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**Emerging Challenges
in Policing**

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Message from the DGP

I am delighted to learn that the Rajasthan Police Academy, Jaipur has restarted ***Rakshin***, its flagship journal. The Editorial Board has done a commendable job in promoting an active collaboration between practitioners and researchers and in disseminating the research outcomes to enhance the quality of policing in the State.

Police functions in a dynamic environment where social, political, economic and technological factors are constantly changing. They all impact the functioning of the police department. We have learned during the Covid-19 pandemic that relationship building between police and local communities can positively promote cooperation & lead to effective policing.

The world has truly entered the digital age where technology is all pervasive. Ever increasing access to technology, means of communication and use of cyberspace by criminals have also compounded challenges for law enforcement agencies. Cybercrime has become a serious problem, and the research needed to match the reality is struggling to keep up. There is a great need for more police professionals to get involved in cyber security research & work out solutions to emerging challenges.

I am happy to observe that RPA has been performing its role with distinction. It has transformed itself over the years to promote excellence in the training of police personnel of all ranks. It has undertaken research, evolved training methodologies, developed partnerships for capacity building and evolved best practices for effective police training. The Ministry of Home Affairs has adjudged RPA the Best Police Training Academy for Gazetted officers in 2019-20 and for year 2016-17 as well.

The articles in this issue present the panorama of police work. I once again congratulate RPA on this occasion and compliment the team for their dedicated efforts. I trust that RPA will continue to serve Rajasthan Police with distinction in times ahead.

M L Lather, IPS

Director General of Police, Rajasthan

Editorial

The inaugural issue of the Academy's biannual journal *Rakshin* was published in second half of 2009 and the last joint issue, volume IV-V was published in 2013. After a gap of seven years, the new issue of *Rakshin* is being published under the guidance of Director General of Police Rajasthan. The major focus of the journal will be to sensitize and inform the readers about the new developments and debates in the area of internal security, police training, police reforms, peace, forensic science, white collar crime, juvenile justice and delinquency and human rights.

Due to Covid-19, the world is witnessing multiple changes. Police too is facing new challenges every day and the war against Covid-19 is still continuing, and the engaged health officials and police are facing unforeseen and adverse challenges being directly and indirectly involved in the response to the pandemic. It is perhaps the right time to introspect about our capabilities to deal with pandemics and challenges such as Covid-19 and prepare our agencies for future challenges.

In the above background, we request the professionals/colleagues to share their views and best practices to help the readers understand and contribute towards improving the criminal justice system and society. The present issue of *Rakshin* is an attempt to highlight the various aspects of police and carries six articles and one case study.

The first article focuses on community policing during the pandemic, discussing how police dealt with enforcement during lockdown and the community policing initiatives during lockdown. The second article is a case study based on the Mewat region, situated at border areas of Rajasthan, Haryana and Uttar Pradesh. The article deals with emerging cyber-crime cases and how the district police conducted a successful operation. The case study highlighted the need to develop an ecosystem that will bring together the academia, industry and Government to spread awareness and generate standard operating procedures.

The third article dwells upon Meta cognition – "thinking about thinking" and how it can be useful for police training. The fourth contribution centers on technological advances in recent years and how nature of policing is changing rapidly. Police forces have started to use big data, machine learning and predictive analytics to understand and combat crime. The fifth write up explains the concept of Alternative Dispute Resolution & point out how this mechanism is panacea to cure the present criminal justice system and capable of delivering cheap and timely justice to litigants.

The sixth article converges on online child sexual abuse, which is rising due to technological developments and consequences, the difficulties and challenges in detection and addressing the problem of online sexual abuse of children. The seventh article is a commentary based on the author's formal and informal interactions with police officials of all ranks in an attempt to explore the contradictions inherent in the relationship of police with democratic policy and society. To keep our reader updated with new publication, we have a book review of a contemporary writing on growing use of AI & smart societies.

We would appreciate suggestions and comments from our readers and welcome further contributions for future issues of our journal Rakshin.

Rajeev Sharma, IPS

Editor-in-Chief, Rakshin &

Director, Rajasthan Police Academy

Community Policing During the Pandemic

M. K. Devarajan, IPS (Retd.)

The unexpected imposition of Covid-induced lockdown posed unprecedented challenges for the police. Though they were not trained to deal with a pandemic, they effectively implemented orders coming down to them in quick succession from various authorities. They played a significant role in preventing the spread of virus by strict enforcement of lockdown conditions. Apart from enforcement challenges, they had to deal with other problems like movement of migrants and unrest among them, rumours and fake news, tracing and quarantining of patients, information overload etc. As in any disaster situation, they took the assistance of their community policing volunteers, community leaders, NGOs, philanthropists etc to deal with the problems and to provide relief to the needy. Even police forces that had no community policing program and officers

who had no faith in their utility have been working with the community during the pandemic. Community volunteers and organisations can assist the police in spreading awareness, encouraging willing compliance of instructions, providing reliable feedback, maintenance of public order and above all relief work. Though the police had to implement the harsh lockdown conditions during the pandemic, there was considerable improvement in police image due to their emphasis on service functions and the empathy they displayed by providing relief to the needy. Even the normally critical media also did not highlight their harsh actions during lockdown enforcement.

Key Words: Community Policing, Disaster Management, Enforcement, Lockdown, Pandemic, Police Image, Relief, Quarantine, Volunteers

Introduction

Community policing during a pandemic? This is a natural question that may arise in the minds of many. Covid-19 pandemic which hit India in the early part of 2020 along with most other countries and the consequent countywide lockdown from March 25 saw our police forces facing some unprecedented challenges. It was perhaps the most stringent and longest lockdown in the world. During its initial two phases the police had to enforce curfew like restrictions all over the country – something they have never done before on such a scale. Though the restrictions got diluted as months passed even today, eight months after they started, they are required to enforce some sort of restrictions imposed depending on local needs. The total lockdown brought to fore several problems for the police and the various phases of its easing gave rise to different sets of problems. The sudden surge in goodwill for the police among the public during this period is testimony to the successful and empathetic manner in which they handled these unforeseen challenges.

In any kind of disaster, the affected community and the

local police are the first responders; both together take some of the most crucial steps to manage the disaster until specialised agencies of the central and state governments reach. However, it was left entirely to the local police and local authorities of the departments concerned to handle the problems arising out of Covid-19. They all sought the help of community leaders and organizations to deal with this disaster which caused most widespread misery to humanity since World War II. In places where the police had community policing volunteers working with them, they and the much maligned NGOs were the first ones to be tapped by both the police and the administrative machinery.

During this period, particularly during the initial few phases of the lockdown, though the police was required to discharge enforcement functions on an unprecedented scale, it has been giving more attention to its service functions than it generally does. One very heartening development was that the most important among soft skills – empathy – of police personnel was on abundant display while dealing with the

crisis affected population. Every day we came across several reports of police personnel from constables to senior officers rushing to the aid of the needy without ever questioning whose responsibility it is to attend to their problems. For volunteers to assist them and to mobilise the resources required, they relied on various community organisations, NGOs, local philanthropists and the community members associated with them during their community policing interventions.

This explains why there was a tremendous improvement in police image during this period. According to Sreekumar (2003), experience has shown that police functions relating to disaster management constitute the most laudable angle of societal policing. It is an occasion when emotional intelligence of the policemen, exemplified by empathy and compassion to fellow human beings, comes into play substantially. The importance of the police role in handling disasters comes to the knowledge of the public whenever any major disaster occurs – whether natural or manmade. Similar surge in goodwill was seen during the floods that devastated large parts of Kerala in 2018 and 2019 and

after terrorist attacks in Mumbai on November 26, 2008. Now that disasters are becoming more frequent and more intense and pandemics are occurring with uncomfortable frequency (we had pandemics like Ebola, SARS etc that are deadlier than Covid-19, though not as infectious) it is better to prepare in advance to combat their effects. Many developed nations and some parts of India are already witnessing a second wave of Covid-19 during the recent weeks.

Now let us discuss some of the peculiar problems the police faced during the pandemic and the prolonged lockdown, how they handled them, the role played by the community and how community policing initiatives can be re-engineered to deal with such widespread problems.

Problems

Unprecedented enforcement challenges:

Government of India imposed severe restrictions, almost curfew-like conditions, during the lockdown all across the country initially for 21 days, later extended to May 3. State

governments and local authorities imposed additional restrictions, including full-scale curfew or 'containment' in a very large number of urban and rural pockets. The number of areas under curfew and their duration in many places was also unprecedented. Virtually all human activity outside the homes, except very essential services, was prohibited in the initial phases. Never before in its history, was the Indian Police called upon to impose curfew like restrictions all over the country and for so long. For instance, many parts of Jaipur's walled city were under curfew for 67 days, Bhilwara town for 55 days and Pokharan 40 days.

Enforcement of lockdown conditions all across the country and simultaneous curfew in large number of places, posed unprecedented operational and logistical challenges for the police. The fact that these were imposed with a mere four hour's notice was a serious enforcement challenge as neither the people nor the administration and police were prepared for such an extreme step when there were hardly 500 cases of Covid-19 in the country. The police personnel were not trained to

deal with a pandemic, there were neither any SOPs nor any precedents to follow. Police also had to facilitate maintenance of essential services and supply of essential goods. And all this had to be done by the state police who are the worst resourced, the most overworked and least trained – at the bottom of the national security food chain – who across the country unquestioningly implemented governments' directives (Choudhury, 2020). It came at a heavy cost – nearly 1.6 lakhs (Rajasthan: 2449) police personnel have tested Covid-positive and 940 (Rajasthan: 12) died so far (Indian Police Foundation, 2020).

Movement of migrants and other stranded people:

Since economic activities came to a virtual standstill, millions of poor lost their livelihood and did not know where their next meal will come; from situation was so grave that economist Jean Dreze in an interview to News 18 (2020) described the lockdown as “almost a death sentence” for the underprivileged. The problem was more acute in the case of migrant labour stranded in states far away from their homes. They waited patiently

without any work during the first phase of the lockdown, but when its extension was announced their patience ran out and they took to the streets and started walking or cycling hundreds of kilometres to their native places with their meagre belongings. Nobody anticipated this reverse migration and the authorities failed to fathom the seriousness of the consequent problems. Hence, it was only natural that the anger of those who faced extreme hardships resulted in rioting in a few places and it was a remarkable achievement for the police not to allow it to spread or go out of control. Then there were problems of separated families and others like students, pilgrims, tourists, etc stranded in distant places – virtually everyone without a fully secure profession (and even many who had one) wanted to get back home and there was no public transport available.

Identification and quarantining of affected persons:

Locating and monitoring people who came from outside, particularly hotspots and quarantining the affected persons and those who came in contact with them were serious

challenges for the police and government authorities. Teams sent for this had to face resistance and even violence in some places.

Spread of rumours and fake news:

Along with Covid-19, there was another and an even more dangerous pandemic – spread of fake news through social media and rumours. Unfortunately the number of zealots spreading communal virus was much larger than those spreading Covid. Covid virus may disappear in some time, but the communal virus is bound to stay and result in a smouldering disaster – much deeper communal divide and consequent problems. The police also had to deal with public opposition to burial of bodies of those who died of Covid and to opening of quarantine facilities near residential localities. 'The Corona Warriors' from the medical and police departments and local authorities have been the target of attack from some misguided elements. Medical and paramedical professionals had to face harassment from their landlords, RWAs and neighbours.

Management of information:

Management of Covid during the initial few months was remote controlled, and there were several departments and other stakeholders dealing with a host of problems. Naturally, there were a series of orders from central and state governments and various authorities on myriad tasks to be performed, some of them difficult to implement. Different protocols were being followed by various states, there was lot of interstate movement taking place, but there was no standardization/uniformity of even various forms used (for instance interstate vehicle passes). Hence, all these were bound to result in complaints, distress calls, messages etc which the authorities, including police, found difficult to handle. During the initial period, assistance they normally get from their juniors was also reduced due to the lockdown and curfews.

Problems from easing of lockdown:

When the phase-wise easing of lockdown started on May 2, it threw up more challenges and many problems discussed above got further magnified, the most

important ones being restricting unnecessary movements, crowding in various locations, screening of people coming from other locations, creating facilities for their quarantining etc. Though, for a change, the Indian public behaved with more discipline compared to those of many developed countries, still violation of lockdown conditions was common among individuals, religious institutions, people organizing weddings, political functions, funerals etc adding to the work of an already overburdened police.

Changes in crime and law and order scenario:

Crime and law and order scenario also underwent a drastic change, especially during the initial two phases of lockdown. The registration of usual types of crimes, accidents and law and order issues were at an all-time low. Instead, police had to deal with large number of new crimes like violation of the Disaster Management Act, 2005, and the Epidemics Act, 1897, violation of lockdown/curfew conditions, attack on/harassment of Corona-warriors etc. Cases of violation of the Disaster Management Act

have been substantially higher during the pandemic than during any previous disaster situation. Cheating by cyber criminals has also been increasing.

According to the National Women's Commission (NCW), there was an unprecedented increase in complaints of domestic violence during the lockdown. As per a report presented by Ministry of Women & Child Development in Lok Sabha, during the lockdown period the NCW got 13,401 complaints, the maximum during June, (2,043), July (2,914), and August (2,128) (Gulankar, 2020). "Unintended Consequences of Lockdown, Covid-19 & the Shadow Pandemic", a working paper by Manish Shah and Saravan Ravindran of University of California, Los Angeles, published by National Bureau of Economic Research on July, 20 brings out some interesting findings. Their analysis of official data revealed that complaints of domestic violence rose by 131% and online abuse by 184% in red zone districts compared to green zone districts. Correspondingly, there was a significant decrease in harassment, rape and sexual assault complaints in red and

orange zone relative to green zone districts in the months during and after the lockdown (Chandra, 2020).

As usual, shortages of essential goods, medicines, medical equipment, etc have led to hoarding, black marketing and profiteering by unscrupulous elements. Many private hospitals, ambulances, and vehicles transporting people from distant places have also been fleecing people. Virtual prohibition across the country from March 25 to May 3 led to illicit distillation and sale of liquor.

Though corruption among public servants was at an all-time low due to suspension of most normal government activities, unfortunately a new area of corruption related to the activities during lockdown surfaced, a prominent one being bribery for issue of passes for movement of people and vehicles, and touts were also operating to facilitate it.

Community policing initiatives for lockdown and pandemic

In disaster prone areas, the police and disaster management authorities have realised the

importance of sensitization and involvement of the vulnerable communities, and training of community volunteers for advance planning of responses, spreading awareness, rescue and relief operations, maintenance of order and rehabilitation efforts. For example, in Odisha where cyclones are a regular feature, Community Contingency Plans prepared by the disaster management authorities provide for the active involvement of community volunteers. Though the Disaster Management Act, 2005, has no specific provision for community involvement, the NDMA and NDRF have several programs like '*Aapada Mitra*' Scheme, Training of Volunteers, School Safety Program, Community Awareness Program etc to tap the resources of the community. During the floods in Kerala in 2018 and 2019, we have all seen the visuals of community volunteers in large numbers assisting lone police or fire force personnel to rescue stranded people and fishermen and rescuing people from places that Navy and NDRF teams could not reach.

Generally, during any disaster, local communities on their own come forward to deal with the problems that arise, primarily

assisting in rescue and relief operations. The situation was no different during Covid-induced lockdown. The spread of the disease, extent of areas under lockdown and the consequent problems were so unmanageable that the resources of official agencies and police were inadequate to effectively deal with them. Naturally the police and other government authorities started involving community members and NGOs to deal with several problems. And surprisingly, this included police officers who have had no faith in the utility of community policing and other government officers who were averse to community members and NGOs meddling in their turfs. Community members have been particularly active in organizing relief operations and securing their localities against the spread of Corona – but the latter has resulted in some acts of vigilantism the responsibility for preventing which also fell on the police.

Police forces that have been implementing community policing have used the volunteers working with them for a variety of purposes during the pandemic. By adopting the principles underlying these

initiatives, others can also organize their efforts in a more effective manner. For the purpose of this discussion, I would stick to a wide definition of community policing: 'any method of policing in which police officers work with the local community to identify local problems and collaborate in workable solutions'.

Suggested interventions during a pandemic

Rajasthan had implemented several successful community policing programs during 2004-2008 period which had got national acclaim, and also got some international awards for some interventions, including three from the International Association of Chiefs of Police. These included (i) Community involvement through Community Liaison Groups (CLG) at the village/mohalla, police station and district levels; (ii) Outreach to the community (*Jansahabhgita*); (iii) Outreach to certain sections of the community like students, women, youth, and senior citizens; (iv) Alternate dispute resolution programs including the running of family counselling centres; (v) programs to involve community in crime prevention including

reformation of professional criminals etc. To implement these programs, the system was reorganized and most related policing work was delegated to officers. They were trained for the new responsibilities and a large number of police staff underwent programs to improve their soft skills. Impressed by these initiatives, Abdul Latif Poverty Action Lab of Massachusetts Institute of Technology also implemented some initiatives in some police stations in Rajasthan under the supervision of Esther Duflo and Abhijit Banerjee, 2019 Economics Nobel laureates. BPR&D also sanctioned funds for soft skills and other training for the personnel of these police stations.

Unfortunately, these initiatives fell into disuse after 2008-09. However, faced with problems which they could not fully address without community support, several field officers started resurrecting many of these initiatives. Today, PHQ of Rajasthan has a separate directorate for community policing. It has also started implementing some remarkable programs like Student Police Cadet (SPC) Program of Kerala Police and Friends of Police

(FoP) of Tamil Nadu Police, the former with the support of the state government. I do not know how many community volunteers are working with the police today under these two and other programs, but in 2006-07 there were over 2.2 lakhs volunteers working with Rajasthan Police as CLG members, and those doing counselling, patrolling etc. This forms a tremendous resource bank that can be tapped by the police during pandemic or other disasters – in 2004-2008 period even several administrative officers of districts were using them for assistance in peace keeping and other matters. And when the police is involved in several community policing initiatives, it also builds bridges with other community leaders, organisations, NGOs, philanthropists etc and their help becomes available during any contingency. CLG members, SPCs, and FoPs will provide a readymade pool from which the police and other government authorities can pick up volunteers for different tasks. A properly organized system with empowered officers, supplemented by CLG members, FoPs, NGOs and other Civil Society Members can be used for dealing with a variety of

problems arising out of a pandemic or other disaster. For convenience, we would refer to all of them together as 'Community Members'. The following are tasks for which community help has been taken or can be taken during a pandemic:

Enforcement of lockdown:

The force multiplier effect of community policing will become handy for the police and other authorities whose resources are stretched due to the varied and onerous duties. Community members can be used to encourage voluntary compliance of lockdown conditions, and reducing resistance to various government actions and directives which many people feel unnecessary or inconvenient. They can trace wilful violators, persuade them to comply or intimate the authorities. In a situation where the police cannot be everywhere, the community leaders and volunteers are in a better position to minimize the possibility of vigilantism in local communities by preventing them from going overboard in their effort to secure their localities from infection. They can be used to

encourage people to maintain physical distancing and use masks, especially in places prone to overcrowding like distribution centres of relief material, PDF shops, liquor vends, markets, banks when credits are made to 'Jan Dhan accounts', religious institutions, functions organized by political and other organisations, ceremonies performed in connection with deaths, marriages, etc. When the country-wide lockdown imposed for 21 days was extended, there were protests by restive migrants, some causing public order problems and unfortunate use of force by the police. Community members working among them to provide relief could have been tapped to convey warning signals to the authorities and those good at counselling could have been used to keep such problems under control.

Awareness generation and identification of suspected patients:

During the pandemic, especially during the initial phases, the police and other authorities have been using community members to generate awareness among the general public about Covid, and dos and don'ts. The

Community's help was sought to identify suspected patients, infected persons who were careless, potential 'super spreaders' etc. They assisted the authorities not only to identify people who have come from outside, especially from hot spots, those who came in contact with such persons or with affected persons but also in quarantining and hospitalizing suspected patients, particularly in areas where there was resistance to these in the initial phases. To do all these during a pandemic, social media should be used effectively, personal contact should be minimized, and even when it is necessary to use it, physical distancing should be maintained.

Assistance to vulnerable sections:

There are several segments of the society who need special attention and relief like senior citizens, the disabled, those having serious health problems and other vulnerable people/groups. Some police organizations have special outreach programs for such groups and they have been using them to deal with the problems of the respective target groups. Others may like to use time tested ideas from the

community policing programs meant for such groups. Several mental health experts have written about the increase in mental health problems, particularly depression, due to prolonged cessation of normal human activities. This is an area where the police and other authorities can successfully intervene with appropriate programs designed by mental health experts and executed through NGOs, other organisations, social workers and trained community volunteers.

Dealing with mischief:

During the pandemic unscrupulous elements were busy spreading fake and mischievous information through social media and rumours to create communal divide. Community policing is an effective tool to fight against communal divide and to maintain communal amity. Community members can be used effectively to monitor fake news and rumour mongering and also to combat their effects, viz., (i) The mistrust among certain sections resulting in resistance to lockdown, screening, testing and quarantining, and (ii) Harassment of/ attack on the

'Corona Warriors'. Community leaders can remove the misconceptions and fears; facilitate screening and quarantining of potential patients in areas prone to resistance.

Source of reliable information:

Since the government authorities and the police had to perform a variety of tasks, some of them quite unfamiliar, there were bound to be gaps, mishandling or outrightly unacceptable developments. Community members can, through the Beat Officers and SHOs, act as useful conduits to pass on a variety of authentic information that can help government authorities to resolve several issues.

Crime control:

Even during the lockdown, there was an increase in cyber-crimes and certain types of crimes against women. At least some people who lost their livelihoods due to the pandemic may commit crimes to sustain themselves. Hence there is possibility of a spurt in some types of crimes, particularly economic crimes. Several police forces have implemented community policing programs to make the community aware of

the types of crimes to which they are vulnerable and the preventive measures they can take. Traditionally also police has involved communities in the prevention of property crimes.

Family Counselling Centres established by several police forces have been quite useful in resolving marital problems, particularly domestic violence which increased in some areas during the lockdown. Even if there are no such centres, some women volunteers who are adept at counselling can be selected and with the assistance of a police officer, preferably a woman police officer, nominated to coordinate this, they can do the counselling of affected couples. The overburdened police can use the community members to keep a watch on habitual criminals to minimize recidivism among them and to educate the community about the modus operandi of cyber criminals. Community members can also be a rich source of criminal intelligence that can help in crime prevention and detection.

If the governments do not handle well the consequences of the pandemic and the lockdown, particularly the economic

consequences, these can generate unrest among the affected sections and lead to law and order problems. Community volunteers can be sensitized to watch out for warning signals so that steps could be initiated before they go out of control – community volunteers can also assist in defusing the situation.

Relief work:

One prominent activity of the police across the country, including some of the Central forces, during the pandemic has been distribution of food to the poor in the affected areas, particularly migrant workers, street dwellers, people in curfew-bound areas etc, with the assistance of local NGOs and other benefactors. Mobilizing funds and other resources, especially groceries, transport etc, will not be a problem if the police select proper persons for working with them for community efforts – large number of donors will only be too happy to assist. The extent of good work the police and community together can do in a disaster situation, particularly in providing relief to the affected people, can be ascertained from

the work done in Kerala, the first state to face Covid-19 outbreak in the country.

Interventions of Kerala Police:

Kerala Police, which perhaps has the best community policing initiatives in the country today, marshalled its extensive network of community resources to provide a variety of services to the community during the pandemic, particularly during the lockdown. In 2006 it had launched a very unique and popular Student Police Cadet (SPC) Program – the Union Home Minister launched it nationally on July 21, 2018, from Gurugram. Rajasthan is among the few states that had adopted this program even before that. SPC cadets were in the forefront of Kerala Police's community policing efforts during Covid. These interventions were aimed at giving relief to the needy and generating awareness about Covid-19. The police, SPC cadets, and civil society organisations together started 24 kitchens – the cadets even brought food packets from their own homes – to feed the destitute, homeless, migrants,

hospitalised patients etc. Nearly 30,000 food packets were distributed daily during the lockdown; a total of over seven lakhs packets of cooked food and 40,000 packets of uncooked food items that can last 15-20 days for a family of four were distributed. SPC enrolled three lakhs volunteers to donate blood to blood banks that were facing shortage due to Covid restrictions and 33,000 units of blood have been donated.

The police, SPC and community organized several programs for children – a priority segment for Kerala Police – who were facing several problems like social isolation, emotional distress, online addictions, behavioural changes etc due to extended closure of schools. A panel of 40 psychiatrists, 60 psychologists, 285 SPC cadets trained as 'peer mentors' and 100 'elder mentors' did counselling through a helpline set up for this purpose; it has received over 6300 distress calls so far. Peer counselling was done by trained SPC cadets telephonically to educate over 20,000 children about the pandemic, how to stay safe, maintain personal hygiene, and how to spend time

creatively and effectively. Nearly three lakhs cadets and others participate in the weekly interactions organized every Monday with young achievers of reputed educational institutions from across the world for motivating participants to stay positive and inspire and guide them about their education and career. Another interaction every Friday with prominent citizens from different walks of life attracts 3.5 lakhs participants. The digital divide divested destitute children of the benefit of online education and to help them 6,000 TV sets, 300 smartphones, 70 laptops and 262 DTH/cable connections were arranged.

The awareness generation programmes targeted at the general public were meant to educate them about the disease, preventive measures, physical distancing, use and reuse of masks, personal hygiene, and also reduce the hostile mind-set towards the Covid-affected during the initial period. Food kits, gloves, boots, sanitizers etc were distributed among sanitation workers to show appreciation for their work. With a view to make households

self-reliant and healthy, SPC with the help of Agricultural Department started a program to set up kitchen gardens – over 75,000 households have already started them.

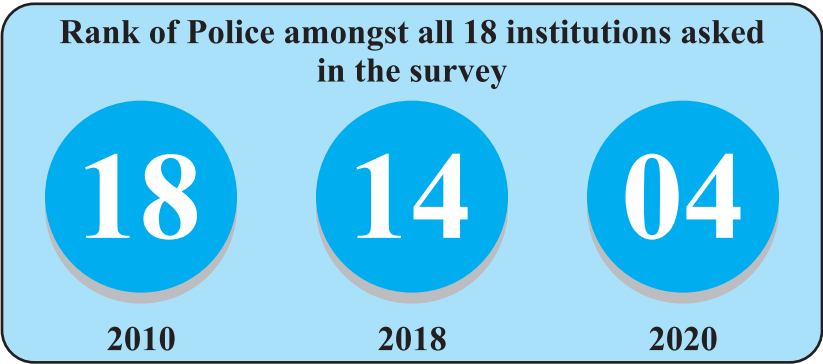
The programs conducted by Kerala Police and the community together is an indication of the unlimited opportunities for “compassionate policing” not only during a disaster situation but also during normal times. Other state and central police organisations also had their own success stories which the BPR&D has compiled and published – you may like go through “Indian Police Response to Covid-19 Crisis” available at BPR&D's website. (Thirteen Project Reports of Community Policing made by the National Police Mission are also available at the website.) No wonder that when they reached out to the needy during the days of their distress, there was an unprecedented improvement in the image of the much maligned Indian Police.

Police image during the lockdown

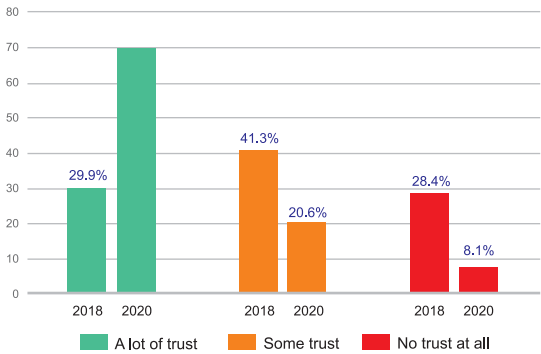
Even before Indian Air Force showered petals on prominent

hospitals on May 2, to appreciate the role played by the medical fraternity in fighting Covid-19, newspapers have been publishing photographs of people in several places showering petals on police contingents enforcing the

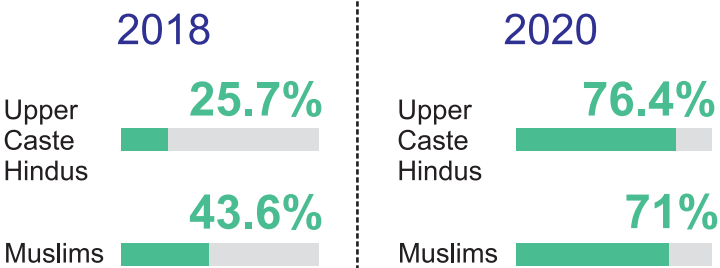
lockdown. The following findings of a series of surveys conducted by C-Voter (2020) from 23-30 April, 2020, that revealed a massive jump in the trust in the police have come in as a shot in the arm for the police:



How much do you trust the following institutions? Do you have; a lot of trust, some trust or no trust at all in **Police**?



Source: COVID 19 Poll: Massive jump in trust in police forces across India - Polstrat - May 3rd, 2020



The number of male respondents who had full trust in the police jumped from 29.2% in 2018 to 71.9% in 2020; in the case of female respondents the figures were 41.5% and 67.7% respectively.

Some experts have attributed low spread of the virus during the initial months to effective implementation of lockdown – the police deserves credit for that. The massive improvement of trust in police across different segments of the society is quite surprising when we consider some of the things that police were forced to do during the time of the survey. Across the country, they were for several weeks engaged in enforcing the most severe lockdown, with curfews or harsh restrictions, prosecuting violators and impounding their vehicles and interfering in almost everything which the public did outside their homes – actions that generally make the police very unpopular. The overworked and

sleepless police personnel were bound to lose their cool soon, and naturally there were excesses including a few alleged deaths due to police brutality. But even the overcritical media ignored these by and large except the torture and killing of a father and his son allegedly arrested for lockdown violation by police station Sathankulam in Tuticorin on June 19. This indulgent attitude of the media was because our police personnel went much beyond the call of their legal responsibilities and stepped forward to offer a variety of services to the needy, often risking their own health, safety and life. Let us hope the humane side of the police that manifested during the lockdown will continue to gain prominence in future also and our police personnel will live up to the new image they have got among the public they have been serving, earlier without much appreciation.

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Emergence of Mewat region as Cyber Crime Hub in India: Counter response by Bharatpur Police – A Case Study

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Mewat region has been involved in different kinds of crimes from historical times. This article highlights the policing challenges in the Mewat region especially with respect to emergence of whole region as hub of newer cyber crimes. The local criminals have evolved their modus operandi towards cybercrimes involving selling non-existent vehicles/ artefact on OLX and Facebook marketplace. The present article will delve into reasons why this cyber-crime is on a rise in this area and different mechanisms used by the local criminals. The article also deals with how the whole operation is run – as smooth as a corporate entity. Alarmed on the rise of such crimes, police have been acting and tackling these crimes with new vigour & abundant clarity to annihilate this nuisance. The article shows recent steps taken by the police to deal with cybercrimes. In the end, multiple

suggestions and recommendations are proposed to make the current counter- strategy more effective & prudent in tackling these crimes.

Keywords: Cyber Frauds, Olx frauds, Modus operandi, Operational Process, Counter-strategy, Best practices

Historic patterns of crime in Mewat region –

Due to reasons which include historical, geographical & sociological, like prevalence of 'Thug' culture & porous borders along areas of Rajasthan, Haryana and Uttar Pradesh, Mewat region provides good shelter to different kinds of crimes. Highway robberies and gruesome dacoities gave way to extraordinary novel crime like 'Tatloobaazi' which again gave way to newer cyber crimes which were safer and difficult to trace too due to jurisdictional entanglements and scarce domain experts in investigations.

Prominent crimes in Mewat regions are:

1. Illegal mining especially in areas of Pahari, Bharatpur.
2. Tatloobaazi- it is an widely prevalent fraud in areas of Rajasthan where fraudsters smartly entice the prospective buyers of gold by feigning bullion in form of Gold brick, which is fake, as high quality and pure at throwaway prices.
3. Illegal weapon manufacturing and Smuggling – multiple types of local made firearms (katta) being made by communities like Sikhlighar and Raisikh near Jurhera, Kaman, Pahari region along with members of organized gangs supplying illegal weapons in the area across the borders
4. Bovine theft & Smuggling (*Gau Taskari*) – multiple cases in region of Kaman to Nuh Mewat.
5. Vehicle Theft and Highway Loot/Dacoity – by some local criminal groups – usually gruesome like accompanying murders and rapes.
6. Cyber crimes – mainly through posting ads on Olx

and Facebook Market place. Newer trend of sextortion using match making/dating sites (eg Lamour app)

Geographical Extent of Crime in Mewat Region:

Mewat is a contiguous area spread over regions of Rajasthan, Haryana, & Uttar Pradesh. It has derived its name from ethnicity of *MEV* people who have been inhabitants of these geographical sub-region since ages.

1. Bharatpur - Deeg, Sikri, Kaman, Nagar, Jurera, Kaithwada, Khoh, Pahari, Gopalgarrh
2. Alwar – Govindgarh, Ramgarh and Nauganv
3. Bhiwadi– Tijara, Chopanaki, Tapukara
4. Mathura – Villages Devsaras, Mandora, Palsan
5. Punhana, Palwal, Firozpur Jhirka rural areas, Hodal and Hathin rural area, have been identified where multiple people especially youth are involved in these cyber frauds. Thereby this region has become infamous for lot of cyber frauds done all across the country.

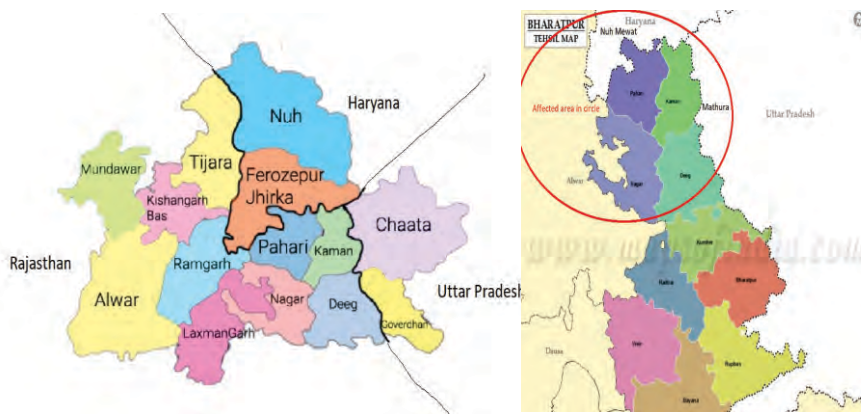


Figure 1: Major districts and areas involved in cyber crime

Reasons why this region is picking up cybercrime

A simple 'Cost Benefit Analysis' by smart consultants of these conventional criminals, who have been having insider information or seen loopholes from close proximity have cast a spell of novel crime around their habitat to get quick bucks sans the usual risks. These are usually youth of same cohort like common community/village or kinships and beneficiary of their cosmopolitan experience eg-

- Worked in E-commerce platforms, or
- Ola-Uber drivers or
- ATM operators/ security guards at ATMs
- Back-end support in mobile companies

- SIM vendors/retailers
- E-Mitra franchisers

These catalysts along with others push factors enumerated below have given a boost like a projectile growth trajectory:

1. Some communities have historically been involved in crimes
2. Lack of local employment opportunities and industries
3. Nexus between Telecom Distributors and retailers, retailers given license without adequate background verification given target based expansion strategy.
4. SIM purchase very easy without proper verification, incomplete CAFs (customer application form).
5. High density of E-mitra

- centres, usually unchecked or monitored – acting as centres to forge documents and transfer money across different stakeholders involved in process.
6. Peer to peer learning + social acceptance to earn money through frauds.
 7. No mission mode project to tackle such problem by police until recently.
 8. Perception that local police is not cooperative to outside police personnel.
 9. Lesser understanding of police personnel to understand and investigate cyber cases.
 3. By sending a QR code.
 4. By sending the KBC winner.
 5. Phishing websites offer cheap electronic and home goods.
 6. Fraud Customer Care number related services available on Google.
 7. A phishing message in the name of the banks states that your card is blocked or the ATM PIN has expired.
 8. Enticing victims to download certain apps through which their banking credentials can be stolen.
 9. By downloading the TeamViewer application in the accused phone.
 10. Sim Swapping.
 11. by OLX and commercial websites.

Given ease of operation, lesser risk and increasing use of B2B & B2C, E-Commerce ecosystem and its spread symptomised by internet shopping and mobile usage – more and more people have shifted to cybercrimes. *In sum they have introduced Disruptive technology in the field of conventional crime.*

Modus Operandi of these cyber criminals:

Different means used by these cyber criminals to commit these frauds are :

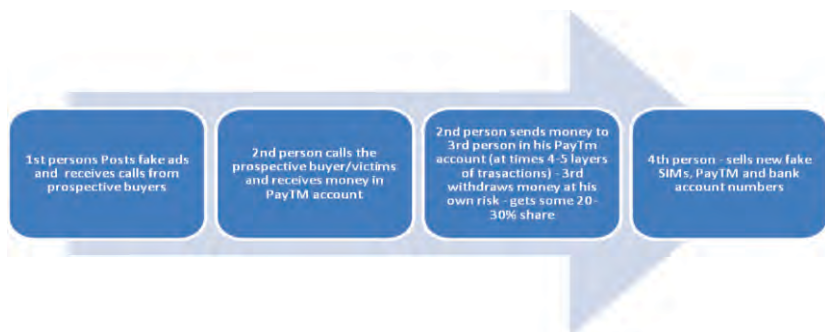
1. Phishing banking websites.
2. Facebook ads posted with PhonePay rewards and other coupons for cash back.

Moreover these practices are updated as per scope of committing this cyber through other means, e.g. using Facebook Market Place, Sextortion using dating apps, PayTm payment App. Recently there are complaints of skimming FAST-TAG amount from someone's account. However most recent & disturbing trend of fraud is posting advertisements on Olx and Facebook Market place as Army personnel and selling

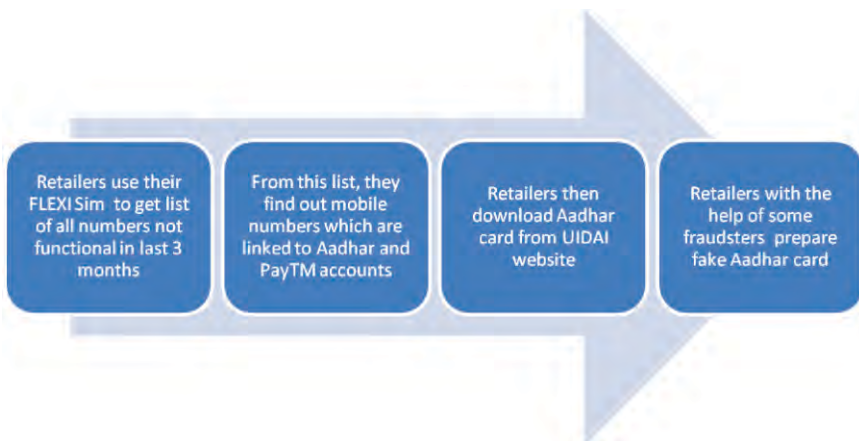
goods citing transfer of posting, and fake Facebook profiles of senior ranking Police officers like IGs, Commissioners of Police and Superintendent of

Police of various districts and demanding money by distress messages, thereby **leveraging the goodwill earned by police and defence personnel.**

Operation Process



Where does SIMs come from?



Retailers now have 2 options:

1. Selling these fake SIMs and PayTM linked account
2. Use fake Aadhar card and mobile number to open bank account

In most cases, these culprits use 1 SIM, PayTm for 4-5 cases and then dispose that sim and account.

1. Fake SIM @ (Rs500-700) – 2000 Rs depending on which

- company SIM is to be purchased
- 2. Fake PayTM accounts linked to mobile numbers – Rs 3000-4000
- 3. PayTM cards linked to PayTM accounts @ Rs 10,000

Money obtained from frauds is withdrawn from PayTM account by:

- Swiping Debit Card at Petrol Pumps,
- At remote ATMs and E-Mitras (Digital resource centres set up by government),
- By transfer to fake bank accounts

Winds of Change: Providing Last Mile Connectivity

Police has now taken a mission mode to face this challenge & make successful interventions & crime control strategies. This has come about by understanding of the fact that last mile connectivity has to be provided by local police and there has to be no hiding behind the bushes anymore. The support sought by teams of police station and cyber units from outside states have been receptively received at the district headquarters and adequate help and handholding provided by the local police stations.

1. With proactive police action in last 2 months – around 40 persons in 8 different cases have been arrested with more than 40 mobiles, 150+ SIMs, multiple bank passbooks and around > 3 lakh cash has been seized
2. A dedicated Cyber crimes team at Bharatpur level to catch hold of these OLX fraudsters constituted under command of an Inspector rank officer
3. Cyber teams from Cyberabad (2), Hyderabad (2), Bangalore (2), Basti UP (2), Mumbai, Uttarakhand, Aurangabad, Haryana have come in Bharatpur clearly indicating the improved trust of outer police units on Bharatpur police and sense of cooperation improving tremendously.
4. By analysing the tower dump data of 2 villages involved in Olx fraud in Nuh, 780 fake/suspected mobiles numbers have been identified – in Bharatput tower dump of >400 villages have been taken and work to identify such fake sims is underway (>3000 fake SIMs expected).
5. Regular mail is sent to Olx to check for fraud details on their website and proper

coordination is established with Olx Fraud Analyst team.

National & Inter-State mechanisms in place to check this nuisance

Given the inter-state ramifications of these cybercrimes, Inter-district and Inter-state coordination along with Centre-State Coordination for policy formulation and effective implementation is very much required. Many measures are already in place, some statutory and some as executive measures at different stakeholders level:

- I4C platform – The Cyber & Information Security (C&IS) Division of the Ministry of Home Affairs (MHA) now houses Indian Cybercrime Coordination Centre (I4C) as anodal centre for fight against cybercrime. It seeks to identify the needs of LEAs and suggest requisite support modalities, by way of BPR&D activities to develop new technologies or collaboration with academia, executive bodies and other investigative agencies.

Components of the I4C Scheme:

- National Cybercrime Threat Analytics Unit (TAU)

- National Cybercrime Reporting
- Platform for Joint Cybercrime Investigation Team
- National Cybercrime Forensic Laboratory (NCFL) Ecosystem
- National Cybercrime Training Centre (NCTC)
- Cybercrime Ecosystem Management Unit
- National Cyber Crime Research and Innovation Centre
- JCIP (Joint Cyber Crime Investigation Platform) formed in this regard by Additional Secretary (UT), Ministry of Home Affairs (MHA), Government of India to be placed under I4C.
- CYCORD - The Intelligence Bureau has also floated this Inter-MAC coordination mechanism, both as a web-link and close loop social chat group, which links all field level officers at district and state level to prevent misuse of cyber space for furthering the cause of extremist & terrorist groups.
- Cyber portal of MHA- The Ministry of Home Affairs, has put up this mechanism for easy accessibility & reach of common man in registering the complaints/ FIRs, to dilute any benefit

that can accrue to the criminal due to inter jurisdiction fight and lack of sharing of criminal intelligence.

- Mechanism of Inter-state border meetings with adjoining states/districts by Police chiefs of various ranks.

Suggestions :

Community Level Interventions:

- Since it is also a problem of social acceptance of such kind of crime Community Policing initiatives have to be aligned in this direction also. There is a strong need to leverage CLG and panchayat meeting to bring awareness and oppose these kinds of things done at village levels, persuade them to oppose persons involved in Olx frauds.
- We also need to generate more employment opportunities for the locals to dissuade them from committing such kind of frauds. Promotion of Apiculture, Pisciculture and food and milk processing units in collaboration with local NGOs engaged in these sectors e.g. LUPIN Foundation.
- Fast tracking youth skill development programmes can improve things of this front. Also, State Government should promote small scale industries to promote local employment in this area.

Interventions for better coordination in cyber crime control:

- Asking for Data and compiling such data from all states whereby these frauds have been done from this area and then launching a mass exercise to catch these culprits. (Recently Cyberabad Police Commissionerate shared information of around 600 FIRs in their jurisdiction and scores of criminals/ accomplices having specific latitudinal locations which led to specific intelligence led search raids leading to successful arrests of dozens of criminals)
- Regarding breaking the operational chain special audit of E-mitra shops and mobile SIM retailers.
- Coordination with Olx, Facebook to conduct a monthly audit report about fake or suspected Ads being posted should be regularized.

- More collaboration with the Cyber Fraud Analyst teams of Facebook and other e-market websites apart from Olx. Proactive steps by Olx like they are planning to have Geo-tagging of Ads being posted are welcome.
- No specific work is done regarding the audit of banking and financial institutions – Special audit should be conducted in this regard.
- Blocking and reverting back the money transferred on special request of specially empowered persons of police department while full documentation can be done later.
- Special provisions for seizure of property (movable and immovable) of these Olx fraudsters made specially in this region.
- More frequent Interstate Coordination meetings between states whereby all rank officers met, share their experience and exchange data and actionable intelligence.
- **TERM (Telecom Enforcement Resource and Monitoring)** cell of DOT (Department of Telecommunication) needs to pull up its socks and start

taking its audit task seriously and penalising the telecom operators if fraudulent or spurious Sim cards are found in circulation. This habit has not picked up despite statutory provisions in place has brought in lot of vacuum in which criminals operate merrily.

We should adopt best practices of different states:

- Bangalore police has dedicated Cyber Forensic apart from State Cyber FSL. Though such measures have been mooted in Rajasthan at all Range level but still to see the light of the day. Bharatpur range should be the first to get it all decked up.
- Cyberabad police has big data of all CDR details taken till date and search engine to search any number in India (while Rajasthan RajCop can search only Rajasthan numbers)
- Asking Telecom operators about details under 149 CrPC as done by Haryana police – asking them to submit numbers, retailer, CAF details
- Some districts like Alwar had made it mandatory for banks to ensure double check and

effective implementation of KYC norms before opening a bank account of any individual.

Conclusion

The increased cyber frauds across country from Mewat region is a very concerning issue which needs a coordinated and proactive approach. Since the process involves multiple steps have to be taken to break this chain at each level. There is a need to analysing all pieces of puzzle of cybercrime including facilitated reporting of complaints, to drive intelligence

led coordinated action against key cybercrime threat and targets and develop ecosystems that will bring together academia, industry and the government to spread awareness about cyber crimes plus to generate standard operating procedures to contain the impact of cybercrimes. Not to mention the sustained last mile connectivity to be provided on continuous basis by the Bharatpur district police. These steps will ensure that cyber crime is eliminated from Mewat region to usher a New Progressive Mewat and a New Progressive India.

Meta cognition in Police Training

Manish Tripathi, IPS

Meta cognition is the ability to think about and regulate one's own thought. A simplified definition of meta cognition is “Thinking about thinking”, but meta cognition also encompasses the regulation of these thoughts and the ability to change them.

Teaching Meta cognition strategies can improve a learner's performance at school or the training institute. Many researches have proved that meta cognition can lead to development of learning strategies which further lead to improvement in attainment. It also helps the learner to develop selfawareness skills. But on the other hand, teaching meta cognitive strategies can also be challenging for the educators and trainers. There are three basic phases or steps of meta cognition (A) Planning (B) Monitoring (C) Evolution.

The word meta cognition is derived from the Greek work

'meta' meaning beyond and the Latin word 'cognoscere' meaning getting to know. Meta cognition is the ability to reflect and critically analyze how you think. Essentially, it is best thought of as having self awareness that enables their performance. Students who can do this are more likely to learn more efficiently, more effectively and therefore make more progress.

Keywords : Meta Cognition, Cyber Space, Apply Strategies, Facts, Decisions, Problems, Evaluation.

Meta cognition can be enhanced by improving ability to predict how well you will perform a task. Developing meta cognitive skills encourages independent learning, resilience and grit among the trainees. “Plan /Do/ Review” cycle has been adopted by many high-performing sports teams. By establishing clear processes before, during and

after a task students will get into habit of self-reflection.

Goal setting, understanding how we learn and knowing how to ask for and receive feedback are some great meta cognitive strategies. By setting both long-term and short term goals, ensuring that they are both challenging and realistic as well as placing a strong emphasis on skill development as well as an outcome. Making feedback an integral part of the learning process is a key way to encourage meta cognition in the classroom. Meta cognition can be enhanced if students know how to talk to themselves in a helpful and constructive way. Asking yourself questions may lead to better performance because it triggers the brain to search for answers and alternatives. Self-reflection enhances self awareness. Improving meta cognition is something that is helpful across all subjects as it looks at "the way" that people learn rather than "what" they learn.

Traditional approach of Police Training and Education

Presently, in India, who so ever is having a basic, diploma or bachelor's degree in any discipline is eligible for Police

Training and Education. The police training still works on a traditional approach of a mixture there of classroom and field exercises. In the last decade, with the advent of digital revolution, a few subjects pertaining to cyber space are also introduced in the educational curriculum of police training.

Police training and police education have to be co-existent with the new wave of learning. But, presently we don't usually come across such an initiative. Police Education has to be deduced from extensive research and eventually put in practice through police training.

Meta cognition is one of the most widely studied subjects in contemporary psychological research in educational, instructional and developmental psychology. Researches showed that learners with under developed meta cognition i.e. those with less accurate knowledge monitoring skills, often spend too much time reviewing familiar material at the expense of mastering the unfamiliar or new material and, as a consequence, often fall behind in the instructional sequence.

Learning and Calibration

Calibration is the degree to which a person's perception of performance corresponds with his or her actual performance.

So, we can say in another words that, in a police training school, a policeman/woman who has been imparting a mid carrier training programme can monitor his/her learning before testing and make a prediction that 90% of the to-be- tested material has been mastered. Absolute accuracy (also known as calibration) refers to the degree of correspondence between a person's judged level of performance and his/her actual performance. Calibration judgments provide important estimates of overall memory retrieval.

Especially for a policeman/woman, the inability to make accurate, realistic predictions can have dire consequences. Here in police training, the consequences of over or under confidence many be life threatening. It many certainly affect the trainer's motivation and achievement. In accurate calibration, judgments have been linked to poor performance on various types of examinations.

Concept of Police Training

Police Training curriculum is

focused around various areas of competency, encompassing more than 1000 performance objectives in a wide range of content areas of which mastery is essential for fulfilling the duties and responsibilities of a police officer.

The goal of the police training include teaching police personals to recognize, categorize, evaluate and understand different types of phenomenal; to interact and communicate effectively with others; to think for themselves, and to predict probable outcomes of competing solutions. (Hackerfeld 2002)

The preparation of police recruits for their profession includes practical training as well as classroom education. Education involves the learning of general concepts, terms, policies, practices and theories. The goal training is to teach a specific method of performing a task or responding to a given situation. Training is focused on how to most effectively, accomplish a task, whenever a particular situation arises. Training is experimental and goal oriented.

Among the skills associated with most training programmers are the ability to determine whether

or not the circumstances warrant following a prescribed course of action, the physical and verbal skills associated with those actions, and the cognitive abilities needed to recall, what steps should be followed and in what order for each of the situations covered in the training program (Timm and Christian 1991). Police officers also need hands on-training in a wide range of specific physical tasks directly related to their positions such as arresting people, shooting firearms, operating equipment and handling emergency situations.

Many studies deduced that, the training offered in the Police Training Academies and the field trainings, there after traditionally places little to no emphasis on critical thinking, professional self-regulation, communication skills or problem-solving skills and learning's.

So here comes the role of psychology, Meta cognition has to be inculcated in the trainers, so as to develop the new pedagogy. In this process the trainer has to be trained in various skills sets mainly relating to: -

- (i) Thinking skill,
- (ii) Problem solving skill,

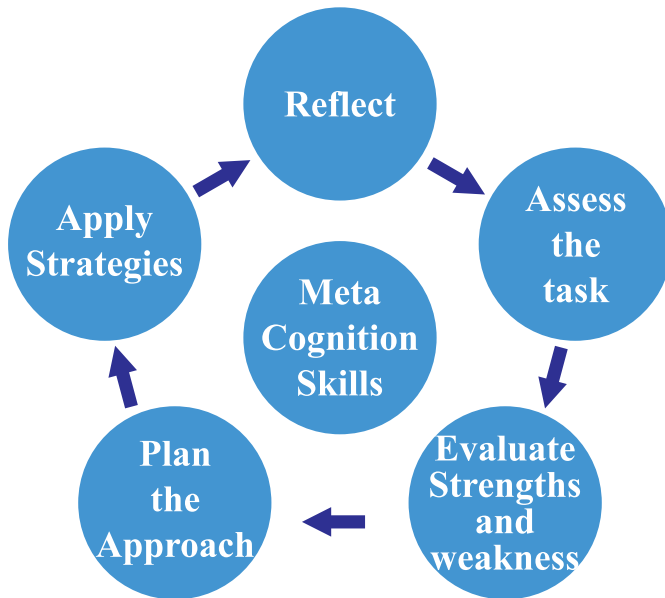
- (iii) Decision Making skill,
- (iv) Alternative evaluation skill,
- (v) Practical approach,
- (vi) Overall thinking skill- multi dimensional analysis skill.

Ways to develop Meta cognitive skills

The Sutton Trust explains meta cognition and self-regulation approaches aim to help learners think about their own learning more explicitly. Essentially, meta cognition means being aware of what you are thinking about and choosing effective strategies.

- Know you don't know it all- Knowing the gaps in your knowledge is the key.
- Set yourself great goals- Goals should be both challenging and realistic.
- Prepare properly- 5 minutes spent preparing is an hour saved later on.
- React better to the feedback you get - Feedback is sought but not action is a wasted opportunity.
- Monitor your performance- Don't wait until the end to see how you are doing.
- Seek out-feedback- This improves your knowledge base, helping you make better choices.

- Keep a diary-this will improve self awareness.
- Ask yourself good questions- is it similar to pervious task\ What should I do first\ What is my best option\



The “How learning works” explains " To become self directed learners, students must learn to assess the demands of the task, evaluate their own knowledge and skills, plan their approach, monitor their progress and adjust or calibrate their strategies or needed.”

A concept of HOT- Higher Order Thinking has developed among professionals. The Hot level refers to application of analysis, evaluating and creating. Examples of Cognitive that are classified as HOT also include constructing and evaluating arguments, asking research

questions, dealing with controversies, making comparisons, designing, conclusions, were corroborating information sources and establishing causal relationships.

Meta cognitive knowledge (MK) refers to knowledge, beliefs, ideas and theories about people.

Meta cognitive skills (MS) are the skills and processes used to guide, monitor, control and regulate cognition and learning.

Meta cognitive Teaching strategies (10)

(1) Meta cognitive Awareness inventory.

(A) Knowledge of Cognition
(Declarative, Procedural and conditional)

(i) Awareness of factors that influence your own learning.

(ii) Knowing a collection of strategies to use for learning.

(iii) Choosing the appropriate strategy for the specific learning situation.

(B) Regulation of Cognition.

(i) Setting goals and planning

(ii) Monitoring and controlling learning

(iii) Evaluating own regulation

(2) Pre assessment of content
(Self assessment)

(3) Self- Assessment of self regulated learning skills.

(4) Think aloud for meta cognition

(5) Concept of Mapping and Visual Study Tools.

(6) Classroom Assessment Tools.

(7) Meta cognitive Note taking skills.

(8) Reflective Writing

(9) Wrappers- summarizing. Feedback; key ideas discussions; Debrief.

(10) Retrospective Post-Assessment.

So, we can attempt to resolve an investigation puzzle in Policing with meta cognition.

- Planning – All the team members of the investigation team can brain storm about similar problems they have solved before and the strategy they used.

- Monitoring – The team members then assess the progress they are making in solving the problem and ask questions of their leader, if they need help.

- Reviewing – the team members consider whether this was the best approach or strategy to solve that particular problem.

The research shows that, to improve meta-cognition, teachers should try and encourage students to monitor and reflect on their performance. Meta cognitive training enhanced people's ability to critically analyze and monitor the way they think.

Meta cognitive skills allow students /trainer to better communicate their point and debate topics they are learning about, which in turn enhances classroom discussion and decision-making. Teachers with

these meta-cognitive skills are well- equipped to design and implement classroom differentiation, accommodations

and interventions that are developmentally and culturally responsive to the trainee's needs and learning goals.

Situation Analysis



1. Situation Analysis
2. Problem Identification
3. SWOT Analysis
4. Assumptions
5. Facts
6. Decision criteria
7. Generation of Alternatives
8. Evaluation of Alternatives
9. Recommendation

Meta cognition and Police issues

Police training is usually divided into two parts mainly Indoor subjects and Outdoor subjects in India.

Law and its procedure is a major area of learning in indoor classes. Law is usually used in developing the understanding of a situation or event occurred and by applying a Penal section may result in the generation of alternatives. So, by developing Case Study method or posing an imaginary situation, a class can deduce to application of appropriate penal section. A group discussion and individual

presentation with analysis of various alternatives can be adopted by trainers a suitable pedagogy.

Similarly, investigative skills can be learned by applying various real time crime scene analyses. We can decide by evaluation of various available alternatives. Economic offences can also be analyzed with collection of strategies and awareness learning. We can also apply **HOT**-High Order Thinking concepts which include research, comparisons, designing conclusions and corroborating information sources.

The concepts of Criminology and Crime Prevention have to be discussed among the penal of speakers along with lecture methods. Debates, impromptu group discussions and Quizzes, along with Audio-Visual methods are more helpful for longer memory retention.

Similarly, issues relating to Disaster management, Law and order, VIP Security, Road Safety, Human Resource Management, Gender issues, Matters relating to Ethics and Integrity in Police can also be addressed with help of Meta cognitive Skills applied by trainers. We can also attempt, Weapon training with the help of visualization in learning the skills of Marksmanship. Explosives and Weapons theories can be analyzed with help of application of Meta-cognitive theories.

Some critics may say to the concept of meta-cognition is

that, it doesn't work in police training. The development of concept of Meta-cognition and the available extensive researches on this particular pedagogical tool make us believe that it can work. The Police Training lacks research and development and the capacity building of trainers is deficient. Meta cognition research proves that the trainers can be trained with the skills and tools of meta-cognition. If it is the ability to think about and regulate one's own thought so why not think about Police Training.

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New Age Policing: A Paradigm Shift

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As long as we can remember, technology and policing have been interconnected for decades. In the 20th century, the introduction of the telephone, the automobile, and the two-way radios brought in seismic shifts in the capabilities of police all over the world. It resulted in rapid response to citizens' requests for police assistance as also in rapid detection, prevention or resolution of crimes. These technological capabilities provided closer connections and information sharing between police and the citizens they served.

In the 21st century, technology seems to have advanced at an ever-accelerating pace as is evident from the powerful technological advancements that have emerged such as closed-circuit television (CCTV), automatic license plate readers (LPRs), in-car cameras, and body-worn cameras (BWCs), predictive policing software, and

social media communication and monitoring tools. The proliferation of computer technology, communication technology, and other major technological advancements over the last several decades have made numerous technologies available to law enforcement officers that were virtually unheard of by their predecessors. Many departments are implementing these and other technologies to increase efficiency and to improve outcomes, especially in times of diminished resources and enhanced public attention to and scrutiny of courts and legal provisions. However, with a view to make the best use of technology so that the police forces can perform their functions for optimum effects, we need to build the knowledge base of why and how police select, implement, and integrate new technology; how that technology is being used; and

whether new technology improves policing in a meaningful way for both the agency and the community.

It may be of interest to note that the law enforcement agencies or the police forces have always been early adopters of technology. In the late 1990s, for example, digital cameras were installed on roads in the West to detect traffic regulation violations, notably speeding. More recently police body worn cameras have been introduced in many different countries. According to a report in the New Scientist, police forces in the United States are rolling out 50,000 such cameras, in the United Kingdom its around 17,000 and in Australia more than 10,000 have been deployed since 2015. Academics at Cambridge University have found that police wearing body-cameras received 93 percent fewer complaints from the public. This has been put down to the camera increasing accountability on both sides. It is an example of how technology can make a difference in modern policing.

There are nearly 40 technological advancements, which various law enforcement

agencies world over are thinking about getting. However, the prioritized technological advancements, which are being successfully employed are: crime mapping, social media, data mining, car cameras, License Plate Readers (LPRs), Body-worn Cameras (BWCs), Drone Technology and Facial Recognition Technology. These are being discussed in detail in the succeeding paragraphs.

Keywords : Social Media, Online Safety, Crime Mapping, Data Mining, Drone Technology, Privacy

Crime Mapping

Computerized crime mapping software via Geographic Information System (GIS) is used by police agencies to map, visualize, and analyze quality of life complaints, crime patterns over space and time, and paths to crime displaying distances between events within an incident. Using GIS, departments can identify clusters of crime incidents or types (i.e., hot spots and habitats), generate graphic displays of crime incidents for officers or the community, and identify other patterns of local crime activity that may ultimately help inform the allocation and deployment of

officers into the field. In some cases, census demographics or land-use data are merged with GIS crime-incident data to better understand the contextual characteristics within which crime incidents are embedded.

Social Media

Much of the available literature, although mostly informal or journalistic, has suggested that social media has tremendous potential in modern-day law enforcement. Many analysts / experts have highlighted the importance of social media for building trusting relationships between police and the local community, because social media can establish a forum for open communication. With a vested interest in community outreach, departments can use social media to post crime prevention tips, community-related news, issues related to pedestrian and motorist safety, information about weather or traffic-related emergencies and even information or preventive measures related to outbreak of pandemics like COVID-19. Likewise, citizens from the community also have the opportunity to communicate with the police via social media, which can deliver valuable

feedback and raise the department's awareness of community perceptions of local law enforcement. Recent high-profile events have underscored the potential for police departments' use of social media to promote public safety in times of unrest, and the potential for active social media use to humanize the local police force by showing that officers are also members of the community they serve has also been voiced.

Challenges of Social Media for Safety and Security Authorities

There are several aspects related to social media that affect the design of social media strategy. First of all, social media can be considered a complex ecosystem, with various dynamic and interconnected platforms: social networking sites (e.g. Facebook, Twitter or LinkedIn), user-generated content sites (e.g. YouTube, Wikipedia), game sites and marketing sites (e.g. Amazon, eBay) are interlinked and their boundaries blurred (Dijk 2013). This means that also the police presence is inevitably *multidimensional* and selecting few communication channels leads actually to simultaneous presence in many types of

platforms with differentiated policies and cultures and various end-users.

Second, the use of social media among safety and security authorities presents also many *ethical and legal challenges*, most of which relate to the privacy of citizens involved. Information that the public authorities have and use is often sensitive. For example, acquiring or asking for private information from anyone involved in an emergency situation also raises questions of the contingencies in data management such as responsibilities for handling, managing, storing and using private information (photos of incapacitated people, addresses, phone numbers, location information, etc.) shared through any platform—either public or private.

Thirdly, social media has also a *tendency to spread false information and rumours*. According to a study of Twitter feeds during crises, posts that do not mention the information source or include personal involvement and experiences are especially prone to become widely spread rumours. With respect to the findings of the EU Horizon 2020 projects

iSAR+1 and Soteria2 (see iSAR+2019 and Soteria 2019), even though any additional information (photos, videos, location information, etc.) received is typically regarded as beneficial or useful for safety and security organizations, *information quality* has been regarded as troublesome.

The information obtained from social media has to be processed before it can be utilized in emergency management activities. Based on the experiences and opinions of the authorities that took part in the iSAR+ and Soteria projects experimentations, use of social media increases the amount of useless or irrelevant information. Consequently, as the volumes of shared information increase, not only keeping track on what is going on in social media but also identifying false information and spam is becoming more and more difficult.

Hence, although social media can potentially enable monitoring citizens' and communities' fears and concerns, the enormous volume of social data streams generates “noise” that requires filtering and data mining in order to get meaningful information like

major events or changes in public sentiment. As we have seen in many extraordinary cases such as the 2013 Boston marathon bombing, false or fake information can travel rapidly if they are spread through the right nodes (i.e. users with high numbers of followers).

Naturally this is dependent on the incident and the scale of it. Any information received through social media would need to be somehow validated before being utilized in situation management. This naturally has a great impact on resource allocation. The need for disseminating correct and up-to-date information increases in crisis situations. Efficient communication, informing and alerting are key in mitigating further damage.

However, in terms of peoples' trust towards different information sources, there are also conflicting notions in recent research. For example, Austin et al. (2012) have implied that traditional media outlets have been preferred as most credible source for information, with the belief that broadcasting companies and other journalistic institutions have the expertise and judgement in assessing and

estimating an overview of matter to broadcast (Vihalemm et al. 2012). This is also supported by Reuter et al. (2016) study where only 13 % of respondents (1034 citizens from 30 European countries) considered information from social media to be more accurate than that presented in traditional media. Accordingly, the role of social media has been seen more as an instrument to steer users towards appropriate information (Austin et al. 2012; Posetti 2012).

Smart devices' and social media's features represent *media convergence* where different types of media and content—previously sectorised behind different media outlets (radio, TV and print press)—are now merged together in one medium. Simplified access, creation, sharing and interaction to different content allows for more real-time information acquiring and awareness.

Data Mining

Data mining technology was designed to address needs related to handling large quantities of data from diverse sources. Specialized mining software allows departments to analyze massive amounts of data in a fraction of the time it would

take using manual methods and, thus, are speculated to save time and personnel-related resources. Crime analysts may use specialized data mining software to mine text data, visualize crime networks, identify possible suspects, or recognize crime patterns and characteristics associated with them to guide the deployment of officers. Crime data can also be merged with other forms of external data, such as traffic or weather information, and analyzed to identify complex relationships between multiple variables. Most software packages also allow for the creation of automated reports and dashboards, prediction maps, and crime trends. Data mining is often discussed in tandem with predictive policing, a strategy based on the logic that future crimes can be better anticipated, responded to, or prevented using intelligence collected and analyzed from a variety of data sources. In one example, as a result of frequent random gunfire on New Year's Eve, the Richmond Police Department in Virginia examined data collected from previous years and was able to anticipate when and where future incidents might occur on New Year's Eve in 2003. Officers were strategically

deployed based on the data analyzed and, as a result, the department witnessed a 47% decrease in random gunfire and a 246% increase in weapons seized, while at the same time saving \$15,000 in personnel costs. The potential for data mining software to uncover underlying causes of crime trends and patterns that can then inform the allocation of police resources as a crime prevention strategy is also viewed as consistent with the basic premise of predictive policing. In Arlington, Texas, the police department studied residential burglary data to identify associated hot spots and compared these locations to areas with code violations.

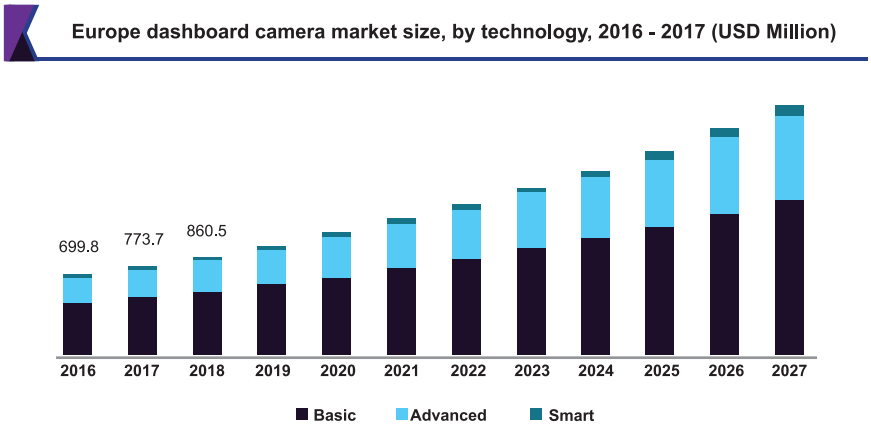
Car Cameras

In the Western countries, efforts to implement video recording systems in officer patrol cars date back to the 1960s; however, it was not until the early 2000s that dashboard-mounted cameras became prevalent. The diffusion of dash cameras throughout American law enforcement was a consequence of several historical factors that include increased attention on drinking and driving in the 1980s, the war on drugs, allegations of racial profiling against the police, and demands

from within law enforcement for greater officer safety. Recognizing the potential for in-car cameras to document the circumstances of arrests or other officer–citizen encounters and to deter assaults against police officers, the

In-Car Camera Incentive Program was initiated in the United States, in the late 1990s to provide funding to state and highway patrol agencies to get and use in-car camera systems. The program dramatically increased the number of agencies with dash cameras in

the next few years. The global dashboard camera market size was valued at USD 2.8 billion in 2019, with an estimated 36.1 million units of dashboard cameras sold in the same year. The industry is expected to witness an increase in the demand for installation of such cameras in commercial and passenger vehicles owing to the rise in sales of new vehicles. Rising demand for vehicular safety and favorable government initiatives are some key factors, expected to fuel the market growth.



Source: www.grandviewresearch.com

Growing inclination of motorists toward the usage of such cameras to seek added legal protection in case of road mishaps and accidents is expected to drive the demand for dashboard cameras worldwide.

Frequent news occurrences showing the footage of crashes and road accidents captured by such devices has significantly helped to increase general public awareness regarding the benefits of car DVRs.

Dashboard cameras are increasingly becoming popular with drivers across the globe. This technology is finding home in many commercial as well as personal vehicles, as it empowers the driver to take control of on-road security and allows to record incidents such as collisions, theft, and vandalism. The camera footages obtained from dashboard cameras are now being accepted for proving liability and insurance claims. Insurance companies are promoting the adoption of dashboard cameras by providing discounts on insurance premiums with the aim to fight against false insurance claims.

Some insurance companies are offering customers up to 15% discount on monthly premiums for using dashboard cameras in their vehicles. This has significantly increased the popularity of dashcams across the world. Adoption of dashcams is expected to soar in the North American region over the forecast period. In January 2017, New York (NY) State proposed a Senate Bill (S438), under which the non-commercial vehicle owners will get approximately 5% discount on premium for using a dashcam.

License Plate Readers (LPRs)

Automatic LPRs are high-speed cameras paired with character recognition software that can read and document thousands of license plates per minute while also recording the date, time, and location of every scan. LPRs can be mobile (i.e., mounted on police cars) or stationary (i.e., mounted on structural objects such as overpasses), and information obtained can be compared with existing hotlists of license plates compiled by agencies and relevant matches can be used to send alerts to active officers on patrol. This technology has attracted controversy in recent years because license plate information collected from LPRs can be retained by law enforcement and even merged into regional information-sharing systems. Accordingly, the American Civil Liberties Union has raised concerns related to citizens' rights to privacy and the need for tighter regulations for LPR technology. Some states have moved to limit the use of LPR based on privacy concerns. For instance, in June 2015, Louisiana Governor Bobby Jindal vetoed legislation that would have allowed law enforcement to use LPRs to apprehend uninsured drivers.

Body-worn cameras (BWC)

BWCs are the video recording system worn by police officers to record their interactions with members of the public and to accumulate video evidence for calls-for-service. Police leaders who have deployed BWCs state that they have many benefits, for example, documentation of evidence, preventing and resolving complaints brought by the public, and bolstering police accountability and transparency, while others raise concerns about privacy and trust.

Drone Technology

Police forces have been using drone technology for a while as a cheaper alternative to helicopters in some roles. The unmanned aerial vehicles (UAVs) equipped with cameras have proven so successful with Devon and Cornwall Police Force that it became the first police force in the UK to launch a dedicated 24/7-drone unit. Devon and Cornwall Police Force are using the drones for everything from missing person investigations to tracking suspects in firearms incidents and counter-terrorism operations. It is also using them to monitor its 900 km of coastline and woodlands to help fight wildlife crime.

In the United States, Larimer County, Colorado law enforcement agencies have started to use drones to investigate fatal and serious accident scenes. Using drones in crash investigations to take detailed photographs has enabled evidence to be gathered faster and roads to be opened quicker.

Facial Recognition Technology

Facial recognition technology has huge potential in the police's weaponry against fighting crime. The technology has been around a while, but having analytics algorithms to process images in real time is making it much more effective. It is already yielding results: several men were recently arrested at a Six Nations rugby match using Automated Facial Recognition (AFR) software, which enabled the police to compare the image of a suspect against 500,000 custody photographs to find a match.

Eye detection software and motion and sensor technology are also being used to detect psychological and physical behavior to tell if people are telling the truth. An Automated Virtual Agent for Truth Assessments in Real Time

(AVATAR) is already being tested by the Canadian Border Service Agency (CBSA) to help border security police to determine if travelers are coming into the country legally or for the right motives.

Challenges for Policing-Human Rights, Privacy and Surveillance Technologies

There are a number of police practices which are unlikely to gain immediate public support, whatever the claims made by the police service to justify their use, and this is especially true for their use of surveillance technologies for intelligence gathering and/or criminal investigations. On these occasions, questions may reasonably be asked about interference with individual human rights by public authorities, where citizens may have an expectation of privacy.

The following example is a useful, but not exhaustive illustration of the pitfalls for policing. Between 2016 and 2019, the London Metropolitan Police conducted trials of live facial recognition (LFR) technology in and around 10 sites in central London. Six of which were observed by independent researchers from the University of Essex

operating under the auspices of the Human Rights, Big Data and Technology Project—funded by the Economic and Social Research Council. The subsequent report, without reaching any firm conclusions concerning the future use of this technology by law enforcement agencies, highlighted a number of concerns arising from the use of the technology and the legal justifications for its use; consideration of interference with human rights and testing the boundaries of public consent.

Of these, consent is of particular interest as it defines what may be regarded as the legitimate boundaries of police power and practices and whether normative compliance may follow. One issue raised by the report was the fact that the Metropolitan Police regarded its use of LFR technology as overt public space surveillance in the same sense that CCTV is deployed in public spaces. Whilst the use of CCTV is so ubiquitous that its use may now be regarded by the public as banal the same may not be said of all public space surveillance technologies when its use is directed towards identified individuals. As in the case of LFR and other technologies, arguments may be raised that

such usage by the police service falls, as previously stated, into the legal realm of the Human Rights Act (HRA); the Regulation of Investigatory Powers Act (RIPA); the Investigatory Powers Act; General Data Protection Regulation (GDPR) and the (DPA). For this reason, brief consideration would now be given to 3 areas of law, policy and practice which impact directly upon the police use of AI and smart technologies for surveillance of the population—overtly and covertly; or are used in the course of criminal investigations. This includes consideration of the obligations placed upon the police service by the Criminal Procedures and Investigations Act (CPIA) (1996) to record, retain and disclose their use of these technologies in any subsequent criminal proceedings.

In the Indian context it would also be relevant to examine the IT act since it is ubiquitous to everyday policing in India. Both the up and down sides are examined to get a balanced overview.

Over three years after it struck down Section 66A of the

Information Technology Act as unconstitutional, the Supreme Court on said it was shocked to hear that authorities still continue to book people under the now extinct and draconian provision.

A Bench led by Justice Rohinton F. Nariman, who wrote the judgment in March 2015 upholding online free speech against Section 66A, said “strict action” would follow if the claims in the petition filed by the People's Union for Civil Liberties (PUCL) were found true. The court ordered the Centre to respond to the petition in four weeks.

The PUCL said Section 66A, which restricted free expression online, continued to survive and occasionally found a place in the FIRs registered by the police in complete contravention of the Supreme Court judgment in the Shreya Singhal case.

The judgment had found that Section 66A was contrary to both Articles 19 (free speech) and 21 (right to life) of the Constitution. The entire provision was struck down by the court. The petition said the judgment rendered Section 66A extinct from the very date of its insertion into the IT Act, i.e. October 27, 2009.

“Further, the judgment and final order in the Shreya Singhal case had rendered all investigations, prosecutions, and convictions based on Section 66-A IT Act illegal, and it forestalled any use of Section 66-A IT Act after the decision was rendered.

“Despite the clear and unequivocal holding of this court in the Shreya Singhal case, Section 66A of the IT Act continues to be applied in the legal system,” the petition said.

It said a recent working paper by the Internet Freedom Foundation demonstrated that pending prosecutions under Section 66A had not been terminated, and further it continued to be invoked by police across India in FIRs registered after the 2015 judgment. The petition said there had been a huge communication gap at the ground level and many officials may not even know about the Supreme Court verdict.

It said trial courts and prosecutors were not actively implementing the verdict and the burden of terminating illegal prosecutions based on Section 66A fell on the accused persons.

“Thus, compliance with the Constitution has been made

primarily dependent on the means of individual accused persons, potentially rendering justice beyond the reach of accused persons without the means to afford quality legal counsel... It is humbly submitted that the harm emanating from this state of affairs is enormous,” the petition said.

These unwarranted prosecutions amount to wastage of precious public resources in a criminal justice system which is already reeling under heavy pendency.

The petition urged the court to direct Chief Secretaries of States and Union Territories and Directors- General of Police to circulate or inform police stations and officials about the March 2015 verdict. In turn, the State High Courts should bring the judgment to the notice of district courts within their jurisdiction to prevent failures of justice.

Despite the downside of rampant misuse of intrusive technology within the legal frame work and having a huge population, India's police force is one of the most understaffed in the world. Against the United Nations recommended ration of 222, India has only 144 police offers for every one lakh citizens. Apart

from the ground force, there is an acute shortage of investigation officers. To handle crime the smart way, a host of police stations in different states are taking the help of emerging technologies such as AI, blockchain and analytics. A case in point is the Uttar Pradesh Police, which is using an AI enabled app developed by startup Staqu. The app digitizes and searches records using AI and carries records of criminals, assisting police forces at ground zero with real-time information retrieval during investigations, regular checks, verifications, and at police checkpoints. Interestingly, the app also has a 'Gang identification Technology', which helps the police in not only identifying a criminal, but also their associates active in different districts and part of the states. The startup is also working with police departments such as Punjab, Rajasthan and Uttarakhand. The impact of using technology is huge – the startup has helped the police solve over 400 high risk and complicated cases.

The Andhra Pradesh Police has developed an app that helps in keeping track of old criminals and offenders. This is aimed at closing the gap that exists when a

person lives in one area and commits a crime in another area. Today, the state has a better track record in tackling crime as all details of history sheeters are digitised and their activities are updated on a regular basis. The same data can be fed into facial recognition systems and their movement can be detected in critical locations such as airports. To prevent break-ins in houses when people go on holidays, the Andhra Pradesh police has created a 'Locked House Monitoring System'. Using a motion detection camera, this system monitors a house (once requested by the owner) and any intrusion detected is automatically sent an alert to the police control room by the system. The system has helped in catching offenders on a real-time basis.

Maharashtra also has created the Automated Multimodal Biometric Identification System (AMBIS)- a digital database of finger prints and photographs of criminals. With its automated matching capabilities, AMBIS will bring a major push towards smart policing in the state by eliminating limitations of manual search on the biometric database. This is one of the first systems in India to implement

integrated face enrollment and detection. With the planned integration of this system with various CCTV systems (such as Mumbai CCTV) interesting use cases such as real time search in CCTV cameras for criminals can be achieved.

What we are witnessing in India is just the tip of a huge digital transformation that is happening with respect to the police departments. As more police departments start showcasing their success using technology, expect the trickle now to become a flood!

Conclusion

Technological advances in recent years have changed the nature of policing so significantly that many methods and tools from just a decade ago have become antiquated and incompatible with current technology. Police forces are starting to use big data, machine learning and predictive analytics to understand and combat crime. Data harvested from the Internet of Things(IoT) by police can be analyzed to create a picture of crime patterns and trends. By applying predictive analytics and machine learning to big data, police can spot where

violent crime may happen next.

In a democratic set up, people have lot of expectations from the law enforcement agencies or police forces to establish a crime-free society but in our country, the police to population ratio is so adverse compared to Western societies that in spite of their best of the efforts and intentions, they can satisfy the people. However, modern technology, if applied judiciously, can assist the police forces in carry out their tasks much more effectively and efficiently. Research suggests that technological improvements have increased police capabilities manifold.

An endeavor has been made to identify certain technologies, which are being used by the police forces in the Western countries to enable them to carry out their tasks more effectively. Some of these are being used in our country also to great effectiveness such as drone technology, social media, data mining and so on. More we adopt modern technologies in to our police forces; greater will be our effectiveness to operate.

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Alternative Dispute Resolution Mechanism : Meaning, Basis, Classification

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Alternative Dispute Resolution is a very important and stimulating theme of contemporary relevance. A dispute is between two or more parties, where a right is asserted by one or more parties against the specified persons and those persons deny that right or claim either totally or partially. Litigation through the courts and tribunals established by the State is one way of resolving the disputes. The courts and tribunals adjudicate and resolve dispute through adversary method of dispute resolution. In this adversarial process, each party will be competing to get the decision in their favour. Obviously litigation promotes game theory of justice and dispute resolution. Person with good resources are likely to win the game. Litigation as method of dispute resolution leads to a win-lose situation. Associated

with this win-lose situation is growth of animosity between the parties which is not compatible for a peaceful society. Litigation also involves lot of delay given appeals / revision / review including the constitutional remedies.

Once there is delay, the litigation process will become expensive, whereas in Alternative Dispute Resolution mechanism almost outcome leads win-win situation for both the parties. There is nobody who is loser and both parties feel satisfied with the outcome of dispute resolution process. If the Alternative Dispute Resolution method is successful, it brings about a satisfactory solution to the dispute and the parties will not only be satisfied, the ill-will that would have existed between them will also end. In this method social relationships also remain preserved.

Key Words : Alternative Dispute Resolution, Mediation, Lok-Adalat, Conciliation, Litigation.

Alternative Dispute Resolution : Meaning

Alternative Dispute Resolution is a very important and stimulating theme of contemporary relevance. A dispute is 'lis inter parties'. It is a dispute between two or more parties, where a right is asserted by one or more parties against the specified persons and those persons deny that right or claim either totally or partially. Litigation through the courts and tribunals established by the State is one way of resolving the disputes. Obviously litigation promotes game theory of justice and dispute resolution. Persons with good resources are likely to win the game. Litigation as a method of dispute resolution leads to a win-lose situation. Associated with this win-lose situation is growth of animosity between the parties which is not congenial for a peaceful society.¹

Explaining the concept of "Alternative Dispute Resolution", it was stated that, as the name suggests, is an alternative to the traditional process of dispute

resolution through courts. It refers to set of practices and techniques to resolve disputes outside the courts. It is mostly a non-judicial means or procedure for the settlement of disputes. In its wider sense, the terms refers to everything from facilitated settlement negotiations in which parties are encouraged to negotiate directly with each other prior to some other legal process, to arbitration systems or mini trials that look and feel very much like a court room process. It is not intended to replace or supplant the courts of the land, but is in addition to the traditional system. The need for public adjudication and normative judicial pronouncements on the momentous issues of the day is fundamental to the evolution of the laws of the land. Alternative Dispute Resolution is necessary to complement and preserve this function of the courts.²

"Alternative Dispute Resolution" is supposed to provide an alternative not only to civil litigation by adjudicatory procedures but also includes arbitration itself. The institution of arbitration came into being as a very useful alternative to litigation. But it is now being viewed as closer to litigation

because it has to be in accordance with statutory provisions and becomes virtually an adjudicatory process with all the formalities of the functioning of a court. A method of dispute resolution would be considered as a real alternative only if it can dispense with the adjudicatory process, even if it is not wholly a consensual process. It may be worked by a neutral third person who may bridge the gap between the parties by bringing them together through a process of conciliation, mediation or negotiations. It can also be described as a mediation though mediation is only one of the modes of Alternative Dispute Resolution. The method is neither that of litigation nor that of arbitration. Alternative Dispute Resolution flourishes because it avoids rigidity and inflexibility which is inevitable in the litigation process apart from high lawyer and court fee and long delays. Alternative Dispute Resolution aims to provide the parties with cheap, speedy and less formalistic remedy to the aggrieved party.³

Thus Alternative Dispute Resolution process is a mode in which dispute resolution process is qualitatively distinct from the

judicial process. Where:

- (i) The neutral person is generally familiar with the nature of the dispute and the context in which such disputes normally arise,
- (ii) The proceedings are informal, devoid of procedural technicalities and are conducted, by and large, in the manner agreed to by the parties,
- (iii) The dispute is resolved expeditiously and with less expenses,
- (iv) The confidentiality in the subject-matter of the dispute is maintained to a great extent, and
- (v) Decision-making process aims at substantial justice, keeping in view the interests involved and the contextual realities.

In substance the alternative dispute resolution process aims at rendering justice in the form and content which not only resolves disputes but tends to resolve the conflict in the relationship of the parties which has given rise to that dispute. Alternative Dispute Resolution may not be appropriate for every dispute even in other areas, even if appropriate, it cannot be invoked unless both parties to a

dispute are genuinely interested in a settlement.⁴

Alternative Dispute Resolution : Definitions

Alternative Dispute Resolution has been defined by so many jurists in various ways. R.D. Rajan in his classical work defined Alternative Dispute Resolution in different ways as under:⁵

- (i) "Alternative Dispute Resolution" popularly known by its short form "ADR" is a generic term referring to all methods of dispute resolution other than the court based resolution.
- (ii) "Alternative Dispute Resolution" is a name used to describe any means of resolving disputes outside the court. ADR affords the opportunity to resolve disputes without going to trial.
- (iii) "Alternative Dispute Resolution" refers to the wide spectrum of legal avenues that use means other than trial to settle disputes. 'Trial' means a formal examination of evidence and determination of legal claims in an adversary proceeding.
- (iv) "Alternative Dispute

Resolution" is a means to manage and resolve disputes by parties with the time, expense and disruption that attempts a public trial.

- (v) All those procedures of resolution of disputes as distinct alternative to court system have come to be known by a compendium expression namely, the Alternative Dispute Resolution or simply ADR.
- (vi) The expression "Alternative Dispute Resolution" would include within it any method of dispute resolution other than court litigation.

Therefore, as per aforementioned meaning of Alternative Dispute Resolution, it is submitted that "Alternative Dispute Resolution mechanism" is seen as means to enhance access to justice for populations that can not or will not approach the court litigation system, to resolve conflicts in culturally appropriate ways, and to maintain social peace. Although Alternative Dispute Resolution mechanism can not be expected to establish legal precedent or implement changes in legal and social norms. It tends to achieve efficient settlements at the expense of consistent and uniform justice, although it is not

supplant to court litigation. Alternative Dispute Resolution is only alternative to court litigation.

Alternative Dispute Resolution : Basis

The democratic society helped in the emergence of the consensual decision-making process. Dispute resolution is of two kinds-litigative and non-litigative. The non-litigative method is considered to be the widely adopted method in recent times, as mechanisms outside usual processes of litigation are considered more beneficial. Being a creative dispute resolution process it can be formal or informal. The early neutral evaluation, summary jury trial, mini-trial, court annexed processes such as judicially hosted settlement, judicial arbitration, temporary judging, are some of the variations of the alternatives. They are useful because of their creative methods. Their advantages include flexibility, capacity to mould itself to need of disputants etc. It is an art to select a process, and modify it to address dispute. There are several Alternative Dispute Resolution methods. However, some of them are basic in nature,

giving rise to different kinds of resolution mechanisms. A mediator or negotiator may adopt more than one method, or mix two or three methods, depending upon needs and strategies.⁶

The rule of law and principles of natural justice are inherently related to each other. Principles of natural justice ensure protection from arbitrary exercise of power by the authorities, or those who are in a commanding position. It means fairness, equity, equality, and reasonableness. They are also referred to as natural law. Articles 14 and 21 of the Constitution embody these principles of natural justice and rule of law. These articles incorporate substantial and procedural due process. The basis of fair trial and administration of justice is founded in two significant principles:

(a) *Nemo judex in causa sua*, i.e. no one should be made a judge in his own cause: this rule is the rule against bias, which is of five kinds:

- Pecuniary interest; or
- Personal interest, a) by blood relation, b) marital relations, c) friendship;
- Hostility;

- Official Bias;
- Subject Matter Bias.

(b) *audi alterum partem*, i.e. right of the parties to be heard. This rule is the rule of fair hearing. In other words, no one can be deprived of his vested right or be punished without having been given opportunity to offer an explanation. The salient features of this rule are :

- Right to notice;
- Right to present cases and evidence;
- Right to rebut adverse evidence;
- No evidence should be taken on the back of other party;
- Report of the inquiry to be shown to the other party;
- Reasoned decisions or speaking orders;
- Institutional decisions or one who decides must hear;
- Rule against dictation;
- Notice must be adequate;
- Accused is entitled to know reasons, and to represent.

The above referred principles of natural justice are embodied in all procedural laws like Code of Criminal Procedure and Code of Civil Procedure in the form of notice, summons, exchange of

information through pleadings, discovery proceedings, framing issues, examination of witnesses, arguments and reasoned judgments. Irrespective of whether the dispute resolution process is litigative or non-litigative, the principles of natural justice have to be adhered to. These rules against bias and the rule of fair hearing, form the essence of justice. Therefore, procedural due process is imperative in resolving disputes through alternative dispute resolution mechanisms as well.⁷

Thus, it is submitted that, the sole basis of Alternative Dispute Resolution mechanism is founded in aforementioned two basic principles. They are first – "Nemo Judex in causa sua" and second– "Audi alterum partem". The term "Alternative Dispute Resolution" is often used to narrate a wide variety of dispute resolution system that are short of, or alternative to, full scale courts processes. The term can refer to everything from facilitated settlement negotiations in which disputants are encouraged to negotiate directly with each other prior to some other legal process, to arbitration system, or mini-trials that look and feel

very much like a court room process. This mechanism also provides a great opportunity to rebuild and re-establish cordial relationship. Collaborative approach to solve problems is a valuable service provided by this mechanism, which when multiple parties can agree on common goal, can be worked out. Its procedures are simple, informal and early dispute resolution. This mechanism also avoids vexation, expenses and delay of dispute resolution and encourages access to justice. It is based upon direct participation by the disputants in resolving their disputes. This type of involvement increases peoples satisfaction with the outcome of dispute as well as compliance of settlement reached. These methods are based on an integrative approach. They are more co-operative and less competitive than court litigation. Alternative Dispute Resolution mechanism inclines to generate less escalation and enmity between parties to dispute.

Alternative Dispute Resolution : Different Mechanisms

The various Alternative Dispute Resolution mechanisms experimented with and accepted

as viable systems in different countries and in different situations may be grouped under two categories as : Primary Alternative Dispute Resolution mechanisms such as Arbitration; Conciliation; Mediation, Lok Adalat and other categories of Alternative Dispute Resolution mechanisms most of which are in fact hybrids combining two or more well known primary Alternative Dispute Resolution processes. These primary mechanisms of Alternative Dispute Resolution are as follows:

(1) Arbitration

Arbitration is basically a method of settlement of disputes by which parties to the disputes get the same settled through the intervention of a third person called arbitrator without having recourse to a court of law. The word "arbitration" has its origin in Latin word "Arbitrary" which means to give a judgment. The Arbitration and Conciliation Act, 1996 defines arbitration. According to it "arbitration" means any arbitration whether or not administered by a permanent arbitral institution.⁸ At its core, arbitration is a form of dispute resolution. Arbitration is the private judicial determination of

a dispute by an independent third party.

Black's Law Dictionary defines arbitration as "An arrangement for taking and abiding by the judgment of selected persons in some disputed matter, instead of carrying to established tribunals of justice, and is intended to avoid the formalities, the delay, the expense and vexation of ordinary litigation." According to Halsbury's Laws of England, "an arbitration is the reference of a dispute or difference between not less than two parties for determination, after hearing both sides in a judicial manner, by a person or persons other than a court of competent jurisdiction".

"Arbitration" is the main Alternative Dispute Resolution system. It is a simple concept. Parties who have a dispute with each other submit that dispute to another impartial person called arbitrator who then decides it after hearing both the sides in a judicial manner. The arbitrator resolves all disputes as to the facts and law. The arbitrator's decision is both final and binding and there is no appeal from his decision. Its importance as an Alternative Dispute Resolution mechanism can not sufficiently be over emphasised. Almost all

business transactions and employments carry arbitration clauses; the result is that nearly all disputes arising out of relations of business and of employment are first adjudicated through arbitration.⁹

(2) Conciliation

Conciliation is also a well-accepted mechanism of Alternative Dispute Resolution. It may be narrated as the mechanism by which the disputing parties use the services or take the assistance of a impartial and neutral person or institution as a means of helping them to conciliate and reduce the extent of their differences and to reach at an amicable solution or agreed settlement. Conciliation is a method by which deliberation between parties is kept going through the participation of a conciliator aimed at securing a amicable solution rather than a solution according to the law of the land. It is non-contentious and non-binding mode of resolving disputes out of court litigation, in which conciliator assists the parties to a dispute in reaching a mutually agreed settlement of the dispute. Whereas some regard conciliation as an evaluative process in which the

conciliator expresses a view on the likely outcome. Some describe it as a blended process such as med/arb (being a mix of the mediation and evaluation), where a neutral person uses mediation techniques and makes recommendations at the end of the process.

According to **Black's Law Dictionary**, "Conciliation" is the adjustment and settlement of a dispute in a friendly, un-antagonistic manner, used in courts with a view to avoiding trial and in labour disputes before arbitration. In P.RamanathaAiyar's Law Lexicon, "Conciliation" is defined as a process of bringing opposite parties or individuals into harmony. In Halsbury's Laws of England, "Conciliation" is described as a process of persuading parties to reach an agreement. Wharton's Law Lexicon describes, "Conciliation" as the settling of disputes without litigation.¹⁰

It is submitted that recourse to this process can be had, firstly, by entering into an agreement for seeking an amicable settlement of the dispute by conciliation. The agreement can be entered into before a dispute has arisen. It can be an independent agreement, or, in the case of a

contractual dispute, in the form of a clause in the contract. It can also be entered into after a dispute has arisen. Secondly, even where there is no agreement between the parties to seek amicable settlement of the disputes between them by conciliation, a party seeking conciliation may send to the other party a written offer to conciliate. Recourse to conciliation can be had if the other party accepts the offer to conciliate. There will be no conciliation if the other party does not accept offer of conciliation. Thirdly, any parties competent to contract can seek an amicable settlement of their dispute by conciliation. The parties may belong to the same or different nationalities. Fourthly, conciliation is considered useful to induce the parties to conciliation in civil matters brought before a court and in industrial labour disputes before they are referred for adjudication to court or tribunal. Lastly, conciliation shall apply to disputes arising out of legal relationship, whether contractual or not, and to all proceeding relating to it.

(3) Mediation

Mediation is an informal and non-adversarial process in which

a neutral third person, the mediator encourages, mediates and facilitates the disputing parties to arrive a mutually acceptable and voluntary consensual solution. Mediation has been most usefully employed to smooth out serious differences which threaten the rupture of established relations, such as those between husband and wife, among associates and friends, and among partners in common endeavours.

The term mediate is derived from the Latin word "mediare", which means "to be in the middle". Mediation is a private, informal dispute resolution process in which a neutral third person, the mediator, helps disputing parties to reach an agreement. Mediation is a facilitative process in which disputing parties get the assistance of the mediator, who helps them to try to arrive at an agreed resolution of their dispute. Mediation is a negotiation carried out with the assistance of a third party. Mediation is the use of a third party to help those in conflict to do things and reach agreements, which, unaided, they may never to, or may do so much later in the conflict that each side will have suffered further harm. Mediation

is facilitated negotiation. Mediation is a process by which a neutral third party attempts to assist disputing parties in voluntarily reaching a mutually acceptable settlement of their dispute.¹¹

It is submitted that, "Mediation" is a process to resolve a dispute between two or more parties. The mediator at best facilitates the process of mutual understanding by eliminating ignorance and misplaced fears, scaling down unreasonable stands and finding common grounds for acceptable settlement. The mediator has no authority or power to give any binding decisions for the disputing parties, the parties themselves have to come at the amicable resolution with only assistance from the mediator. The mediator resolves the dispute in a way which is mutually satisfactory and acceptable to both the parties. This process involves a determination of interests of the parties and it provides a forum for principled negotiations. Now, newly enacted Section 89 of the Code of Civil Procedure gives statutory recognition to the mediation for resolution of disputes outside of the court.

(4) Lok Adalat :

In our country, only one different mechanism of Alternative Dispute Resolution that has really worked so far and benefited the common man, is the Lok Adalat. To give statutory recognition to the 'Lok Adalat', legislature enacted the Legal Services Authorities Act, 1987. This Act provides for organizing Lok Adalats at different levels, intervals and places. The Legal Services Authorities Act, 1987 has been also amended in 2002 and made provision for establishment of Permanent Lok Adalats to deal with public utility service matters.

The word Lok Adalat, if freely translated means a "people's court". However, Lok Adalat is not a court of law (as existing anywhere in India) in it's truest and accepted norm and connotation. "Lok Adalat" is defined "as a forum where voluntary effort aimed at bringing about settlement of disputes between the parties is made through conciliatory and pervasive efforts". Resolving disputes through Lok Adalat not only minimises litigation expenditure, it saves valuable time of the parties and their witnesses and also facilitates

inexpensive and promote remedy appropriately to the satisfaction of both the parties.¹² Some people equate Lok Adalat to conciliation or mediation; some treat it as compare with negotiations and arbitration. Those who find it different from all these, call it "Peoples' Court". It involves people who are directly or indirectly affected by dispute resolution. It is, rightly, said participation, accommodation, fairness, expectation, voluntariness, neighbourliness, transparency, efficiency and lack of animosity are undoubtedly, all important characteristics of this unique Indian institution rooted in India's history and culture and environment.¹³

The Lok Adalats are generally organised in the premises of courts. The secretarial expenses are taken care of by States by allocating grants to Legal Aid Authorities. Lok Adalats can work as real good substitutes for settling cases which are pending in superior courts. Encouraged by the response that Lok Adalats have been receiving at the District level, the State Legal Aid Boards have started organising Lok Adalats for cases pending in the High Courts. The Lok Adalats have also been organised even for cases pending

in the Supreme Court. Lok Adalats are known as "People's festivals of Justice" because settlements are not always necessarily according to legal principles. Settlements have an eye mainly on; social goals like ending quarrels; restoring family peace and providing succour for destitutes. Experience has been that indifference to Lok Adalats waned off and the efficacy of this novel and informal system has sprouted. Hence, these are now being demanded on "permanent basis" in the manner of regular law-courts. With a view to making them function more effectively and permanently, the need was felt to clothe Lok Adalats with more powers hence Legal Services Authority Act, 1987 was enacted.¹⁴ Lok Adalat is not, however, a court strictly speaking, it is non-formal forum organized by public spirited social workers like retired judges, public spirited lawyers and law teachers for bringing about settlement of disputes between the parties through conciliatory and mediatory efforts. It is an innovative form of voluntary efforts for amicable settlement of disputes between the disputants.

The evolution of Lok Adalat movement was a part of the

strategy to relieve heavy burden on the courts with pending cases. The reason to create such Lok Adalats were only the early disposal of pending cases, to give relief to the litigants who were in a queue to get justice and to relieve burden of courts with pending cases.

It is submitted that in Lok Adalat proceedings there are no conquerors and vanquished and, thus, no ill-will. Experiment of Lok Adalat as an alternate mode of dispute settlement has come to be accepted in India, as a practicable, economic, capable and informal one. Lok Adalat is another alternative to 'court litigation'. This is a strategy for delivering cheap, expeditious and informal justice to the common man by way of settling disputes, which are pending in courts and also those, which have not yet reached courts i.e. pre-litigation, stage through conciliation and by adopting persuasive, common sense and human approach to the disputes of the parties, with the help of specially trained and experienced neutral persons.

Conclusion :

In our present justice delivery system staggering pendency of cases without their early and

speedy disposal has brought the administration of justice to split and the litigant has started feeling that instead of judge conducting a trial, justice itself is on the trial today. Expedition and inexpensive justice, as expected by the litigant from court litigation has almost become virtually impossible. Therefore undesirable, unexpected and unhealthy signs and symptoms are seen from the existing justice delivery system. There is need of prompt, cheap and less litigious remedies for chronic melodies of existing justice delivery system. Alternative Dispute Resolution

mechanism is only panacea to cure present justice delivery system and capable to deliver cheap and timely justice to litigants.

Alternative Dispute Resolution mechanism has been an integral and essential part of our cultural heritage since long. The system of panchayat had effectively played an important role in dispensation of justice. Now, the time has come to restore the Alternative Dispute Resolution mechanism to conquer the burning problem of heaps of cases in the courts and also to maintain harmony in the society.

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Online child sexual abuse: Is this growing pandemic that we are unable to handle.

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This theoretical paper discusses the depth and width along with the intensity of the global problem of online child sexual abuse which is rising at the speed of technological development worldwide. It throws some light on why children are vulnerable to online sexual abuse, who are the perpetrators and the early identifying markers of online sexual abuse. It further discusses the psychological and emotional wounds it causes and challenges of dealing with such epidemic that leaves permanent scars and damages on people and their families and becomes threat to life. Suggesting collective and coordinated efforts for preventive and curative measures to protect children from on line sexual abuse.

Key Words: Children, Sexual Abuse, Online.

Introduction: The internet is an integral part of children's life

where they can make millions of connections at a click; make friends, get recreational and educational opportunities. Through internet outside world has become more accessible for children, but children have also become more vulnerable to the outside world. This is how it poses severe threats and problems associated with it to especially young naive population.

On line sexual victimization of children is overwhelming in magnitude, increasingly serious, yet largely unrecognized and underreported in spite of being very common. The scale, nature and impact of cyber sexual crime, is beyond imagination and comprehension. Though, cyber offences are around half a century old now, but with the advent of ICT (information and communications technologies) children have become more

vulnerable now. According to the National Crime Records Bureau, 2017, the cyber crime increased by 19 times in a decade from 2005-2014, and an increase of 69% from 2013 to 2014 and 77% from 2016 to 2017 and 63.5 % in 2019 as recorded under the IT Act, Indian Penal Code and state and local laws. In spite of Economic and Social Council Resolution 2011/33 on prevention, protection and international cooperation against the use of new Information technologies to abuse and/or exploit children, there is a steep rise in such crimes and abuses. As per the last census, between the ages of 14 and 17, 2 out of 5 missing children are missing due to Internet activity. 20% girls, and 10% boys, are sexually exploited before they reach adulthood, yet less than one third of those sexually assaulted report to the authorities. Approximately 15 % youth (10 to 17-years-old) received an online sexual solicitation (approach through Internet) and 4% received an aggressive sexual solicitation –(asked to meet somewhere; called them on the telephone; or sent them offline mail, money, or gifts), 34% suffered unwanted exposure to sexual material but only 27% of those informed a parent or guardian. Even if the

encounter was defined as distressing extremely upsetting only half of the victims told a parent or guardian. Day by day, the situation is getting worse. India tops some 20 countries in absolute internet growth and is vulnerable because of such rapid growth of cyber facilities especially in rural India. They neither are aware, nor educated and technically well equipped to protect themselves and their children, in spite of potential threats of cyber sexual abuse is very high, and facilities to educate children in healthy surfing, protecting children from adverse effects of such activities is negligible.

Means and Types of online abuse

Children and young people, commonly make use of new ICTs – the Internet and World Wide Web, mobile phones, digital cameras, web-cameras, and online and offline electronic games. New technology includes: Phones and 3G, convergence between the internet and mobile phones. It is making and will continue to make a profound difference to the ways in which children and adults alike enter into cyberspace. Many children use internet café who do not own a

mobile phone or computer or by choice to go online or play games.

There are wide variety of online child sexual abuses like Cyber stalking, child pornography, Sexual solicitation and approaches including requests to engage in sexual activities or sexual talk or to give personal sexual information that are unwanted, aggressive sexual solicitation involving offline contact with the perpetrator through mail, by telephone, or in person, unwanted exposure to sexual material, online enticement of children for sexual acts, and child sexual molestation outside the family, unsolicited obscenity sent to a child are common sexual abuses. Possession, production, distribution and use of materials depicting child sexual abuse, pornography, sex tourism, child prostitution etc.

Charm of Online Sexual Abuse:

The perpetrators of sexual crime are often subtle and try out different strategies, e.g. making friendships, extending flattery and positive comments about the child's appearance (*Grooming*). Another common method they use is getting children to send their photo or film. Innocent

pictures or images of children are digitally transformed into pornographic material. Pornography is used to further groom children and lower their inhibitions. It is a tool for inducting and socializing children and young people into production of pornographic materials, behaviors and outlooks which reinforce social conditioning. Use of children to make pornography 'adds value' to a commercial sexual exchange facilitates child's submission to other forms of commercial sex. Many teenagers are aware of the risks, but still are unable to personalise with themselves. Later, these pictures are used to blackmail by circulating these pictures to friends and family. Millions of child sexual abuse images (real or simulated children engaging in sexual activities) are circulating on the internet without the victims' knowledge.

It is not always the children who are contacted by someone. Being curious and exploring new areas is a natural part of a child's development. Sometimes, they themselves actively look for new and "exciting" contacts on the internet and explore sex and sexuality. This curiosity compels the child to initiate potential

contacts. Since, victims willingly and actively participate till adverse repercussions and consequences occur, they suffer from greater sense of guilt and shame, and hide it as long as possible which makes it harder to seek help. This is how innocent children get caught in "*Shame and guilt trap*" of the perpetrators when they exploit their need for exploration, curiosity, affirmation and approval on the internet.

Cyber space provides social reinforcement and validation for the 'normalcy' of sexual violence against children. As a result they are caught in a vicious cycle, of further sexual exploitation to satisfy the growing demand for abuse materials and resultant profit-making incentives. The production and distribution of abuse images of children is a big business (Cameron et al., 2005).

Cyberspace hosts wide spectrum of venues (chat rooms, message boards and games) and provide opportunities for abusers to seek out innocent children and young people. Some abusers are prepared to travel some distance to meet children whom they have contacted online, or whose existence and vulnerability has been made known to them

online. Cyberspace facilitates close emotional and psychological contact among strangers. It creates a false sense of 'safe distance' and inflict harm by someone, the child has never physically met. It makes access to inappropriate sites and harmful materials, including images of sexual abuse of children, adult pornography, and literature easier that justify adult-child sexual relationships as being healthy or normal. Cyberspace facilitates social networks that would not easily form in the absence of the virtual element. It provides dislocated and decentralized virtual space meeting places where they interact as they do in the physical world. They create social circles, seek and exchange information, communicate and confide with friends and peers, meet and interact with strangers, make new friends, create new group norms and identities. They challenge authority, break norms, enter 'no-go' zones, experience fear, stress and anxiety, and test the boundaries of discipline as established by their guardians. Cyberspace is seen as an amoral place where people do not act in accordance with their usual moral conscience. They shed their

inhibitions in matters of sex and personal feelings. These groups provide social reinforcement to children and allow them to rationalize their sexual interest as legitimate. Within such 'communities', child sexual abuse materials are a trading currency for membership and also enhance the status of members (Taylor & Quayle, 2005).

Why children are trapped in online sexual abuse:

Young children and teenagers are perfect targets for criminal acts for intra familial offenders and strangers because they are often trusting, naive, curious, adventuresome, and eager for attention and affection. They are in the process of learning and developing their critical reasoning skills, interactions in cyberspace that appear disconnected from emotion and real consequences. Since, it starts with developing friendship and trust; children hardly foresee themselves being trapped in the cog-mire of sexual abuse and its drastic consequences. Physical contact between the child and the perpetrator may not precede for a child to become a victim for a crime to be committed. Virtual settings facilitate the formation

of discrete social networks via emails, file-sharing peer-to-peer systems (Krone, 2005).

Risk factors: Violence against Children in cyberspace offers new challenges in understanding the depth and extent of violence and potential harm to children in relation to new ICTs. Sexual victimization of children is overwhelming in magnitude, yet largely unrecognized and under reported. Moreover, as businesses competition in rapidly growing market for all forms of computer games and sex abuse material is massively multiplying. Concerns are rising in various locations about children looking for and downloading age-inappropriate, harmful or illegal materials and other unsupervised engagement with unknown people and getting trapped.

- Children are vulnerable to multiple forms of violence including sexual abuse that threaten their physical and psychological integrity. Young people willing to engage in exciting conversations become vulnerable, specially, those who use and who will do so in the future new ICTs. 53% of Indian teens have seen

sexual content online mistakenly by spams and advertisements. Older children tend to be at a greater risk because they often use ICT unsupervised and are more likely to engage in online discussions of a personal nature. Female children are more vulnerable.

- Although, no family is immune to the possibility that their child may be sexually exploited and harassed on internet, a few factors make some children more vulnerable than others. Studies show that children coming from broken families, parents suffering from mental illness, substance abuse and having frequent clashes are vulnerable (Cho & Cheon, 2005). Children raised in socially and economically diggcult situations or if they have past experiences of sexual abuse and exploitation are vulnerable.
- Children dealt with harsh, inconsistent (too strict or too lenient), coercive parenting, experience insecure attachment styles, stressful life events (e.g. physical abuse by family members, death of parent or sibling, witnessing cruelty like wife beating or other personal traumatic experiences) become vulnerable. Where either family tolerance for crime is high or punishments, restrictions and sanctions imposed on children are many often, children become vulnerable. Deficit or distorted parent-child communication patterns, frequent disapprovals and criticism, ridicule, demeaning comparisons, setting unrealistic goals by parents force children to become friendlier with on line objectionable activities.
- Poor relationship with parents and lack of trust between parents and children may make children more vulnerable. Parents are not always available to check the online activities of their teenagers and many are not as tech savvy as their adolescents.
- If parents excessively indulge in chat- clubs, children follow. No matter how brief parent- child interactions are there, children emulate and imitate their parents. The kind of

verbal or body language, recreations, friend circle, and life style parents and care taker use before children, may expose them to on line sexual abuses.

- Children who face discrimination, isolation including socio-economic isolation and lack of access to social support or support services, suffer from alienation (normlessness, meaninglessness, powerlessness and self-estrangement) have difficulty in assessing the quality of contacts and become vulnerable.
- Children who remain unsupervised for long period (if both parents are working for long hours) often divert towards harmful internet browsing. Anon, (2012, McAfee's 'Secret Lives of Indian Teens') surveyed 1500 Indian parents and teens in Indian metropolitan cities and found that, orphans, street children, trafficked children and child prostitutes are more vulnerable.
- Troubled or rebellious teens, who are seeking emancipation from parental authority, can be susceptible

to on line crimes.

- The risk of victimization is greater for those who suffer from difficult temperament, lack confidence, low self-esteem, impaired cognitive development, poor health and language development and mental ill-health or emotionally vulnerable and who may be dealing with issues of sexual identity. Delinquents, substance abusing children also are vulnerable to on line sexual abuse.
- **Gender dynamics** of sexual abuse of children that are reported to the police, are intrigue. Family norms seems more liberal, tolerant and empathetic towards boys, and consider it as a "boys' stuff" but becomes character defining in case of girls. Researches show that seeking pornography online and offline are mostly male. Majority (87 percent) of those who reported having sought sexual images are older than 14; only 5 percent of females reported having looked for pornography. Although girls remain under greater filter, screening, permitted less privacy than

boys who are granted greater personal space, tolerance for secret business, personal communication devices, net accounts and identities, girls are more susceptible to the danger of sexual abuse . Predators target girls for sexual solicitation at almost twice the rate of boys Mitchell, Finkelhor & Wolak, (2004), however, there is a significant difference between the awareness level of male users and female users (Mehta & Singh, 2013). Few girls receive internet safety information from their parents, and 50% girls break internet rules set by their parents (Whitney&Roban, 2001).

In most cases of sexual abuse female victims blame themselves for the crime done to them and prefer to shun the matter. It is paradoxical that girls are chased more, but find it more difficult to hide from people around and complain to police. Though, the adverse effects of online sexual abuse are much more severe for girls than boys, fewer cases of sexual violence are reported to the police because of hesitation and shyness of the female victim and

her fear of defamation of family's name and reputation. It is interesting to note that although boys commit most incidents of offline harassment, the number of boys and girls who use the internet to harass their peers is almost equal (Ybarra & Mitchell, 2000).

Consequences of online sexual abuse

India features in top 20 countries with maximum percentage of cybercrime. NCRB reports 122.5% rise in cybercrime from 2012 to 2013. According to the latest government data, India has recorded a massive increase of 63.5% in cybercrime cases from year 2018 to 2019. It shows a grave picture of adversely affected young population by the on line sexual abuse and calls for urgent attention of one and all.

We have a lot of physicians to deal with physical wounds but have limited access to experts who heal psychological wounds. Violence is initiated through psychological means, using power and authority to affect a child in a harmful way. This interaction often leads to threatened or actual violence (WHO, 2003). Exposure to age-inappropriate, illegal or harmful materials can cause

psychological harm which may lead to physical harm, harassment and intimidation. The violence and harm inflicted in virtual spaces affect children individually and collectively.

On line sexual abuse is a threat on children's dignity, integrity and fundamental rights. A child is forced to make abuse imagery, circulate pornographic videos, blackmails and humiliates the child (for money, pleasure, for instance), thereby causing great embarrassment and tension to the young victims and his family. The knowledge that an image has been circulated can be emotionally devastating for the child, who has no control over the disclosure process. She or he may be left feeling helpless and knowing that police officers, social and health workers and others have become aware of intimate details of the abuse they have experienced (Palmer, 2005). The permanence of the materials posted in cyberspace is a serious concern for victims.

The impacts will vary according to the resilience of the child, nature, intensity and duration of the abuse. Depending on a child's age and the degree of physical or psychological violence used against them, they will suffer trauma and physical pain.

Many children know how to deal competently with such situations. They recognize risks online. In some cases, children are made aware (through school, family, friends or other means) of education and advice materials and services such as help lines, but a large number of children will still not know how to protect from grooming, where to turn for help. One crime prepares grounds for other such as prostitution or trafficking. They experience range of psychological problems including depression, low self-esteem, restlessness, aggressive behaviors and repressed anger. They feel guilty or cry for the safety of themselves, other children whom they inducted and their family members. If abuser is a family member, matter gets complicated due to reluctance of disclosure (Palmer, 2005). They find it difficult to trust people or may act with pseudo maturity, their role boundaries may become blurred, and they may show profound confusion during grooming and may indulge in self-harm of various kind and degrees e.g. substance abuse and may suffer post-traumatic stress disorder.

Children are commonly made to smile and deny to complaints, in

front of a camera. Consequently, they fear being portrayed to have allowed the abuse. This dilemma adds an extra trauma. They fear others will not believe and empathize with their anguish. They suffer from shame and fear of being recognized as they try to conform to the abusing community attitudes. The suffering is more acute for older than younger children. Older girls, for example, may worry about their future prospects of marriage and child-bearing (Trinidad, 2005). Knowing the longevity of images of their abuse will be replicated and circulated widely, struggle with need for closure but fail to do so, The threats, blackmail, betrayal of trust, or receipt of disturbing materials or exposure to sexually violent content in offline media intensify his psychological harm and is difficult to resolve therapeutically or legally. He suffers from insomnia, mood swings, increased hostility, intense anxiety, depression, suicide, (on the extreme side of the spectrum) etc. and become even more vulnerable (Jones & Quayle 2005; Taylor & Quayle 2004 & Longo 2004). Some children are also drugged before being abused. Children who view violent media content have

also been found to become desensitized to actual violence (Stanley, 2001). Trauma survivors struggle with the need to achieve closure.

Early Identification Signs: In some cases, the child gives no indication at all that something is going wrong with him. Though, every child may show wide variety of different identification marks, which are very unique to him. Different sleeping or eating habits, missing school disinterest in leisure activities, showing mood swings are some common externalised identifying signs. Isolating from social and familial interactions, avoiding eye contacts, responding by short and generalized answers, carry guarded conversation on phone in presence of others or preferring interactions in isolation and late night chats, maintaining secrecy and confidentiality, and being too sensitive and suspicious about the violation of his on-line privacy, keeping personal locks/ difficult pass words to open system, not sharing password with anybody and changing it frequently, deleting messages and chats frequently, showing resistance to share the content and instrument with parents or

care taker on account of severe emotional excuses are often causes of suspicion are common early signs. If children remain pre-occupied, alert or apprehensive, show lack of concentration, deterioration of academic performances, suffers from sleep disorders, night mares, anxiety, depression, irritability, stress, has recurring suicidal thoughts they need empathetic intervention by parents and caregivers. If children show some psychosomatic disorders like migraine, asthma etc., or an urge to share but fears of disclosure, seeking medical information related to sexual abuse are some of the common signs of on line sexual abuse. However, no sign is confirmatory, and every child may show different pattern and cluster of signs and symptoms, with different intensities.

Difficulties and Challenges in detection and addressing the problems of on line sexual abuse of children: Cases involving Internet crimes against children are complicated and sensitive for the parents and complex and labor intensive and challenging for both the police and prosecutors because time between victimization and arrest is usually lengthy and cases are

usually multi jurisdictional.

Family dynamics often play a significant role in children's denial of a crime or their willingness to participate in the investigation and prosecution. A child's acknowledgment to the crime can be linked to family values, peer pressure, and feelings of guilt, shame, and embarrassment. Denial is common among children due to their active participation in the crime. Because of these issues, several difficulties in identifying the victims, protecting their privacy, and save them from further victimization are encountered. The investigation and disclosure requires careful management. The parents and even teachers are not fully informed about the risky side effects of new-age technologies. Moreover, full impact of such victimization on children is not completely understood.

Violence against children committed through the use of ICTs is more difficult to detect and address than traditional forms of violence against children. The time between victimization and arrest is usually lengthy. The Internet provides a source for repeated, long-term victimization of a child that can last for years, often

without the victim's knowledge. These cases are usually multi jurisdictional and geographical distance between the victims and perpetrators are often wide which create hurdles in the investigation and prosecution process.

It becomes difficult to track organized crimes and recurrent customers of child abuse because of anonymous methods of payments like special bank accounts or e-gold, bit coin for commercial intent for production, circulation and purchase of child pornography (Philips on, 2004; Petit, 2004). The illegal sexual abuse material is often stored in a manner where laws addressing new technologies and the prevention of child sexual abuse and exploitation are weak or not enforced.

Whether the victimization occurs physically or virtually over the internet, the process is the same. The sexual abuse that starts on line becomes physical later, through blackmails and threats. Victims of online sexual abuse do not even realize that they have been victims of an abuse and disclose their victimization. Physically sexually abused usually disclose

the abuse to a friend, teacher, or parent but on line sexual abuse is a mental torture, which is realized much later. There are no physical evidences and proofs, pain, wounds and injuries, signs of virtual sexual abuse and symptoms are subtle and chances of blackmailing the child by the perpetrator are greater. Many remain anonymous until the presumed anonymity of internet activities serve as false sense of security and secrecy for both the perpetrator and the victim. Victims' reluctance to own the crime makes identification of offenders all the more difficult.

Addressing Online Child Sexual Abuse

Online sexual grooming and exploitation of minors is spreading like wildfire and has developed into "a serious problem" which is no less than epidemic (Muir, 2005). Ample research on internet crimes against children focus on quantifying the prevalence of illegal activities and identifying ways of preventing future activities. However, a few researchers have attempted to assess the psychological impact these activities have on young. There are mixed trends of on line

sexual abuse impact of children is shown in some research studies (e.g. Sabina, Wolak, & Finkelhor, (2008), reported no effect on their relationships, whereas , Greenfield, (2004); Michael Bourke & Andres Hernandez,(2009), reported that pornography and sexualized material can influence the moral values, sexual activity, and sexual attitudes of children and youth, including their attitudes toward sexual violence and significant increase in possibility of sexual contact crime. Malamuth&Huppín, (2005) also reported that whether exposure to a real or virtual child abuse affects a person's behavior depends on a number of risk factors, and refuted strong cause and effect between viewing child pornography and committing sexual molestation of a child later.

Children constitute approximately 39% of India's population Census, (2011) out of which, 84% belong to the tender impressionable age of 0-15 years, who engage in various ICT devices and face the resultant consequences. Indian children have been abused or blackmailed so much so in extreme cases, they have even committed

suicide. Societal pressure and fear of victimization by law enforcement authorities discourages children and parents in reporting child sexual abuse cases whether online or offline. Therefore, safeguarding children's human rights and protection from on line sexual abuse has to be the national priority, social responsibility and family challenge.

Since, frequently and adversely affected victim are children and young adolescents, parents have a vital responsibility to monitor the inter net activities of their children in a very careful, non-threatening manner. Warm, parent-child relationship, appropriate sex education, and parental participation in children's internet activities protect children from adverse effects of exposure to explicit sexual material (Greenfield, 2004). May this be through participative internet browsing or by asking probing questions and seeking their assistance in inter netting browsing, knowing their internet activities as casually and carefully as they enquire about their school, sports, peer and other routine activities.

According to developmental

level and maturity of the child, use appropriate language, concepts and messages, It is OK to express your concerns, acknowledge their need for seeking attention, curiosity, exploration and fun or fear. Be proactive in addressing them. Participative group activities are usually non-threatening. Parents may organise and attend training workshops by cyber security experts along with their children and their friends. Have open discussions to satisfy their and your curiosities.

If children have certain issues related to cyber space, let them know that they are in 'safe heaven' with their parents and can talk freely. We need to give enough opportunities for children to open up at their own terms and do it often, even if they show some resistance. Remember, everyone makes his share of mistake to learn and earn their experiences from those. Provide them 'safe zone' to do so. Helping them in choosing internet games, films and other interesting things like downloading apps, encouraging, acknowledging and reinforcing positive internet behaviour (participative, seeking help etc.), makes parenting and child upbringing simple and

facilitative.

Educating children about potential internet threats, their nature of permanence and circulation at lightning speed, how some people on internet are dishonest, deceptive, their identification signs, and ways of blocking harmful sights would protect children from being exposed to harmful online sexual abuse.

Children need to be timely informed about the grooming tactics, bad people use with innocent children to make them escape goat in a non-frightening manner and trap them in *shame and guilt trap*, for the commercial purposes behind these activities.

Keeping secrets is a favourite game and pride of being big and mature for children. But children need to be assisted in differentiating between good and bad secrets. Because children on the whole are honest, they tend to fill in all the information that is requested, teaching them never to give out their full name, address and telephone number, photo on Skype or when they are on chat sites or when setting up an account on social media makes them safe during net surfing.

Parents need to set internet boundaries for children as well as for themselves.

The stage where adolescents' sexuality is forming and they have a strong need to be noticed and liked exposes them to greater risk and perpetrators are very aware of it. Young people themselves can be ambassadors of change, protecting themselves and advising others (parents, friends) on issues, trends and techniques of on line safety. Teach them to say '**No**' (clear and specific) when they do not want to say '**Yes**'. Educate them of their rights of dropping a contact and withdrawing at their will if they desire so.

Address their feeling of shame, guilt, fear, worries and anxiety by helping them in building positive family and social support systems for seeking help (close relatives like uncle aunts, grand parents, siblings cousins friends or significant others and well-wishers who are mature and well informed), if they find it difficult to open up to the parents. If parents suspect some unsafe internet activity, child is carrying, they should not hesitate or delay to intervene after verifying the reality, should be firm and insistent about it if

children resist, clarifying the need and urgency of their action and ensuring their safety and integrity. If needed parents should contact police or other relevant authorities. Be patient, calm, confident and optimistic, empathetic, encouraging and honest. Avoid ridiculing, blaming, criticising, victimizing insulting, showing shocks, surprises and embarrassments. Parents need to empower their children with a sense of control, provide choice and options, help them in gauging the risk factor, damages, along with escape gates, damage management and rehabilitation possibilities and strategies. Parents could seek help in protecting and seizing digital evidence in a secure manner and maintaining confidentiality of the child victim and providing support to deal with the after effects of such crimes.

Parents, teachers & children should be encouraged to play an active role by reporting suspicious behavior and give information regarding sexual abuse, monitor and regulate social networking sites and services to prevent from hosting obscene materials.

Internet crimes against children

impact the entire family. Family members may feel guilty for not protecting their child more effectively. They also may feel anger or shame about their child's involvement in the crime. They also need to be offered support to better handle their often conflicting feelings and information to understand the nature of these crimes. Sometimes, the role of parents, teachers, administration and police need to overlap and interchange within their boundaries (e.g. more empathetic police and judiciary and enquiring and questioning parent), of course, very skilfully to protect minors on the Internet.

We need to be vigilant about people who try to make contact with our children for sexual purposes. There are people who misuse internet to make contact with children for sexual purposes. They remain eager to violate children's integrity and commit serious acts of sexual abuse. They do not form a homogenous group. Although the great majority is male, younger than 18 or in early adulthood with curiosity in sex with peers, or involved in sexual grooming and trading or being exploited by others, or some unique combination of

motivators. They come from all regions, social classes, cultures, walks of life and age groups. Many are fathers. Many are highly skilled in using new technologies. Some are travelers and tourists. Not all fit in the clinical classification of 'pedophile' (Verhellen&Eugeen, 2005). They are not necessarily outsiders or socially marginalized. The age of people who access and use child abuse material is varied. As per NCRB reports 56.7% of the total cyber criminals were in the age group of 18-30 years, 34.4% were between 30-45 years, and some were juveniles. They are generally intelligent, have curiosity, and are usually skillful at computer technology.

The government, industry and other stakeholders of the society should work towards creating children's corner where Internet safety tips in simple language would help protect children and creating mechanisms for online checking of record of cyber cafes would facilitate catching the perpetrators. They need to conduct workshops and run nationwide aggressive campaign to inculcate cyber-safe habits as an integral life skill, educate about measures to tackle internet crimes against minors with

practical solutions (ITU 2009; UNICEF 2011).

Cases involving Internet crimes against children are complex and labor intensive for both the police and prosecutors. We need to understand that despite all the developments in the domain of child protection software, young people will always find a way of avoiding a protective firewall. There are many agencies working towards internet safety at national and international level, it is unfortunate that in spite of India being the biggest potential users of ICT, is lagging behind in taking appropriate and adequate safety measures against unsafe ICT practices combating cyber crime (Mehta & Singh, 2013). It has to be dealt with at most priority. We have to emerge as most robust players in internet safety measures, laws, systems and workforce team. A holistic approach to fight cyber crime against children, including national and international policy makers, police, judiciary, administration, corporate, internet service providers, health practitioners, educational institutions and many more agencies in adopting policies and legislation, raising awareness, building capacity, and providing technical, medical

and other assistance, required to address the multi-dimensional threat that cybercrime poses. Furthermore, such an approach must involve various stakeholders, including children, families, communities, government, members of civil society, NGO and the private sector for sustainable strategies

There is a heightened focus and vigilance of all the stake holders of online child sexual abuse but much remaining to be learnt about the magnitude of the problem, the characteristics of its victims and perpetrators, its impact on children, and strategies for prevention, protection and intervention. The Internet Safety Technical Task Force, stresses that in order to address the problem of online safety for minors, we must use the numerous technologies intended to enhance Internet safety. There are ample researches and discussions, discourses at government level, equally vital role parents and education agencies have to play because they have the greatest knowledge and control and influence in young growing children and youth. Without their proactive action and cooperation in collaboration with other parties in seeking the child's

cooperation, any endeavor in this direction is doomed to fail. We need to have a strong political will and make earnest

coordinated and collaborative efforts to address this multi jurisdictional problem before it becomes unmanageable.

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Complexities of Policing in Democratic Polity

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This commentary is based on the author's formal and informal interactions with police officials of all ranks during the last five years. The author has gathered wide-ranging impressions from the functioning of senior and mid-level police officials from many Indian states. The commentary has also drawn from regular media coverage and some scholarly works on various aspects of policing and law enforcement. In particular, the author has attempted to explore the contradictions inherent in the police's relationship with democratic polity and society. A bibliography is given at the end.

Keywords : Democratic Polity, Power, Election, Human Rights, Community.

Introduction

If governing for people's welfare is used as shorthand for good governance, then dissent is viewed as the life-blood of democracy. Democratic

governments derive their very authority from the consent of the governed. The police play the most important role in realizing the objectives inherent in good governance and democracy. However, the police authority and its relationship with democratic politics, order, and security in India have always been complex and paradoxical in the sense that citizens need protection both by police and from police.

The media can simultaneously present the police in committing unjustifiable brutality on a crowd of civilians, while also showing the policemen being chased by unruly mob of irate protesters. If the stories about police's attempt to investigate a crime encountering challenges to their authority by a wide range of citizens, criminals, and local power brokers are true, then the display of police power through illegal detention, torture of suspects, harassment of victims,

repression on peaceful protestors, neglecting people in need of immediate help are equally true. Contrary of popular perception in India, the police authority to maintain law and order has been contingent upon the political leadership.

In postcolonial societies, the liberal democratic systems have evolved from European models, where the public authority is structured by a legal bureaucracy that is supposed to be rational and impersonal. But such rational authority has always been a normative value, not an empirical reality. The reason is that the institutions of governance established to limit the exercise of power and to create accountability have remained largely divorced from the needs and expectations of the common people. The police are understood to symbolize Max Weber's axiom that legitimate "coercion by violence is the monopoly of the state." But it is an undisputed fact, which has also been attested by numerous scholars and practitioners, that there has rarely been a monopoly on means of coercion, either by the state or by anyone else. The Indian police do appear to have unchecked power to intervene in everyday life with violent

coercion, but the reality has been quite different.

Being a multi-party, secular, electoral democracy, India has had a troubling tradition of the police being viewed unfavourably by majority of its citizens. This perception is understandable given India's colonial history. However, this perception has continued into the present century, leading to multi-dimensional efforts to reform the way policing is practiced across the country as well as to adopt policies aimed at boosting its image among the ordinary citizens. While Opposition political figures campaigning in elections habitually blame police and ruling politicians for a widespread 'breakdown' of law and order, and the Opposition party activists also run frequent campaigns for reform in police functioning, the response of police department is often dismissive or cynical. And this is not without reason. For them, majority of the people have practically no knowledge on how the 'system' works, and people themselves do not follow the rules. Their oft-repeated complaint is that 'rules of the game' – police practices – keep changing according to the governing party and the political

leadership. The terms of political discourse surrounding policing during the election campaign does not impinge much on how the police functions at all level.

What is democratic policing?

Seen within the context of controlling crime, maintaining order and managing protests, the democratic way of policing implies the use of police to uphold the rule of law. This can be done by making the police to respond to citizens' complaints, and to ensure greater accountability by minimal level of coercion. Broadly speaking, this form of policing is known for respecting human rights and dignity of individuals. This consensus is very important for police leadership as it then allows going ahead with irreversible reforms on the policing practices. Since, ideal forms of liberal democracy are consistent with the experience in Western countries, many governments interested in deepening democratic roots in their countries profess to support the idea that their police would be politically neutral.

In India, policing is often nested within deeply divisive debates regarding the definition of democracy and the place of

policing within it. These debates are not unique to India, but rather reflect the unresolved tensions between governance, ideology, and policing in all countries. Although, there are strong arguments to be made for Western understanding of liberal democracy and democratic policing, however, the concept of democratic policing is not a monolith as there cannot be any single path to policing in a democracy country. Nevertheless, the political commitment to ensure police neutrality is the core belief in democratic policing, and should be seen as sacrosanct within the political debates on the concept. People are sovereign in a democracy, and have the right to protest. But it needs to be underlined that in every democracy, the police invariably function as the coercive arm of the state. How best to balance this tension depends on the commitment of politicians for good governance.

What emerges from the above discussion is that the police practices are not just technical matters; their very nature is dictated by the level of democratization in society and polity. At the basic level, a country to be called democratic

must have minimalist democratic feature of regular, fair and competitive elections, which enable political parties with differing ideas on policing to debate and pursue different policing practices. However, the traits of democratic policing, such as equality and respect for rights, are bound to vary as per the political ideology espoused by the ruling politicians. What exactly do we understand by democratic policing will keep changing since our ideas about governance and dissent will always be in flux. At its core, good governance is about public participation in government decision-making, and the right to protest.

Growing concern with 'order'

There is a worldwide shift in political ideologies away from the focus on 'justice' towards an increasing concern with 'order'. And India has not remained impervious to this growing trend. India is a leading example of the countries where political dynamics matters as much as the institutional image of the police when it comes to responding to civil unrest and public disturbance. However, despite the salience of political dynamics shaping the contours

of Indian state, the penetration of democracy has also been a stupendous achievement of Indian people. Democratization is accepted as referring to the consolidation of electoral democracy but anything beyond that definition is the outcome of compromises within the traditional elite. Putting aside these debates on the meaning of democracy, police reforms in India have come to rely largely on improving its image by overcoming some deeply-ingrained institutional barriers, societal prejudices and legal constraints. There is greater understanding that the police can achieve its objectives by working with all sections of the society in close partnership, rather than against them.

Order is achieved through the police suppression of crime and criminals who are viewed as the source of disorder. In a caste-ridden society, we have often seen that the 'order' desired by each community varies, and consists of informal rules and practices that may or may not correspond to the rule of law. The police gain legitimacy and the community's trust by enforcing these informal rules, more than by controlling crimes. There are accepted inequalities between

communities, as reflected in some latest police measures such as hot-spot policing and crime mapping. Essentially, some communities are seen to require less policing because they are known for having 'order'. But those on the verge of 'disorder' benefit most from large police presence in their vicinities. Which communities are to be policed most is a top-down decision, which is consistent with long-held police practices, and with the need to maintain police hierarchies.

Selective application of laws

Censorship is a common practice to suppress political dissent. But it is not so much formal censorship as informal concord that keeps certain inconvenient issues out of the public domain. The key here is the role played by the print and electronic media, as well as various popular social media platforms, which have become the major source of information for the people. The experience shows that the existence of small dissident groups can easily be ignored by the government if the information they give does not reach a wider audience. However, the extensive use of social media has made it very

difficult to prevent the spread of such problematic pieces of information. But generally, the top executives of the established media houses are often reluctant to go out of their way to earn the wrath of the government. On the other hand, it is not unusual for the government to take harsh legal action to suppress protests. It may not be an acknowledged fact, but there are numerous loopholes in the legal system which is frequently used not to dispense justice, but to harass through arrest, investigation and conviction.

Protest of a political nature is met with unusually harsh penalties. Another way to put down dissent is to selectively enforce laws. Some laws are so extreme that they could not possibly be enforced against even a small number of violators. But when taken in combination with police corruption, censorship and selective use of the law, these laws serve to restrain grassroots political opposition. But when such opposition continues, it is met by direct police action. However, this unwritten convention is hardly confined to India since police's monitoring and attacks on demonstrators are disturbingly becoming commonplace in many Western

countries. So, the discerning police professionals are quick to draw the conclusion from their experiences that protest is allowed so long as it does not have much political impact. Once protest assumes a scale that threatens powerful political interests, police force is brought to bear against it.

All this creates a huge gap in perceptions on the traits of good governance, integrity and efficiency in police services. Rather than build trust through improved police practices, preference is often given to changing public perception through 'media management'. To the extent that public image is concerned, it is usually to ensure the legitimacy of ruling politicians. Symbolic NGO-run activities may be viewed as acceptable, but these reform initiatives are rooted in conservative politics. While the legislature, judiciary and media work external accountability mechanisms, non-political institutions are not very effective in providing the police with safeguards against damaging influences.

Practical essence of democratic policing

Since Indian society has internalized various forms of

inequalities as structural, it is desirable for democracy to strive to become more equal. Democratic policing can then be understood in a number of ways. First, democratic policing should involve greater attention to the preventive causes of crime, particularly those rooted in socio-economic inequalities. There is no doubt that social welfare schemes including on health and education, not police, are key to crime control, however it would require criminal justice system to redefine crime. This viewpoint holds that criminal law has been created by the powerful to their advantage leading to the criminalization of behaviour found commonly among the marginalized groups. In contrast, corporate crimes, whose harm to society can be much greater, do not face significant punishments. The interpretation of law is not neutral but rather embedded with inequalities that need to be removed. Therefore, policing as the enforcement of the rule of law can be seen problematic depending on the laws enforced. Increased policing is required but voices from the affected community members may somehow be included in police decision-making for participatory

democracy and good governance. Police working with members of different communities to identify and prevent crimes would lead to greater democratic spirit within police institutions.

Prudence, tolerance and mediation are qualities most sought after in democratic policing as they are seen consistent with the compromises required in liberal democratic processes. Democratic policing will include the protection of civil rights and mechanisms of accountability to limit the use of violence by police in both crime control and maintaining order. However, the importance placed on the police in crime reduction and acceptable forms of protest depends on the political orientation of the ruling party, as well as the scope of actors who can hold police accountable. Contemporary political polarization, not confined to India alone, may allow greater justification of violence, and decreased tolerance of diversity; liberal forms of democracy are looked down upon as not very effective. In such a political setting, police practices would involve high levels of violence. So, despite being violent, policing can still be projected as democratic.

Populism, as a political strategy, is used by almost all political leaders for obvious reasons. It can vary from modest to extreme. Nevertheless, populism is democratic because the leader derives legitimacy from electoral contests. However, the most problematic aspect of populist rule is the disregard for conventional checks and balances of democratic institutions. Populist leaders hold that the civil rights of some communities can be sacrificed to fulfil the larger interests of the 'whole nation'. In such situations, the police are called upon to use coercion to manage protests. The police leadership is encouraged to emphasize a tough approach and allow limited public scrutiny into their functioning. If instances of excessive use of tear gas and lathi charge, beatings, arbitrary arrests, and sexual abuse are reported, the natural reaction of the government is to blame protesters for the violence. We have seen similar scenarios unfolding in many states in India where there has been an alarming increase in the criminal punishment associated with causing public disorder. There has been criticism of limiting the freedom of

expression and protest, while expanding police's powers to arrest arbitrarily. This ecosystem of treating police violence as acceptable either does not care or gives symbolic role to increase police legitimacy. This approach is top-down, which also undermines good governance initiatives.

The rate of disposal or closure of cases has been used as a vital indicator of investigative effectiveness, but it may not necessarily reflect the organizational effectiveness of the police department. We need an alternative criterion for evaluating police investigative policies and practices because 'crime control' and 'due-process' approaches are likely to produce significantly difficult results. When police investigators use tactics intended to enhance the aggressive nature of investigative activities, they tend to clear more cases. On the contrary, encouraging restrained conduct could significantly undercut the police investigators in terms of productivity. And it is always difficult to arrive at a consensus on what should be the trade-off between police efficiency and legal protection for individuals.

Regular elections at the national,

provincial and local level have allowed greater democratization at the decision-making apparatus. It has also led to the protection of civil, political, and socio-economic rights. But we cannot claim that these guarantees also strive to reduce the structural barriers to greater equality where the people feel empowered vis-à-vis the law enforcement. This reveals a huge gap between the rhetoric and practices of party in power and the police department on policing protests. Owing to the governments' preference to maintain an elite consensus on societal balance, police repression of protests has persisted. In recent years, legislative reforms have improved judicial oversight, but may not have reduced police powers. The state governments have also resisted any significant internal organisational and disciplinary reforms while they appear open to democratic form of policing. While a democratic approach to policing would aim to decrease the use of police and the criminal justice system in favour of social approaches to crime control, the governments have in practice reinforced the police as leading actors in crime control without the substantive

partnership with the local community.

There are important structural and strategic limitations to what could be done to pursue a more democratic form of policing. The positive public image of the police and the primacy of security in the dominant media discourse have made it politically difficult for any government to pursue meaningful policing reforms that would shift spending priorities from policing to social engineering. The state has an inevitable role in reducing socio-economic inequalities, and rhetorically it has been emphasized by all political parties. Yet, the governments are also willing to place considerable limits on the civil and political rights to protest.

Policing in democracies needs to be conceptualized in much wider terms that incorporate political culture, police doctrine, accountability, and the changing notions of freedom of expression in electoral democracies. Depoliticization of the police through institutional safeguards and promotion of functional specialization to improve investigations also need to be understood in terms of

prevailing political dynamics governing the state. Concerns about police corruption, misuse of authority, faulty investigations, and illegal detentions cannot be addressed without processing independent complaints authorities, as well as acting on its recommendations.

The way forward

This commentary has discussed important issues pertaining to governance, order and democracy vis-à-vis police. It has chronicled the barriers in democratic accountability of the police. The complex web of legal, bureaucratic and political mechanisms through which the police are held to account, are rooted in relationships that evolve with the overarching political system. It would be naive, therefore, to suggest that the prospects of developing more democratic policing can be considered solely in respect of fulfilling people's expectations.

But this pessimistic scenario is somewhat reduced by the determination of the majority of police professionals to rise to the occasion. The police officials feel a strong sense of responsibility to deliver democratic form of policing despite constant pressures from

entrenched provincial and local elites. The common citizens may not be aware but the police professional are acutely aware that demands of policing are contradictory and so the use of resources cannot simply meet the expectations of all sections of society. This involves a trade-off between efficiency and inclusiveness, which varies from state to state, and from district to district within a state. Unlike other professions, negotiation and compromise of complex nature are ongoing processes for Indian policemen and policewomen on the daily basis. Even the basic things like improving the living conditions of the constabulary face the iron wall of resource crunch.

It is strongly felt that despite huge operational and institutional limitations, there still exists a large body of police officials who try to be as non-partisan as possible. Some of the innovative solutions to local crime problems have come from police officials at the cutting-edge levels, not from the ruling politicians. For instance, during the Covid-19 pandemic, many police leaders across India have implemented faster, transparent and paperless public grievance redressal systems that will most

likely continue to be an integral part of policing. Adoption of many digital tools such as virtual summons/interrogation, e-prison database, and video conferencing will have a transformative effect on police and policing practices.

There have been many worthy instances of police leadership counterbalancing the electoral democratic pressures emanating from the political leadership. If not all, at least a majority in the top hierarchy recognizes that absolute police independence or autonomy would be more problematic; if the police cannot be 'above the law', it should not expect to be 'beyond politics' as well. With the rise in the feelings of insecurity among the people, the governance model is also undergoing change. There seems to be better realization among the enlightened police and political leadership that a carefully regulated loosening of policing monopoly opens immense opportunities for designing innovative partnerships with local community stakeholders.

Proponents of democracy remind us that for political decisions to be democratically legitimate, they should be

informed by meaningful public debate that reflects the sentiments of societal empowerment. But even the political leadership knows that actualization of this ideal should face the reality of finite police resources. Moreover, even the infusion of more financial resources would not necessarily strengthen the democratic credentials of local policing for the simple reason that the policing are largely a reflection of society. Nobody knows it better than the police constable on the beat.

Conclusion

Policing in India is definitely more democratic than when the police were introduced by the British. There is an evident trend towards policing becoming more responsive to local communities. But this trend is contradictory as the spread of democratic values has also led to the declining influence of liberal principles in the age of social media and fake news. Policing, at times is seen as increasingly undemocratic in

spite of apparently liberal measures.

As discussed earlier, policing is not a singular concept because there cannot be any single definition of democracy and good governance. It would depend on the political leaders which the voters choose to elect in competitive elections. Political leaders have different ideas on policing policies and practices; they can either require robust democratic checks and balances or zero tolerance toward crime regardless of the consequences for human rights. Political dynamics and its corresponding perspectives on governance, violence and protests provide justifications political leaders can use to defend their own minimalist or maximalist definitions. Of course, political leaders do not always pursue policies consistent with their declared political ideology. Nevertheless, we should ask why has there been a convergence across political parties in terms of policing practices.

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Book Review

Policing in the Era of AI and Smart Societies

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The new normal given by the Pandemic Covid-19 has increased our dependence on Internet and time spent in the virtual world. The book '*Policing in the Era of AI and Smart Societies*' (Advanced sciences and Technologies for Security Applications), 2020, edited by Jahankhani, H., Akhgar, B., Cochrane, P., Dastbaz, M. (Eds.) published by Springer, Switzerland gives a detailed outlook of policing in the age of Artificial Intelligence (AI) and societies with smart gadgets.

The book is a result of compilation of work between researchers and practitioners in the fields of Cyber Crime, Information technology law, Cyber Security and Policing. It provides an analytic overview of different researches on current and emerging challenges in law enforcement, principally in the

backdrop of artificial intelligence and various crimes in the digital society. The compilation through various chapters, authored by different researchers, discuss in length about modern-day challenges in policing like evidence collection in cyber crime and cross border cooperation, addiction of children with cyber space and valuable information gathering on sensational issues like domestic abuse and organ trade. It gives due importance and covers topics on use of analytics for prediction as well as prevention of crime, guidelines for forensic investigation in the world of smart gadgets and prevention strategy for future policing.

The most interesting and relevant chapters in the book are '*Rethinking Criminal Justice in Cyberspace*', '*Predictive Policing in 2025: A Scenario*'

and *'Patterns in Policing'*. The book highlights the issue of limitations in the investigation of cyber crime due to sovereign geographical boundaries and suggests different models for smooth collection of evidence by investigating agencies in various countries irrespective of physical boundaries. The chapter on *predictive policing* analyses the requirement and significance of predictive policing as how it will augment in better crime prevention particularly in the context of budgetary cuts to police forces. The technologies of facial recognition, smart information systems, and artificial intelligence (AI) algorithms are reported as helping in crime prediction without increasing the cost. It is also worth noting that some of the applications have been reported as helping the police in determining which crimes are worth a response, thus prioritize the available resources. The applications are also beneficial in many cases as it effectively aids police in anticipating crimes and arriving in time to deter the potential criminal from carrying out their plans.

The chapter *'Patterns in*

Policing' is a very well written chapter with clear contents presented in a brief manner and is an easy read. It emphasises the value of AI which can aid in recognising patterns in data and behaviours that humans miss. The chapter examines the potential of Artificial Intelligence in checking the human oversight and bias in the analysis of crime scene, suspect identification and even in the trial, thus to bring fairness and equity in more cases. To summarise, it is apt to take a quote from the chapter, "As the supreme recogniser of patterns and identifier of causality, AI is the ideal tools for searching through mountains of dynamic data in search of relationships, to then filter, identify and map the important and the critical. It also has the ability to predict/project the next most likely actions. No human or human team is so capable given the scale of the internet, criminality and terrorism."

The authors have elaborately presented in an interesting way the various challenges of policing the cyber world and digital society by offering practical solutions from the field

experience. In chapter II, the most relevant aspect of use of images, Automatic Number Plate Recognition (ANPR) and CCTV cameras in community safety, crime control and assisting with investigation have been dealt. The potential for use of artificial intelligence in analyses of images and even understanding people's emotional state is a great insight and pleasure to read. The topic 'Proposed Forensic Guidelines for the Investigation of Fake News' is very pertinent and it deals in detail about the impact and challenges raised by the fake news, its detection and investigation, current fact checking methodologies. The chapter concludes by proposing forensic guidelines for the investigation of fake news in compliance to current Forensic Guidelines. The emerging difficult task of '*domestic abuse*' and crimes in the context of Internet of Things (IoT) and smart devices are flawlessly dealt with in the book and the subject is apposite particularly with new normal post Covid-19 pandemic. The chapter proposes a theoretical framework SHADA: a Smart Home Anti Domestic Abuse framework to

handle the issue of digital coercive control and abuse.

On the critical side, the book gives undue importance to organ trade and it appears that this is only an effort to include the author of the chapter rather than a relevant topic. The reader who is a police officer may safely skip this topic. The background scene for the book is Europe with minor references to the United States and China. However, this is not a major issue as the cyber space and crime is beyond the sovereign boundaries and the scenario of Europe will be very much applicable here in India too. The second chapter of the book 'Policing in the Era of AI and Smart Societies: Austerity, Legitimacy and Blurring the Line of Consent', examines the capacity and limits of policing in an age of austerity. Nevertheless, this has limited relevance in the Indian context as contrary to the radical austerity and budget cut of Europe and US, there is in general an increased budgetary allocation for police forces across Asia and Africa.

Definitely the challenges in policing post Covid-19 are

going to be tougher with the surge in study, work, sale, purchase and business from home. The book has skillfully presented most of the challenges with solutions, even though some are theoretical. Overall, it is a good read especially for those

who have keen interest to know policing elsewhere and it gives a comprehensive presentation of the criminal justice in cyber space. It is futuristic and written in a simple language with the language and vocabulary used by police officers.

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**If You want peace,
work for justice**

- Pope John Paul VIth

**न्याय शांति का
प्रथम न्यास है।**

-राष्ट्रकवि 'दिनकर'

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