross Domestic Product of the country for that year. Thus, there is an urgent need to address the problem of road safety through study and analysis of data related to road traffic accidents and devising corrective policies, promote awareness about seriousness of the problem amongst key decision makers, stakeholders, road users and civil society, strengthening the existing institutions and enforcement agencies responsible for prescribing norms and implementing the existing provisions of road traffic and safety, providing for safer road infrastructure, promoting safer vehicles and educating people on road traffic.

Cause of Accidents

The draft policy on transport management available on the website of Ministry of Road Transport reveals that primary causes of road accidents are driver's fault (83.5%), pedestrian fault or fault of passengers (4.7%), mechanical defects in vehicles (3%), bad roads (1.1%), bad weather (0.9%) and other factors like cattle, fallen trees, road blockings, non functioning signals, absence of rear

reflectors or road signage etc. (6.8%). But the above data may be misleading because of the penchant of the investigators to fault the driver of the bigger of the two vehicles involved in an accident or holding the motorist guilty in case a pedestrian or a cyclist is involved. In the absence of scientific investigation, real cause of the accident is not known and it is difficult to take appropriate measures to avoid accidents or mitigating its consequences. Often the causatory factors such as poor maintenance of roads, poor road design and absence of traffic sign posts, unsafe design of vehicles, poor maintenance of vehicle, encroachments on roads and its shoulders are overlooked in investigations. As such, authorities or persons responsible for maintenance of road infrastructure or vehicles are seldom held accountable.

In the year 2003, 33499 murders were reported through out India as against 84430 fatalities in road accidents. The success of police is adjudged from its ability to solve murder cases and there is little motivation to apprehend offenders in hit and run cases. This hitherto neglected area must get due attention not only because of high number of fatalities involved but also because offenders, if not punished, are likely to continue their unsafe driving



habits. Also, the investigations should be done scientifically because investigations based on the eye witness accounts often result in acquittals in trial courts.

It is, therefore, imperative that due importance is given to scientific investigation of road accidents not only to punish the guilty but also to ascertain the real causes and consequences of accidents. The investigator must have sound knowledge of dynamics of motors, vehicle design and operation, motor vehicle laws and rules etc. before he/she embarks to investigate an accident case. It requires specialized training and continuous upgradation of knowledge for which officers have to be motivated to develop expertise. Institute of Road Traffic Education (IRTE), an NGO in road safety education has recently launched an improved version of Mobile Collision Analysis and Research Laboratory called Crashlab2 in Delhi which can facilitate scientific investigations of road accidents in a more professional and fair manner and also point out instances where motorists are not essentially at fault. This is a pathbreaking initiative and police leadership must encourage use of such aids in investigations. A comprehensive data base including relevant details of an accident, its causes and consequences must also be maintained by law enforcement

agencies for analysis and policy initiatives to improve road safety.

Legal framework to regulate motor vehicles and road safety

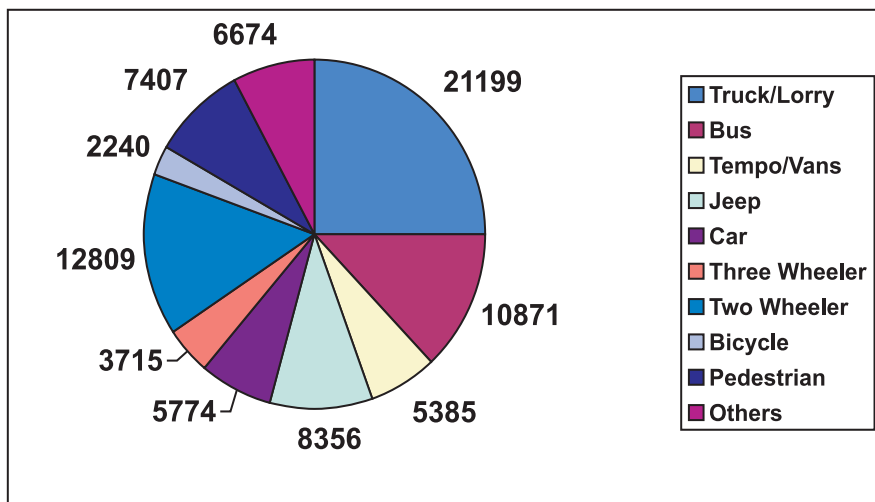
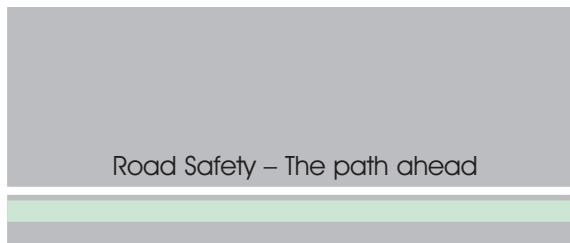
The Motor Vehicles Act 1988 and the Central Motor Vehicles Rules 1989 regulate the issue of driving licenses, registration of motor vehicles, control of transport vehicles, construction and maintenance of motor vehicles, control of traffic, insurance of motor vehicles and define traffic offences and their penalties. The Motor Transport Workers Act 1961 regulates the hours of work of a person engaged for operation of a transport vehicle.

Strengthening Law Enforcement to improve road safety

Of the 84,430 people killed in road accidents in India in 2003, 21,199 persons (25.1%) were occupants of trucks or lorries, 10,871 persons (12.8%) were killed while travelling in buses while 12,809 (15.2%) were killed on two wheelers and 7,407 (8.8%) were pedestrians.

A study done by Prof. Dinesh Mohan of IIT Delhi reveals that buses and trucks are involved in a higher proportion of fatal crashes with vulnerable road users such as pedestrians, bicyclists and motor

of rear reflectors or road signage etc. (6.8%). In 2003, about 84,430 persons lost their lives in road accidents and about 3.8 million suffered injuries imposing a heavy socio-economic cost to the nation. In the absence of scientific investigations of road accidents, the real causes and consequences are not known and it is difficult to plan remedial measures. Police investigators must pay more attention to investigation of road acci-



idents and use scientific aids not only to ensure conviction of offenders but also to understand the extraneous factors responsible for accidents. The available data suggests that passengers travelling in buses, trucks and lorries constitute 38% of the total fatalities. Also, heavy vehicles are involved in majority of the fatalities among vulnerable road users. Thus, there is a need to examine the safety issues concerning heavy transport

cyclists than in non fatal cases. Heavy vehicles such as buses and trucks are also associated with 50-70% of fatal road accidents in urban areas. A considerable dent in reducing fatal road accidents can perhaps be made if more attention is given towards safety issues concerning heavy vehicles such as trucks and buses.

Issue of driving licences

The regime of issue of driving licence in India is quite lax. Applicants are not required to undergo any rigorous driving test; no tests are given to judge knowledge about traffic rules, safety regulations, road etiquettes and physical or psychological fitness. MV Act 1988 provides for suspension and cancellation of driving licenses for certain offences by enforcement agencies and courts.

But these provisions which will have more deterrence than the nominal fines on the potential violators are hardly invoked. In the absence of any data on previous violations and convictions, it is also not possible to impose greater penalties on repetition of offences. Even in a rare eventuality of driving licence being suspended or confiscated, the offender can easily obtain another license from some other licensing authority. In the prevailing circumstances, many bad driving habits - lack of lane discipline and no consideration for pedestrians and other vulnerable road users, violation of traffic rules and regulations and absence of road etiquette- have developed among many drivers. Section 26 of the MV Act 1988 provides for Maintenance of State Register of Driving Licences. But many licensing authorities cannot ever confirm



whether a licence was issued by them or not. If the database as mandated by the Act is maintained, it can be used profitably by licensing authorities, police and courts in matters of issue of fresh license, renewal of license, imposition of stiffer penalty and revocation of the license etc. There is thus an urgent need to strengthen the existing regime of issue of driving licenses. To enhance the competence and capability of the existing holders of driving licenses, refresher training courses in certified driving schools must be made compulsory for renewal of driving licenses for transport vehicles.

Improved Design of buses and trucks to increase safety standards

Section 109 of the MV Act 1988 and rules made thereunder regulate the manufacture and maintenance of motor vehicles. But fabrication of bus and truck bodies is largely unregulated and safety and comfort standards are ignored for commercial gains. The standards for body design must be laid down and monitoring mechanism must be devised. Low floor transport buses with automatic closing doors must be made mandatory, especially in urban areas, as there are significant casualties while boarding or alighting from the high level buses. There is immense scope to increase

the comfort level of the drivers of the transport vehicles for which suitable technology must be adopted by the manufacturers of vehicles. Some of the issues which need attention are relocation of engine from its existing position adjacent to driver's seat in many transport buses, provision of power steering, reducing turning radius, anti glare lights, comfortable seats, provision of seat belts, better rear view mirrors and onboard signalling devices. Improvements in vehicle design can reduce fatigue and stress on the drivers of transport vehicles and improve safety standards significantly. To increase visibility, vulnerable road vehicles such as bicycles and motorcycles must have reflectors and preferably use yellow/orange colours instead of black which is easily lost in the gray backgrounds.

Regulation of working hours

Drivers of transport vehicles are many a times overcome by fatigue and stress caused by long hours on the wheel and make fatal mistakes. The working hours of the persons engaged in the operation of transport vehicle are regulated by the Motor Transport Workers Act 1961. It provides for a maximum of 8 hours of work in a day and 48 hours in a week except in certain exigencies. Section 91 of

vehicles. Liberal regime of issue of driving licences, unregulated design of bus and truck bodies, poor driver comfort in transport vehicles, unregulated working hours of transport drivers, poor standard of repairs in roadside workshops and weak enforcement of serious traffic offences are responsible for poor road safety in the country. Apart from addressing these issues, some policy initiatives like safeguarding interests of vulnerable



road users and non-motorized vehicles in the planning, designing, development and maintenance of road networks including road safety in educational curriculum of schools to increase awareness about road safety and to nurture good road etiquettes are required. Road safety is a serious issue which has to be addressed by adopting multidisciplinary approach at various levels of governance with active cooperation of all

the M.V. Act 1988 also addresses the issue. But the Act is applicable only to companies which employ 5 or more workers. In any case, due to weak union of transport workers and ineffective enforcement, the workers often work beyond their capacity endangering their own safety as well as safety of others. The Act must be suitably examined to include all motor transport workers and attention must be given for its proper enforcement.

Repair in authorised workshops

Most of the repair work is undertaken on roadside workshops encroaching upon public lands and roads which not only obstructs the free flow of traffic but also endangers the safety of road users. The quality of workmanship in these workshops is often poor and no attention is given to the safety issues. It is, therefore, quite common to see vehicles in a broken down condition on Indian roads. Vehicle manufactures, must take the initiative of benchmarking and ensuring quality control in repair workshops. For the public transport vehicles, it must be mandatory to get repairs and periodical maintenance done only in the authorised workshops. The above measures would largely take care of accidents on account of mechanical defects in vehicles.

Strict enforcement of traffic rules and regulations

The perception that traffic enforcement agencies book offenders for statistical purposes is often correct. “Proper” statistics is the focus of enforcement activities rather than ensuring safety on roads for which minor offences are penalized more often. Serious traffic offences which can jeopardize the safety of other road users like stopping buses at unauthorized places and thereby endangering safety of passengers and obstructing traffic, overloading of goods carriages, driving in inebriated state, driving dangerously, overspeeding, using vehicles in unsafe condition and use of trucks and tractors for transport of passengers are allowed to go unnoticed. It is correct that the phenomenal increase in the number of vehicles and road networks is not matched by a proportionate increase in the infrastructure of enforcement agencies, but even the existing infrastructure is not being used optimally to enhance road safety. Those who endanger the safety of others by wilful violation of traffic rules must be the focus of enforcement activities. Technology must be exploited to increase the effectiveness of law enforcement personnel. Driving Licenses and permits of transport vehicles must be suspended or revoked, if the penalties fail to have deterrence on



incorrigible offenders. Unsafe driving has to be made a high risk activity by strict enforcement of traffic rules and regulations.

Policy Initiatives

Apart from the measures mentioned above which address the issue of road safety from the point of view of enforcement of existing traffic rules and regulations with special reference to transport vehicles, certain policy initiatives are also required to increase road safety.

Safeguarding interests of Vulnerable Road Users

The safety of pedestrians and non-motorized transport has not received adequate importance in the planning, design, development and maintenance of road networks. National Highways and urban transport planning must necessarily keep the interests of these groups in perspective. The sheer difference in speeds and masses of the various kinds of motorized and non-motorized traffic sharing the same road space on state and national highways increase the probability of fatal accidents. Therefore, adequate overpasses, underpasses and service lanes for non-motorized transport and slow traffic must be incorporated in the planning of highways so that it does not come

in conflict with motorized transport. There is also a need for appropriate legislation to govern the movement of non-motorized traffic on highways. In urban areas, disabled friendly pedestrian ways, zebra crossings, subways and bus stops must be integrated in the overall road management. Considering the high use of bicycles as mode of transport in many cities, safe and dedicated lanes for bicyclists must also be provided. Traffic calming measures must be incorporated in road environment as researches have shown that impact on a vulnerable road user at speeds greater than 50 kms per hour is often fatal.

Education on Road Traffic Safety in Schools

Lastly, majority of the drivers have poor driving discipline, poor knowledge of basic road etiquette and little respect for law. There is need to bring about a sea change in the prevailing culture of apathy and callousness towards other road users. Encouragement must therefore, be given for inclusion of traffic rules, road etiquette and road safety in the educational curriculum for students at school level, so that future citizens imbibe the right road culture.

Road Safety is a serious issue which has to be addressed by adopting a multi disciplinary

stakeholders and civil society through concerted and sustained efforts. Considering that about 70% of the victims of road accidents are in the age group of 15-45 years, these accidents impose a heavy socio-economic cost on the country. Often the causatory factors such as poor maintenance of roads, poor road design and absence of traffic sign posts, unsafe design of vehicles, poor maintenance of vehicle, en-



encroachments on roads and its shoulders are overlooked in investigations. Lastly, majority of the drivers have poor driving discipline, poor knowledge of basic road etiquette and little respect for law.

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approach by the various authorities at central, state and local levels. Stakeholders, NGOs and user groups must also make concerted and sustained efforts at their level to identify problem areas, undertaking research activities to improve road safety, educating people on road safety and creating awareness about the issue to facilitate the key decision makers to evolve right policies and ensure proper implementation of the road safety standards. The National Road Safety Council constituted under Section 215 of the Motor Vehicle Act 1988 can perhaps take a leading role to deal with various aspects of road safety in a more

coordinated and comprehensive manner.

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PEOPLE'S PERCEPTION OF WOMEN POLICE

Dr. Om Raj Singh*



Police image in a society depends on the degree of equanimity it has with public expectation. For police, the public is not a homogeneous entity. It is composed of many diverse and at times opposite interests. In the present study an attempt has been made to explore the emergence of women police, its impact on women police system and upon the society at large. The prime goal to undertake this venture was to analyse the role of women police in urban situation. Besides, the following objectives were also kept in view:-

- To find out the social and economic background of the women police and to compare the socio-economic status of the different ranks of women police.
- To investigate the functions of women police and find out the difference between theory and practice.
- To make an assessment of the status of women police in the society and in the department.
- To examine the role of conflict in women working in the police.
- To examine their own and public perception about women police.

- To find out the future prospects of women police.
- To evaluate their potentiality in acting as an agent of social change.

Though only a few studies on the present theme have been undertaken, yet they provide a basic guideline. Some of the major assumptions generated by these studies in the past have been taken up for validations under local conditions.

In the light of the objectives stated earlier, the following hypothesis were formulated.

- Entry of women in police is a new phenomenon and still a less preferred avenue.
- Male police officials do not realise their importance and competence.
- Public perception about them is not healthy.
- Corruption, red tapism and delaying tactics are comparatively little among them.
- Their behaviour and dealing with the public is soft and humanitarian.

Key Words

Masculine domain,
Equanimity,
Expectation,
Homogeneous entity,
Prime goal,
Assessment,
Potentiality,
Validation,
Assumption,
Perception,
Phenomenon,
Humanitarian,

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Performance,
Perspective,
Sympathetic,
Empathy,
Cruelty,
Torture,
Physical Mobility,
Social Interaction,
Political Pressure
Corruption
Potent Agent of Social
Change.

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- They are active and potent agent of social change.
- Political pressure on them is comparatively less.

Though the boundaries set by the traditional sex typing of jobs have lost their rigidity, allowing women in traditionally masculine occupations, yet the male domination in certain occupations continue. The sex typing of jobs has the consequences for the persons who are of weaker sex for role assuming and role performance.

Policy, even today is considered a masculine domain. The strain for women in police is bound to be greater than in many other occupations. Not only the male counterparts of their own department but common people also have strong prejudices about them. It is important to study people's views and perception about the working, role performance and capabilities of women police. Before analysing this aspect let us first focus our attention at the specific aspects of her role performance.

The Police Role

The police role connotes predominance of masculine attributes, like authority, assertion, physical strength, brutality and roughness which are quite contrary to be generally perceived feminine

attributes of dependence, subjugation, delicate physique, softness, submissiveness, lack of confidence and accommodative spirit. It exposes women to work environment, which is not only male dominated, but also comprises of men who are generally considered to be rough, robust, and unrefined. Women police have to frequently interact with such groups of society that are socially condemned. Such exposures to criminals, deviants and the aggressive mobs are contradictory to the social norms that value female segregations.

The nature of tasks in police are such that necessitate women to greater contact with men at odd and late or early hours of the day. These are the timings when women are generally expected to be in their homes with their families. Their tasks involve field work, frequent physical mobility at different places, which is often inconvenient and contrary to the traditional norms of seclusion for women. There is 24 hours duty with no regular work timing and holidays. Such constraints interfere with the routine household chores.

Policing being considered a masculine role, the men are likely to resist women being accepted in police job for the following reasons : first, they may lack orientation to face this new

People's perception of Women Police



situation of having women in police system; second, their deep rooted traditional values and social norms regarding women's role in society may pose barriers in accepting women in this traditionally male role. Such resistance from the male counterparts in the work set up may cause greater role strain for the police women, In the male dominated work set up, the police women may have to struggle hard to make a place for themselves by proving their worth at par with that of men. They may feel being watched very closely for all their actions. As a result, their spontaneity of behaviour may get adversely affected, and their feeling of discomfort and strain may be enhanced. The police role also curtails social interaction with other occupational groups and segregates them to great extent from general

civilian life (Mahajan, 1982; Lefkowitz, 1975) which may add to social and psychological pressures for the police women.

The existing contradictions may and do affect their role performance at job situation as well as in the family. Indeed they adversely affect their working efficiency. Their loyalties, interests and aspirations differ at the two situations; the role and functions of women police and how they perform their functions and discharge their tasks in two different situations. Now, the problem is what common people perceive about them. With this in view, 500 people from different sections and groups were interviewed in Delhi.

In order to explore the public perception about women police, it was deemed necessary to gather

People's Perception of Women Police : Respondents by Profession/Occupation

Category	Respondents	
	Number	Percentage
Political leaders	50	10%
Journalists	23	4.6%
Intellectuals	109	21.6%
Social Workers	67	13.4%
Businessmen	117	23.4%
Aggrieved	15	3.0%
Miscellaneous	119	23.8%
Total	500	100%

Abstract

The concept of women police is relatively a new phenomenon but with the expansion of women police in the police organization, there has been a demand for a separate women police station. Women are not bold enough by nature and not quite sure whether their problems will be listened and understood in the right perspective and whether they will receive a sympathetic hearing.



People's perception of Women Police

Table 1.1. Age of the Respondents

	Upto 20 years	21-30 years	31-40 years	41-50 years	51-60 years	Above 60 years
Number of Respondents	40	130	100	70	130	30
Percentage	8	26	20	14	26	6

In addition they perceive a danger to their personal security as number of cases were reported to the media where women were molested by the police men. Our constitution accords special attentions to the concern and problems of women, accordingly a number of laws have been enacted to protect interests of women. Important changes were incorporated in the IPC and the criminal procedure code in the year 1983. As per

views of public perception. Political leaders, Journalists, intellectuals, social workers, business men and the aggrieved were contacted. In all 500 persons from the different categories were selected on the basis of purposive sampling method.

In order to obtain the opinion of persons of different age groups the interviews were conducted with such groups. Table 1.1 indicates the age group of the respondents. Nearly half (46%) of them belong to the age group 21-40 years and a little more than one fourth (26%) in the age groups 51 to 60 years. Respondents from different age

groups were taken to elicit various shades of opinion.

The role of women police will have to be assessed both by women as well as men; hence an attempt was made to interview the members belonging to both the sexes. Nearly three fourths (70%) of the respondents are male. It is because women are generally not ready to respond on issues connected to police.

It is heartening to state that the majority of people (92%) are aware of the existence of women police in Delhi. It is so because most of the respondents are educated.

Table 1.2. Sex of the Respondents

S. No.	Particulars	Male	Female
1.	Total number of Respondents	350	150
2.	Percentage	70	30

Table 1.3. Knowledge about Existence of Women Police in Delhi

S. No.	Category	Responses	Percentage
1.	Yes	460	92
2.	No	40	8

People's perception of Women Police



Table 1.4. People's Perception of Delhi Police

S. No.	Category	Responses	
		Number	Percentage
1.	Very good	10	2
2.	Good	90	18
3.	Indifferent	230	46
4.	Poor/Bad	150	30
5.	No Response	20	4
	Total	500	100

The image of police in Delhi does not seem to be very good. This is established by the responses of a cross section of society. Only 20 percent people feel that the image is very good or good while 30 percent are of the opinion that the image is poor or bad. Nearly half of them (46%) are ambivalent. They might be fearful of police. It means that most of the people do not consider police as a friend, guide and philosopher in the metropolitan city of Delhi. Only a few (4%) did not respond.

During the British period the police had to play a very difficult role. Though mostly natives, they were associated with the alien power. Corruption is considered a permanent feature of police department. Over and above, abuse of power, high handedness, abusive language etc. are some of the features which have brought a bad name to the police. It is a sad commentary on the police that inspite of passing nearly six decades, the police could not improve its image. The association

the provisions of this Act, cruelty in terms of mental and physical torture, abetment to suicide of a woman by her husband or husband's relatives is punishable with imprisonment for a term upto three years and also liable for fine. This Act has also provides for a thorough enquiry by a police officer for death of a women within seven years of marriage. A nation can progress only if the other half of its population is free from any sort

Table 1.5. Does the Police Department Suffer From Social Stigma?

S.No.	Category	Responses	
		Number	Percentage
1.	Yes	410	82
2.	No	50	10
3.	No Response	40	8
	Total	500	100



People's perception of Women Police

of exploitation. Perception of people about women police is good and introduction of women police will be healthy for the trial of women and children. A majority of people indicated an urgent need to improve the image of police department. Unfortunately, not much has been done in this regard.

of voluntary organizations with the Delhi Police could not bring much change about the thinking of people regarding the image of police of Delhi. Eighty two percent respondents still feel that police suffer from a social stigma. Perhaps this may be an important negative factor in preventing women from joining police service. Only 10 percent respondents admitted that police

does not suffer from social stigma. A majority of people indicated an urgent need to improve the image of police department. Unfortunately, not much has been done in this regard.

An analysis of the responses of different people reveals that the people's perception of police in general and women police in Delhi in particular is more or less the

Table 1.6. Image of Women Police in Delhi

S. No.	Category	Responses	
		Number	Percentage
1.	Very good	-	-
2.	Good	30	6
3.	O.K.	290	58
4.	Poor	140	28
5.	No Response	40	8
	Total	500	100

Table 1.7. Attitude of Women Police Towards Public

S. No.	Category	Responses	
		Number	Percentage
1.	Helpful	90	18
2.	Indifferent	20	4
3.	Rude	20	4
4.	Polite	60	12
5.	No Response	310	62
	Total	500	100

People's perception of Women Police

Table 1.8. Policing is only Man's Job

S. No.	Category	Responses	
		Number	Percentage
1.	Yes	10	2
2.	No	490	98
	Total	500	100

same. Twenty eight percent of people have a poor image of women police, while 58 percent are ambivalent on this issue. Only six percent respondents have good image about women police, eight percent gave no response. It is difficult to establish whether the responses of the people are based on their personal knowledge and experience or on the borrowed general impressions.

In order to get the opinion of a cross section of society about women police in Delhi, the researcher asked the respondent to react on the attitudes of women police, as 62 percent did not respond to this question, obvious reason being, most of them have not come into contact with women police in Delhi, hence unable to form any opinion. Of course 30 percent said that they are helpful and polite; only eight percent seem to be unhappy with the behaviour of women police. It reflects that attitude of women police is generally good.

Table 1.9. Should Women Join the Police Force?

S. No.	Category	Responses	
		Number	Percentage
1.	Yes	490	98
2.	No	10	2
	Total	500	100

The general impression is that policing is a man's job. But it is surprising to know that practically all (98%) have expressed their opinion against this traditional orthodox view. This opinion is held not only by women but by men also. This indicates a bright future for the women police in Delhi.

On the question whether women should join police service or not, the responses indicate that the people who pointed out that policing is not man's domain only are of the view that women should join police service. This indicates a subtle change that women can shoulder the hardest duty.

Table 1.10. Should Educated Girls from Higher and Middle Classes join the Police Service?

S. No.	Category	Responses	
		Number	Percentage
1.	Yes	470	94
2.	No	20	4
3.	No Response	10	2
	Total	500	100

While some respondents felt that the image of police in general and women police in particular in Delhi is not a respectable one and the police suffer from social stigma, on the other hand 94 percent viewed that educated girls from higher and middle class families should join police service. This seems to be contradictory. It might be interpreted that people want educated girls from good families to join police service so that the image of women police in Delhi could be improved. Yet the facts present a different picture. Government must find out ways and means to attract educated girls from different strata of society.

A great majority of the respondents (78%) strongly felt that women police should be entrusted with

People's perception of Women Police

Table 1.11. Should Women Police of Delhi be entrusted with independent powers of investigation in cases of Women Victimization?

S. No.	Category	Responses	
		Number	Percentage
1.	Yes	390	78
2.	No	50	10
3.	Not always	40	8
4.	As per convenience	10	2
5.	No Response	10	2
	Total	500	100

independent powers of investigation in cases of victimisation of women. Only a few of them (10%) are not in its favour. But on the general question whether women be always interrogated by women police only, the opinion is not the same. Only 46 percent are in favour of women, others do not mind if it is done by male officers.

All over the world it is agreed that women police should be used, atleast, in matters where women and children are involved. Same opinion is established by majority of respondents (76%). They held that women

Table 1.12. Can Women Police implement Laws pertaining to Women more sincerely and effectively than Men Police?

S. No.	Category	Responses	
		Number	Percentage
1.	Yes	380	76
2.	No	90	18
3.	No Response	20	4
4.	Not necessarily	10	2
	Total	500	100

police can implement laws pertaining to women more effectively than men police. Only 18 percent of the respondents did not agree to it. They feel that men police is more efficient.

Table 1.13. Can Women Police interrogate Women and Children better than Men Police?

S. No.	Category	Responses	
		Number	Percentage
1.	Yes	370	74
2.	No	100	20
3.	Not necessarily	20	4
4.	No response	10	2
	Total	500	100

From Table 1.13, it appears that nearly three fourth (74%) respondents expressed their agreement to the question while one fifth (20%) showed disagreement. It corroborates our presumption that women police should be given the function of interrogation of women and children.

Table 1.14. Functions of Women Police

S. No.	Category	Responses	
		Number	Percentage
1.	Women Police should be given general functions of men police	Nil	Nil
2.	Women police should be given functions pertaining to women and children	150	30
3.	Should be given both the functions	330	66
4.	Others	20	
	Total	500	100

People's perception of Women Police

Table 1.14 reflects that two third of the respondents (66%) are of the view that women police should be given general functions of police as well as functions related to women and children while only about one third (30%) view that they should be given only those functions which are related exclusively to women and children. None of the respondent opined that they should be given only those functions, which are dealt by men police.

Respondents were enquired whether women should be interrogated only by women police. Responses are recorded in Table 1.15.

Table 1.15. Should Women be Interrogated only by Women Police?

S. No.	Category	Responses	
		Number	Percentage
1.	Women police only	230	46
2.	Male police in the presence of women police	150	30
3.	Any police officer	120	24
	Total	500	100

Table 1.15 indicates that only 46 percent respondents admitted that in cases related to women,

Table 1.16. Who should record Dying Declaration of Women?

S. No.	Category	Responses	
		Number	Percentage
1.	Women police only	130	26
2.	Male police in the presence of women police	90	18
3.	Any police officer	280	56
	Total	500	100

the accused should be interrogated only by women police while 30 percent respondents opined that men police may interrogate the women but women police should be present there. Nearly one fourth (24%) expressed their indifference. In their opinion, there is no use to segregate the interrogating agency.

Table 1.16 reflects a little more than one fourth (26%) respondents were of the view that dying declaration of women should be recorded only by women police while 18 percent expressed that male police may record it but presence of women police should be necessary. More than half (56%) respondents opined that there should not be any distinction in this regard.

Table 1.17. Will presence of Women Police minimise the use of Abusive Language?

S. No.	Category	Responses	
		Number	Percentage
1.	Yes	440	88
2.	No	40	8
3.	No response	20	4
	Total	500	100

Factors responsible for the poor image of police include use of abusive language and corruption.

Table 1.18. Will presence of Women Police minimize Corruption?

S. No.	Category	Responses	
		Number	Percentage
1.	Yes	230	46
2.	No	230	46
3.	No Idea	10	2
4.	No response	30	6
	Total	500	100

People's perception of Women Police

Table shows that a great majority (88%) respondents were of the view that presence of women police will be the main hindrance in the use of abusive language. Men police will hesitate to use vulgar language.

Table 1.19. Do Women succumb to Political/other influence easily?

S. No.	Category	Responses	
		Number	Percentage
1.	Yes	230	46
2.	No	230	46
3.	No Idea	10	2
4.	No response	30	6
	Total	500	100

Table 1.19 shows that two-third (68%) of the respondents held that there is less corruption in women police and presence of women police will definitely minimise corruption in police. On the other hand more than one-fourth respondents did not agree to it.

At present political leaders give shelter to criminals and influence police actions. The women police easily succumb to political influence. Nearly half (46%) of the

Table 1.20. Can Women Police act as an Instrument of social change?

S. No.	Category	Responses	
		Number	Percentage
1.	Yes	460	92
2.	No	20	4
3.	No idea	10	2
4.	No response	10	2
	Total	500	100

respondents agree to it, although similar number of respondents disagreed. In their opinion, politicians influence both men and women alike.

In India as well as in Delhi, police still do not consider policeman as a friend. But people of Delhi seem to have a different perception regarding women police. Though people do not have a very high impression of women police in Delhi yet they are confident that given an opportunity, women police can act as an instrument of social change. It is a pleasant feeling that a majority of the respondents (92%) have corroborated the opinion that women police can act as an instrument of social change. This positive approach to the role of women police in Delhi is very heartening and promises a bright future for not only Delhi but for the entire country.

The foregoing discussion shows that perception of people about women police is good and they feel that introduction of women police will be healthy for the trial of women and children.

**Women, once made equal to men,
becometh his superior: Socrates**

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CHANGING PUBLIC EXPECTATIONS AND COMMUNITY POLICING

Dr. Anand Kumar Tewari*

PUBLIC EXPECTATIONS

Introduction

The expectations of the public are changing with time. There is a challenge in front of the police to meet these expectations. Community Policing will go a long way in meeting the changing expectations of the public.

Public opinion is depicted by the pictures inside the brains of the people. Police should have capacity to gauge changing aspirations of people. Expectations are changing. Over a period of time aspirations of people change. During the Hawala scam, several Ministers had to resign. This is a change over a period of time.

Perceptions become visible in infrastructure. Among the Civil Services, people don't prefer Indian Foreign Service today. It is not a sudden change. During the last few years, the Masters of Business Administration degree has got more importance. Till 1991, it was an ordinary degree. During 1992 to 1994 Business finance of the

Masters of Business Administration became important. Now again the barometer has fell.

Entry of women in the rank of Indian Police Service officer and Sub Inspector is a change.

Police Manuals are very old. There is a need to review the Official Secrets Act. Secrecy should be based on commonsense. The Government of National Capital Territory (NCT) of Delhi is one of the few States to enact the Right to Information (RTI) Act. It has been successful in creating awareness amongst people regarding the infrastructure and civic works in their area. However, there have been complaints in several cases where the Act has been misused to gather information against an individual. Recommendations of the National Police Commission should be implemented. Changing attitudes of public have become visible over a period of time particularly during last decade and last 2-3 years.

Following are the areas in the context of changing expectations:-



Key Words

Public Expectations,
Role of Media,
Empowerment of Women,
Community Policing,
Vigilantism,
Police Manual
PIL (Public Interest Litigation)

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Abstract

The expectations of the public are changing with time. There is a challenge in front of the police to meet these expectations. Community Policing will go a long way in meeting the changing expectations of the public. Public opinion is depicted by the pictures inside the brains of the people. Police should have capacity to gauge changing aspirations of people. Expectations are changing. Over a period of time as-

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ROLE OF MEDIA

Emergence of Media

The private television channels have emerged as an alternative means of communication with public e.g. Zee TV, Aaj Tak, NDTV, Jain TV, BBC etc. These channels instantly communicate with people, give a view of crime and police behaviour with video coverage. Live coverage of Government's vote of confidence was shown for the first time on the television. There is an American slang: Tell it like it is. So reality is shown on television without censoring. Literacy is not required for watching television whereas editorial of newspaper is read by only a few people.

Public Interest Litigation

If the police officer does not deal with public grievances, Hon'ble Chief Justice of High Court will take cognizance of it. Expectations of people go up after knowing about it.

Judicial Activism is not necessarily a good phenomenon for democracy. Judicial Activism is important when the Parliament is not active and the Executives fail as the Judiciary is separate from the Executive.

EMPOWERMENT OF WOMEN

Women's Rights and Empowerment of Women

Large number of women have been inducted at different levels of police force starting from the junior most level to highest level of Indian Police Service (IPS) officials. In addition, a number of all women Police Stations are functioning in the country. Besides all women Police Stations, there are Women's Cell in many district level police offices to deal with crimes against women.

The Government of India has set up a National Commission for Women (NCW) to examine the existing laws and suggest new legislation (if required) to ensure that the legal safeguards actually reach women. The Commission also has watchdog role for violence/crimes against women and child sexual abuse. Besides, the Commission has representatives in the National Human Rights Commission (NHRC).

The Government of India has initiated a number of programmes, schemes and support services for women victims of violence.

The Government of India supports the Non Governmental organizations (NGOs) especially

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women's organizations working for awareness on crimes against women and child sexual abuse as well as for support to victims of violence. Their efforts are supported through various financial assistance schemes like Short Stay Homes, Juvenile Homes, Protective Homes, Awareness Generation Projects for rural and poor women etc. Many Non Governmental organizations act as watchdog or pressure group. They extend active legal support to women and children victims of sexual abuse and other crimes.

The Government of India has initiated various media and documentation support in the forms of Campaign, Legal Literacy Manual, etc. The Mass media under the control of the Government of India are also telecasting relevant programmes and information for the purpose.

For empowering women, the Department of Social Welfare, Government of National Capital Territory of Delhi holds Stree-Shakti camps as a partnership between women and Government. They take care of health, legal literacy, education and economic upliftment of women.

Human Rights:

National Human Rights Commission and its branches on its

own take cognizance of violation of Human Rights.

Consumer Protection Needs:

The Ministry of Consumer Affairs, Food and Public Distribution, Government of India is publicizing Consumer Awareness Programmes through newspapers, Doordarshan and All India Radio. It helps citizens to know their consumer rights. Hon'ble Chief Justice of Andhra Pradesh High Court ordered the Police that no cows or buffaloes should be seen on the roads of Hyderabad.

Environmental Protection:

Special legal provisions have been made for protection of lakes, atmosphere and ecology. Pollution caused by the traffic is a major area of concern. The Government of National Capital Territory of Delhi has initiated the use of Compressed Natural Gas (CNG) in the vehicles for minimizing the pollution.

Articulation of Rights by the Rural People:

Aspirations of rural people have gone up.

Empathy is the capacity to feel what other person feels. Police should be sensitized to these issues and take remedial and preventive measures.

pirations of people change. During the Hawala scam, several Ministers had to resign. This is a change over a period of time. Perceptions become visible in infrastructure. Among the Civil Services, people don't prefer Indian Foreign Service today. It is not a sudden change. During the last few years, the Masters of Business Administration degree has got more importance. Till 1991, it was an ordinary degree. During 1992 to 1994 Business fi-



nance of the Masters of Business Administration became important. Now again the barometer has fell. Entry of women in the rank of Indian Police Service officer and Sub Inspector is a change. Police Manuals are very old. There is a need to review the Official Secrets Act. Secrecy should be based on commonsense. The Government of National Capital Territory (NCT) of Delhi is one of the few States to enact the Right

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Police should use scientific methods of detection of crime. Crime prevention is the job of police. More and more people will start asking for crime prevention. Preventive methods of police should be strengthened. On radio, television and newspapers preventive methods should be publicized; for example, to prevent burglary, when you go out, keep television on and front room light on. The Delhi Police has published in the newspapers the precautions to be taken by the late night travellers, householders, women and children for their security. Precautions to be taken regarding the unidentified objects, measures to curb terrorism and details regarding verification of servant have also been published in the newspapers by the Delhi Police. In Tokyo, it is said that if one drives at a speed more than the speed limit in front of a school, the child gets psychological injury.

What Police can do ?

- (i) *Media* is the most important means of communication to know people and to get feedback. Police should learn from media what people want. Censorship of press leads to the Government becoming blind. The Government of India gets information from the press and from its intelligence department. Police must respect the public opinion. Therefore, police must interact with media to *learn* and to *inform* the people.
 - (ii) The *positive role* of the police should be highlighted to the people. It includes the public welfare activities. Negative image of police is due to death in police custody, etc. If police will try to suppress them, media will expose. Therefore, officers and Constables should be sensitized about changing expectations of people. Police should interact with media, especially the local language newspapers such as Inadu in Andhra Pradesh having circulation of about 4 lakhs in 1996, Malayalam Manorama having circulation of about 5 lakhs in 1996. Lensmen and videographers should be allowed to cover the activities.
2. Police should become conscious of the *Judiciary* as an alternative force.
 3. Police should monitor and interact with the *civil rights* and the *human rights bodies*.

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4. Police should become aware of new forces governing India such as the Panchayati Raj Act bringing women and people's participation and the Consumer Protection Act.
5. *Convening of open houses* : Police stations should organize police week to show crime detection methods. Traffic week should be held to educate public. People should be allowed to know the methods to prevent the crime.
6. Officers should attend workshops on human rights, environmental rights, women's rights and consumer protection rights so that people can know that police is a friendly organization and not a suppressing organization.

Besides the above measures, the Community Policing will help in a bigger way to meet the changing expectations of the public.

COMMUNITY POLICING

Community Policing is a new philosophy of policing, based on the concept that police officers and private citizens working together in creative ways can help solve contemporary community problems related to crime, fear of crime, social and physical disorders and

neighbourhood decay. The philosophy is predicated on the belief that achieving these goals requires that police departments develop a new relationship with the law-abiding people in the community allowing them a greater voice in setting local police priorities and involving them in efforts to improve the overall quality of life in their neighbourhoods. It shifts the focus of police work from handling random calls to solving community problems.

Crimes can be prevented by being people friendly. People should be told about preventive methods. In the West, problem of law and order is lesser in comparison to that in India. There are Victim Watch Scheme and Neighbourhood Watch Scheme to protect life and property of public in England.

Community Policing Initiatives:

1. Coimbatore City, Tamil Nadu.
2. Trichy City, Tamil Nadu.
3. Friends of Police (FOP), Ramnad district, Tamil Nadu State.
4. Maithri (Friendship), Andhra Pradesh.
5. Bhiwandi district, Maharashtra
6. Bombay City Police, Maharashtra.
7. Community Oriented Policing Scheme (C.O.P.S.), Chandigarh Police.

to Information (RTI) Act. It has been successful in creating awareness amongst people regarding the infrastructure and civic works in their area. However, there have been complaints in several cases where the Act has been misused to gather information against an individual. Recommendations of the National Police Commission should be implemented. Changing attitudes of public have become visible over a pe-



riod of time particularly during last decade and last 2-3 years. The Government of India has initiated various media and documentation support in the forms of Campaign, Legal Literacy Manual, etc. The Mass media under the control of the Government of India are also telecasting relevant programmes and information for the purpose. Police should use scientific methods of detection of crime. Crime prevention is the

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8. COP : Police Family Counselling Centres, Town/Urban Defence Committees, Village Defence Societies, Child Friendly Police (Bal Mitra Thana and Child Line), Medical Relief to the Injured, Police help for the Visually Challenged and De-Addiction Camps, Madhya Pradesh.
9. Surakhya Samiti, Orissa.
10. Special Police Officer, Delhi Police.
11. CATCH (Combined Action Against Thieves, Cheats and Hooligans) Crime Prevention Committees, Kerala.
12. Dalapati Karnataka Village Defence Parties Act, 1964.
13. Village Defence Parties, Jammu and Kashmir.
14. Project Prahari, Assam.
15. Project Sahayog, Assam.
16. Project Aashwas, Assam.
17. KIOSK/Neighbourhood Watch, Pondicherry.
18. Nabadisha – New direction, West Bengal.
19. Hassan District Police, Karnataka.
20. Nicobar District Police.
21. Hubli – Dharwad, Karnataka.
22. Sahayata, Nadia District, West Bengal.

The Steps of Community Policing in Hubli:

It is said that in India, police feel that they are the rulers and the public are ruled. In Hubli – Dharwad, leaders of both the communities were persuaded and the National flag was hoisted near Idgah after 51 persons were injured and 14 persons died.

To get feedback, open letter to public was published in newspapers. Meeting with opinion makers and those critical about police were organised. Based upon the responses received from the public, changes in traffic police and organizational changes were made. Proactive work and innovations were done.

Training programme for policemen were organized. Resource persons including opinion makers like lawyers, journalists and politicians, were carefully selected. Constables and resource persons were able to understand each other.

The target of policing was at the opinion making groups viz. women, children, lawyers, members of Rotary club and Lions club, bankers and teachers. Publication of a monthly housemagazine for policemen was started. It was distributed to all the policemen of the district free of cost.



Initiative to Help Senior Citizens in Delhi by Police:

In continuation of its overdrive to ensure the safety of senior citizens, the Delhi Police organized health camps in association with a private hospital offering free check-ups to the elderly in South and South West Delhi on 18th July, 2004. Senior Citizens came out and shared their problems with police and Resident Welfare Associations. Senior Citizens used this opportunity to familiarize with their neighbours. The health camps also provided free health services to the family members of police personnel.

The Delhi Police also published in the newspapers the precautions to be taken by the Senior Citizens to ensure their security. One of the important precautions to be taken was to get their servants verified and not to allow any visitors to stay with him.

Proactive Policing Initiatives in the United States of America:

To fight against daytime crime, police launched the Citizen Contact Programme in which the police officer exchanges information about suspicious activity and crime with the citizen at least once a week and submits a citizen contact report after each one. The number of residential property crimes reduced after the programme.

To reduce theft from vehicles, a programme called Halt Auto Break – Ins Today or Habit was launched with the following elements : (i) Announcing the programme at a news conference covered by local television stations and newspapers, (ii) Creating public service announcements about Habit for broadcast on local radio stations, (iii) Obtaining a business sponsor who donated 8000 5”X8” cards, featuring a color photograph of police officers on one side and prevention information on the other side, for distribution at civic events, Neighbourhood Watch meetings, and area businesses, (iv) Printing 22,000 cards obtaining information about the programme and arranging to send them out with every resident’s utility bill, (v) Printing and distributing to local businesses attractive stickers for display on doors and windows to remind customers for taking security precautions before leaving their vehicles unattended, (vi) Placing advertisements on billboards near malls and shopping areas to remind shoppers about the Habit programme and the importance of taking steps to prevent larceny from vehicles during peak shopping seasons. Habit programme also had targeted patrols and aggressive investigation as its components.

Selective Enforcement
Motorcycle Squad (SEMS)

job of police. More and more people will start asking for crime prevention. Preventive methods of police should be strengthened. On radio, television and newspapers preventive methods should be publicized; for example, to prevent burglary, when you go out, keep television on and front room light on.

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comprising 5 motorcycle officers and a sergeant was used to reduce traffic-related problems.

Targeted Community Policing called shopping centre programme was launched to reduce crime.

Community Policing in Coimbatore City

In 1998, Coimbatore City was ridden with the large scale communal and social conflicts. The following initiatives were launched to prevent and resolve the conflicts:

Confidence of the minority Muslims was won by holding meetings. Raids and searches were videographed and conducted only in the presence of prominent members of the area. Area Committees comprising of 50 persons of social standing, drawn from various communities were constituted. Area Committees helped to resolve the small local issues. They provided correct intelligence also. Meetings of the Area Committees were conducted once in a fortnight to once in a month.

Seminars and workshops on attitudinal change were organized for police officers. City Vigilance Committees comprising of students and youths were constituted. Members of the City Vigilance Committees patrolled the streets along with the police. National Service Scheme students were utilized for checking vehicles on roads, baggages in Railway Stations and Bus Stands. Slum adoption scheme was used for the prevention of crime. Due to fearless

deposition of witnesses, court convictions were enabled.

CONCLUSION

Some of the effects of the Community Policing initiatives are :-

- (i) Drop in crime rate.
- (ii) People friendly police.
- (iii) Better understanding between police and public.

In Hubli – Dharwad, crime rate was brought down to very low level by Community Policing. New York recorded the lowest crime rate in 23 years due to the Community Policing in 1986.

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From the Desk of Director (R&D), BPR&D

FROM THE DESK OF DIRECTOR (R&D), BPR&D

(CORRECTIONAL ADMINISTRATION DIVISION)

R.C. Arora, IPS,

It has been felt for long that there is an immediate need to have a national policy on prisons in our country. The Ministry of Home Affairs, Government of India had constituted a *Working Group on Prisons* in 1972 which for the first time emphasized the need to have a national policy on prisons with following salient features:-

- (i) To make effective use of alternatives to imprisonment as a measure of sentencing policy.
- (ii) It emphasized the desirability of proper training of prison personnel and improvement in their service conditions.
- (iii) To classify and treat the offenders scientifically and to lay down principles of follow-up and after-care procedures.
- (iv) It emphasized on the development of prisons and correctional administration which should no longer remain divorced from the national development process and the prison administration should be treated as an integral part of the social defence components of national planning process.
- (v) It identified an order of priority for the development of prison administration.
- (vi) It recommended inclusion of certain aspects of prison administration in the Five Year Plan.

Thereafter, the *All India Committee on Jail Reforms (1980-83)* headed by Justice A. N. Mulla also underlined the need for a national policy on prisons with an objective to endeavour the prison reforms and re-assimilate offenders in their social milieu by giving them appropriate treatment. The committee also recommended for an amendment to the Constitution to include the subject of prisons and allied institutions in the Concurrent List, the enactment of suitable legislation by the Centre and the States, and the revision of State Prison Manuals.

In pursuance to the recommendations submitted by the All India Committee on Jail Reforms in 1983, the Ministry of Home Affairs has recently constituted a committee under the chairmanship of Director General, BPR&D for preparing a draft policy paper on the strategy relating to prison reforms and correctional administration in 2005. The terms of reference of this committee are as follows:-

- (i) To review the present status of the legal position and suggest amendments if required on the prison related laws enacted by the Centre and States.
- (ii) To review the recommendations made by the various Committees and cull out tangible recommendations which are required to be implemented by the Centre and the States.

(iii) To review the status of implementation of these recommendations with reference to the following:

(a) Physical conditions of prisons

- (i) Overcrowding and Congestion
- (ii) Hygienic conditions
- (iii) Other Basic amenities

(b) Condition of prisoners

- (i) Undertrials
- (ii) Convicts
- (iii) Detenus

(c) Correctional Administration

- (i) Programme for welfare of convicts/undertrials
- (ii) Rehabilitation after release
- (iii) Involvement of Community

(d) Prison Personnel

- (i) Overall development of Prison Personnel
- (ii) Training

(e) Any other issues related to modernization of prisons and correctional administration.

- (iv) Suggestions regarding alternatives to imprisonment.

The Committee had undertaken a very broad based consultation process to formulate views on individual subjects covered in the Terms of Reference. Recommendations tentatively finalized respecting Terms of Reference have been discussed at various fora in different parts of the country with active participation of all the stakeholders, including NGOs, of the criminal justice system in general and correctional administration in particular. The valuable inputs received from these deliberations have been used to refine the report in its present form.

The committee constituted a core group to prepare a draft paper on the basis of the inputs so received. In addition to it, a team of officers comprising of Director (R&D) and Dr. B. V. Trivedi, Assistant Director with their supporting staff members in the Correctional Administration Division of the BPR&D has worked devotedly and painstakingly to gel all the inputs in a most logical and composite form in this vital document.

This draft policy is now being circulated by the MHA to seek the views of the states before it is finalized.

