

Indian Police and Ethics

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Introduction:

An "ideal police system," according to former president Ram Nath Kovind, means that a police officer's duties are filled with accountability and responsibility.

Motives for various police ethics

Making moral judgments:

- The authorities frequently have to choose between taking away someone's freedom or their life since life and liberty are important moral ideals that are upheld in all human civilizations.
- The police must take a wide range of acts into account while making moral choices.

Considered as Good or Bad in Relation to Law:

- Before deciding whether a person's activities are wrong, police must first assess their goodness and badness.
- They claim that they must carry out their duties in conformity with the legislation in force at the time.

Reacts to a Range of Emotions:

- Police officers are much more likely than persons in other professions to experience a variety of emotions over the course of their employment, including fear, wrath, suspicion, enthusiasm, and boredom.
- They need to be emotionally intelligent in order to be able to react to these feelings appropriately in order to act effectively
- Problems with India's Ethical Policing

Police politicization:

- In India, the rule of law, which serves as the framework for justice, has been "undermined by the rule of politics."
- The lack of a clear tenure policy for the posting of officers at all levels and the arbitrary transfers and postings that have been used for political gain are the main causes of the politicization of the police.
- Politicians use suspension and transfer as tools to control police officers.
- These harsh sanctions have a negative impact on police morale and disrupt the line of command inside the organization, undercutting the authority of any superiors who may be competent, honest, and fair-minded but fall short in terms of support or political utility.

Custodial Death:

- According to government statistics, the overall number of custodial fatalities in India grew from 1,940 in 2020-21 to 2,544 in 2021-22.
- Among all states and Union Territories over the past two years, Uttar Pradesh has reported the most deaths in custody.
- Police coercion is best described as when a police officer applies excessive force or intimidation in an effort to coerce a suspect into confessing to a crime.
- Police have been charged with utilizing various sorts of coercion to induce confessions from suspects. Coercion by the police can take many different forms.

Corruption:

- India ranks 85th out of 180 countries in the corruption perception index, 2021, despite the fact that corruption is pervasive around the world.
- The corruption that permeates the police force at practically every level and in various forms has not gone unnoticed.
- In some cases, high-ranking police officials were discovered to be engaging in corrupt practices, and in other cases, low-ranking police officers were caught red-handed accepting bribes.
- Due to inadequate representation of women in the police force, investigations into crimes involving women are hampered by gender inequality.

Problem with Constabulary:

- The constables constitute 86% of the police forces and their duties also involve a certain amount of decision-making and judgment for which they are not adequately skilled and trained

Public Distrust:

- There is a trust deficit among the public when it comes to the police who are often seen as corrupt, inefficient, and politically partisan.
- Police Ethics, National Human Rights Commission, 1998

Police must achieve their goals but must do so in a troublesome way:

- The police must have "low in authority and high in accountability" in a democratic society.
- One of the main roles of the police is to protect human rights: Additionally, the definition of police ethics and police institutions exist to uphold the greatest moral ideals and to defend citizens' rights to life, liberty, and property in a democratic democracy.
- Police frequently employ damaging tactics including coercion and fraud, among other things.
- This seeming conflict between noble goals and dubious methods creates a perilous moral dynamic that threatens not only Indian police work but police activity everywhere else.

Various Suggestions:

Shah Commission of Inquiry (1978) Recommendation:

- The Shah Commission of Inquiry recommended in its report that the government should seriously consider the viability and desirability of shielding the police from the nation's politics and employing them scrupulously on police duties that are the only ones required by law to prevent political interference.
- National Police Commission (1977)

- The National Police Commission also made a number of crucial recommendations to safeguard the police against internal and external influences.
- The commission suggested making judicial inquiries into cases of in-custody rape, fatal police shootings, and excessive use of force mandatory.
- Model Police Act: To create a Model Police Act, the Soli Sorabjee Committee was formed.
- In order to "allow the police to operate as an efficient, effective, people-friendly, and responsive service," the group submitted their proposals in 2006.
- The committee generally followed the guideline set forth by the Supreme Court in its Prakash Singh ruling.
- The Supreme Court issued seven orders in the Prakash Singh Case in 2006 with the goal of enacting police reforms.
- An antiquated piece of legislation, the Police Act of 1861 was created to control the Indians after the uprising of 1857.
- Society is evolving: More than 150 years have passed since the Act was passed, and society today is very different from that of the times, particularly after independence.
- Changing Expectations: The public's expectations of police departments have completely shifted, and reformative rather than punitive policing is now most necessary.
- The complexity of Crimes: With the introduction of technology and other variables like the white-collar and complex crimes, the nature of crime has also completely changed.

Steps were taken by the Government of India:

- A program to decriminalize infractions and transgressions that are small;
- The proposal to change the Identification of Prisoners Act of 1920, was a piece of legislation that was enacted more than a century ago.
- The deeper integration of technology into the day-to-day operations of the police is a top objective for the government.
- The Indian Police Foundation is making efforts to bring internal reforms, technology adaption, digital transformation, and training to strengthen the professional and ethical standards of the police to realize the vision of a SMART Indian Police.

The Prime Minister's call for making the police a SMART force is:

- Strict and Sensitive,
- Modern and Mobile,
- Alert and Accountable,
- Reliable and Responsive,
- Tech-savvy and Trained.

Ethical Principles that must Be Obeyed by Police Practice:

- According to a 1998 statement by the National Human Rights Commission, police practices must adhere to carefully formulated moral standards that adequately strike a balance between the moral rights of victims and those of suspects.
- For instance, police must be restrained from using lethal force in order to protect both themselves and citizens.
- The Indian policing system needs to be updated in order to keep up with contemporary crime and the demands of necessary investigations.

Way forward:

- In a democratic society, the police must be "low in authority and high in responsibility,"

according to the National Human Rights Commission in 1998.

- In a democratic government, protecting individuals' rights to life, liberty, and property is one of the highest moral obligations of police ethics and police institutions. Therefore, upholding human rights is a fundamental duty of the police.

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