

## Chapter-4

### Role of UK, US and Indian Police

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The roles of the police in any society has evolved over a period of time. Despite different degrees of trust between the police force and the public, the requests for police provision of supportive service has increased over a period of time. There are views, both pros and cons, towards the supportive police activities- within the police leadership, as well as the civil society. Below we examine the roles and responsibilities that the police in these countries are entrusted and expected to play.

#### 4.1 Role of UK Police

Police have three very different measures of the nature of activity in UK: (1) the formal assignments of personnel, (2) the nature of occasions for police action, and (3) the nature of outcomes from encounters. Assignments are what the police say they are undertaking; occasions are the situations police encounter when they are mobilized; and outcomes are the actions police take in any situation.

To determine assignments, information is collected about the amount of time devoted by police personnel to different functional specializations within the organization in UK. To measure occasions, it must be examined in the nature of situations commanding attention regardless of the formal assignments of the personnel involved. Definition of the nature of the situation may be taken either from the public who asked for help or the police who responded. To measure outcomes, what the police have done in each situation must be determined (Baley1979: 113-14).

### **Formal Assignments**

Under formal assignment in UK are criminal investigation, patrolling, traffic regulation, and auxiliary administration. Patrolling suggests an activity but it is actually a mode of deployment. Patrol personnel frequently do not patrol at all, but are kept as a static reserve. In UK, patrol personnel are considered as general duties officers, a much more apt characterization. Auxiliary administration refers to tasks of government performed by the police that do not fall directly within the criminal law.

The bulk of police personnel in UK is assigned to patrol. The auxiliary administration undertaken by the police include issuing firearms licenses, registering aliens, making background checks on prospective government employees, certifying deaths etc. (Fosdick 1969). Acting within the much narrower conception of the responsibility of the state found in the Common Law, the government does not intervene in social life unless specifically directed to do so. Government in this tradition is best which governs least. Consequently, whereas the British police have shared the state's residual power to regulate where necessary, the British police have performed only those auxiliary administrative tasks they are expressly given. They have not created administrative work out of general authorization (Fogelson 1977: 16-17).

### **Occasions for Action**

Personnel in any specialized unit may devote time to the work formally assigned to other units. This is particularly true for patrol personnel. They often regulate traffic and do auxiliary administration, such as checking potential safety hazards or serving legal papers. Urban patrol personnel are more heavily engaged in crime-related

events than rural officers because urban people are less willing than rural ones to approach the police for mediation and services. The greater the emphasis given by a police organization to crime prevention, the more likely it is that non-crime-related requests for assistance are taken seriously in Britain (Fogelson 1977).

*Spatial vs. Functional Command:* UK police like other English speaking countries police perform their roles such as-patrol, emergency response, criminal investigation, order maintenance, traffic enforcement, or crime prevention. Two other functional commands are standard, except in very small departments, namely, criminal investigation and traffic control. Unlike general duties, these commands do not appear in every geographical unit of organization. Their representation tails off in the smaller command jurisdictions, such as police stations. In jurisdictions of very large scale, they cluster at intermediate command levels-below headquarters but above police stations-where they are available for local assignment but are not wasted by permanent posting to very small areas. The lack of coincidence between spatial and functional commands creates enduring problems for all police forces. Criminal investigators (detectives) and traffic specialists are very jealous of their specialized status; they want to be distinguished from generalist officers. Consequently, there is often a tug-of-war between commanders who are responsible for territory, usually "general-duties" personnel, and functional commanders who are responsible for tasks. Who controls police officers on the ground-the spatial chain of command or the functional chain of command? Arguments about authority between spatial and functional commanders often hamper operations, generating disputes that must be referred to headquarters for resolution. Although, in most forces territorial

commanders are designated as paramount, most of them know from bitter experience that if they intrude too often into specialist matters complaints will be lodged at headquarters and they will be discreetly told to lay off (Bayley1992:524). Specialization also produces problems of coordination for rank-and file personnel in the field. General-duties officers often resent having to hand over interesting criminal cases to plainclothes detectives from remote headquarters. They are made to feel like ignorant menials. So, their response to crimes sometimes becomes perfunctory, even though research shows that they may be in the best position to collect information that will be critical for solution (Eck 1983). Sometimes formal policies are laid down to guide the relationship among front-line investigators and generalists-concerning the type of cases each group should handle, the time generalists are allowed to spend on any investigation, or the assistance generalists may ask from investigators.

With respect to traffic enforcement, generalists usually share the responsibility with specialists, but they are not nearly as keen. Most generalists either do the minimum enforcement required by their supervisors or pay attention only to egregious violations of traffic rules, such as drunken or reckless driving.

Talking about the relative strength of different functional specialties from the English-speaking countries, general duties are the largest specialty in policing, accounting for about 60 percent of personnel worldwide- 56 percent in the United States, and 43 percent in Great Britain (Jones 1980 and Bayley 1990).

Criminal investigation represents the essence of modern policing, it has enormous prestige within every force in UK. Ambitious officers aspire to be selected for it. In many American departments, detective is a rank to which officers are promoted.

India also limits criminal investigation by rank but in another way: officers below non-commissioned rank (constables) may not investigate crimes or even make arrests unless a serious crime occurs in their presence. Such crimes are nicely called "cognizable offences". In the other countries, it is a prized assignment, but all ranks are represented in it. Except in very small police departments, criminal investigation branches are organized into squads dealing with particular kinds of offenses.

Detectives are also generally responsible for investigating and monitoring people who may foment public disorder, organize subversive political movements, or attack government personnel or facilities. British forces are more forthright about this than American forces. They designate such units as the Special Branch, a contraction of "Special Irish Branch" created by the London Metropolitan police in 1884. Even where the name is not used, officers will as a matter-of-fact say "this is our special branch." American forces, especially large ones, certainly do special branch work, but they do not readily admit it and disguise the existence of such units (Bouza 1976 and Marx 1988). Security surveillance is the area of policing where central government plays an important role- the Special Branch of Scotland Yard in Great Britain, the Central Bureau of Investigation in India, and the Federal Bureau of Investigation in the United States. Traffic regulation and enforcement is not a highly-regarded specialty. Many senior officers consider it a burdensome nuisance that embitters their relations with the public without contributing to the prevention of crime. Talk about turning it over to non-police agencies, as has been done with the regulation of motor-vehicle parking, is common but has been done in only two English speaking jurisdictions-New Zealand and Western Australia. The practice

continues in New Zealand but was discontinued in Western Australia after an experiment lasting from 1975 to 1982. Most police forces also maintain heavily armed units trained in handling violent confrontations with individuals or groups—such as hostage takings, seizures, terrorist attacks, and mob violence. In Australia, Canada, Great Britain, and the United States, these units are small. Perhaps due to the worldwide influence of American television, they are generically referred to as SWAT units even when the local name may be different.

India, however, is another matter. Almost a quarter of police personnel were maintained in armed formations in 1981 (Ministry of Home Affairs 1982:140). The armed police are separately recruited, trained, and commanded from the unarmed civil police. Although, armed units spend most of their time guarding government installations, their primary purpose is to serve as ready reserves in case of large-scale rioting between caste or religious groups, violence connected with strikes and boycotts, or the tumult of mammoth political demonstrations (Bayley 1969, 1983a).

Until recently, police in all these countries, except the United States, handled the prosecution of cases that could be tried before courts of first instance—magistrates rather than trial courts. India gave up the practice in 1974, creating separate directorates of prosecution in the states. Great Britain, where the practice originated, gave up police prosecutions in 1985, transferring the function to the Crown Prosecution Service. Only Australia and Canada continue to use police as prosecutors, but many senior officials would like to give them up. Although aggregate data are lacking, new functional specialties are beginning to emerge in all these countries. They are crime prevention, often attached to enlarged

community/public affairs units; centralized criminal intelligence collection and analysis, sometimes with field personnel (collators) in every police station; and research and development. These appear to be the "growth" areas of contemporary policing. (Bayley 1992: 527).

#### 4.2 Role of US Police

Every police organization in the world has a certain kind of role. The core mission of the police is to control crime. It means that one goal of every police organization is to control crime. No matter what else the police agency or officers might do, they must attend in some fashion to the problem of crime (Moore, Trojanowicz, and Kelling 1988:1). They are viewed as the crime experts, who have both the right and the duty to define crime and devise responses to crime problems. The police officer in the US, like in most other countries, must balance the requirement to do something about crime with the requirements of due process. In other words, it can be said that the police must serve or achieve order under law. In a democratic society such as the United States, the police must not only enforce the laws, they must obey them as well. In controlling crime the police are not free to take whatever action might best reduce crime or reveal criminals.

Police efforts to control crime can be classed into two main categories: proactive strategies and reactive strategies. In proactive strategies, the police take it upon themselves to discover crime and enforce the law. In reactive strategies, the police respond (or react) to others' identification of crime, as in answering citizen complaints. Further, crime control involves both an enforcement and prevention dimension. Enforcement is the application of the law, generally through arrest, on those who violate

criminal statutes. Prevention covers attempts by the police to reduce the likelihood that crimes will occur. If prevention is successful, of course, there is no need for arrest (Langworthy and Travis III 2003: 292).

The crime-control efforts of police in America can vary along these two distinct dimensions. They can emphasize either prevention of crime or enforcement of laws as their primary goal or function. They also can range along a continuum from proactive to reactive endeavor.

### **Police crime-control strategies**

The crime-control strategies in the US includes reactive as well as proactive measures. The crime-control strategies are based on three dimensions: legal intelligence, availability of law, and location of discretion.

*Legal intelligence* refers to the knowledge a legal system has about law violations in its jurisdiction. The reactive method of legal mobilization stresses street crimes. In contrast, a proactive method displays a relative greater emphasis on regulatory and vice offences. Both street crimes and the regulatory/vice violations occur in the society. The difference is that the reactive model relies on complaint definitions of the crime problem. Whereas, in the proactive model, police officers detect and report regulatory and vice violations on their own initiative (Langworthy and Travis III 2003: 294).

The *availability of law* describes citizen access to the legal system. Unlike the central question of a legal system's access to cases, this phrase refers to the means by which citizens can receive law. In the reactive case, an entrepreneurial model of availability exists. Law is there for anyone who wants it, on a first-come first-serve basis. If, as a citizen, you want law, you need to only call the police. In the proactive situation, a social

welfare or distributive model of law exists. All citizens, regardless of their personal desires, receive a share of law, which is more or less distributed by the police (Black1980:52).

The *location of discretion* means the location of legal policy-making power. This power is the ability to decide when the law should be applied. Laws defined behaviors and conditions that justify the intervention of the police, such as trespassing, burglary, theft, and the like. In practice, someone must decide if the facts of the current incident fit the law in such a way that the police are justified in intervening legally. This practical matching of facts to the law is covered by Black under the term discretion. In the reactive situation, the citizen has the most discretionary power, principally because the citizen decides whether to even involve the police. In the proactive case, the majority of legal discretions rests with the police (Black1980:56).

The nature of the society and the form of the government describes whether reactive or proactive legal mobilization will be applied. The more democratic a legal system, the more legal mobilization is likely to occur in a reactive fashion. The more restrained the power of government is, the more important the rights and interests of citizens and the more likely it is that citizens will determine which cases enter a legal system. In the United States, a society which prizes its democratic values and individual's rights, it is little surprise to note that most police crime-control actions lean towards the reactive model. (Langworthy and Travis III 2003: 294).

### **Police Crime-Control Functions**

The police are the gatekeepers of the criminal justice system in the United States. The criminal justice system is composed of the police, criminal courts, and criminal

corrections (Travis 1998). As a system, the criminal justice process consists of a series of inter-related decisions ranging from the detection of crime through discharge from custody. The police component of this system is responsible for the crime-control functions of detection, investigation, and arrest.

Detection is the discovery of crime. When police officers come to believe that a crime has probably occurred, that crime can be said to have been "detected," and the criminal justice process is initiated. The detection function illustrates the gatekeeper nature of the police role in criminal justice. After detection, the police are responsible for investigation, the attempt to gather evidence about a possible crime and to identify a suspect. Investigation, as an information-gathering process, involves interviewing victims, witnesses, and suspects as well as collecting and analyzing hard evidence such as fingerprints, paint chips, documents, shell casings, and a host of other potential clues. The purpose of investigation is to confirm the fact of crime and to identify the lawbreakers. A successful investigation may lead to an arrest. The arrest is the taking of a criminal suspect into custody. Having established that a crime has occurred and that the suspect has, or probably has, committed the crime, the police place that person in custody, preventing his or her flight from prosecution. At this point, in terms of the criminal justice process, decision-making authority passes to judicial officers, who decide whether to charge the suspect, what charges to bring, whether to release the suspect on bail, and the like. In the overwhelming majority of criminal cases, it is the police who initiate criminal justice processing (Langworthy and Travis III 2003: 296).

### **Police Crime-Control Tactics**

The primary crime-control tactic of American police is routine police patrol. Routine patrol evolved (or continued) from Sir Robert Peel's initial deployment of uniformed officers in London in 1829. Uniformed officers, whether in cars or on foot, are expected to patrol their assigned areas when not otherwise occupied. This patrol is designed to accomplish three main purposes: maintaining a police presence, enabling the police to respond quickly to emergencies, and detecting crime.

The patrolling officer, by virtue of their uniforms and distinctively marked automobiles, maintain a police presence in the community. This presence is expected to both (1) deter potential offenders because the police are near and (2) re-assure citizens that it is safe for them to go about their business.

A second advantage to routine patrol is that the police officers are decentralized throughout the community. Thus, if there is a call for assistance, it is likely that a police officer will be near the location of the caller. The quicker response of police on routine patrol is expected to enhance the ability of the police to catch the crook in the act.

Finally, officers on routine patrol are expected to watch for signs of crime and intervene in suspicious circumstances. Thus, the patrol officer can detect crimes and prevent possible crimes through her or his own initiative as a result of being out in the community and observing the people on the patrol beat. In this regard, routine patrol has the potential for proactive policing. (Langworthy and Travis III 2003: 296).

A second major tactic of police in crime control is the use of specialists to investigate detected crimes. These specialists are usually called *detectives*, but it is actually the patrol officer who detects crimes, while the detective investigates them. On the report of a crime

or probable crime by a patrol officer, the case is assigned to the detective unit of the agency (assuming the agency has one), and another officer conducts the follow-up investigation.

As Moore, Trojanowicz, and Kelling (1988:1) observe, "Professional crime-fighting now relies on three tactics: (1) motorized patrol; (2) rapid response to calls for service; and (3) retrospective investigation of crimes.... Although these tactics have scored their successes, they have been criticized within and outside policing for being reactive rather than proactive.

This criticism of traditional police crime-control tactics is based on the perceived failure of routine patrol and investigation to prevent crime and to attack the causes of crime. Rather than positioning themselves (through patrol) to respond to crime by quick reaction and follow-up investigations, recent critics of the police have suggested a reorientation toward prevention a preemptive effort to control crime. In the past three decades' police agencies across the country have tested ways to improve the ability of the police to control crime through changes in both patrol and investigation.

### **Service Provision by Police**

Because the police are available 24x7x365, a citizen faced with an emergency or other problem, calls/ contacts the police for assistance or guidance. James Wilson observes that the police provide a variety of services, from emergency medical aid to getting cats out of trees. Indeed, his classification of citizen complaints to the Syracuse police revealed that over one-third of the calls handled by police officers involved the provision of various services (Wilson 1968)

Elaine, Ian Cumming and Laura Edell (1965) estimated that more than half of the calls received from citizens involved the provision of assistance and service to citizens. They noted that police officers are called on to provide such services most often to the poor, because the uneducated poor people appear to use the police in the way that middle-class people use family doctors and clergymen-that is as the first port of call in time of trouble.

Daniel Kennedy notes that the police serve to integrate services by their referrals of citizens to mental health, substance-abuse, medical, welfare and other agencies. Because of their 24-hour availability jurisdiction wide, the police guarantee access to services. Kennedy notes the tendency of police officers to mediate conflicts rather than make arrests as evidence of their definition of client troubles as problems in living. Similarly, the large amount of time police devotes to rendering assistance to citizens, coupled with officer motivations to be helpful, evidence generic helping activities. Finally, especially given the reactive nature of most policing, it is apparent that the police are accountable of their clients (Langworthy and Travis III 2003: 329).

This review of the police role in service delivery establishes that the police are as much a human service agency as is any government unit. Like welfare and health departments, the police are responsible for the general safety and security of the citizens. What sets the police apart, however, are their additional functions of law enforcement and order maintenance. The reality of coercive force and the resulting citizen suspicion of the police as helpers serve to confuse the human services classification of police work. Therefore, Kennedy (1983:44-45) says that, in general, the role of the police in America is consistent with a human services mission.

Indeed, recalling the history of the police in American cities, it is clear that public service was a primary responsibility of the early police. Monkonen (1981) describes the role of early police in providing shelter, food, and employment assistance to the urban poor and homeless. This tradition of public service was disrupted with the reforms of policing that occurred in the earlier part of this century (Walker 1977). One of these reforms called 'scientific policing' focused police attention on law enforcement rather than service provision. Nevertheless, citizen demands for service from the police continued. In more recent times, police administrators see the value of service activities, particularly as a crime-prevention effort (Kelling and Stewart 1991).

### **Service Functions of Police**

The reality of policing in America is that the law-enforcement and service functions of the police frequently overlap. Yet it is distinct from police crime control and maintenance of order. For example, if the police invoke the criminal law, their actions are considered to be crime control. In contrast, if the police do not employ the criminal law, their actions can be considered as rendering service.

The number and types of services police render to civilians vary by community and department. Some police agencies define themselves as service providers, whereas others prefer to emphasize crime control. Still, all local police agencies provide some non-crime-control services to their communities. These services may include emergency aid, licensing, provision of information, dispute resolution, lost and found services, and general safety functions (Langworthy and Travis III 2003: 330).

*Emergency Aid* includes police officer to respond to life-threatening and less serious emergencies viz. the scene of traffic accidents, heart attacks, fires, and explosions,

industrial accidents, chemical and other hazardous-material spills, airplane crashes, train wrecks, and all sorts of victimizing emergencies. In these cases, officers are often required to provide emergency medical first aid and/or transport injured persons to medical facilities.

*Licensing* services include issuance of a variety of licenses, citizens seeking permission to hold a parade or block party or carry a handgun must apply through the police. In addition, the citizen who secures a license for a parade typically also receives police assistance with traffic and crowd control at the event. Police agencies provide background investigations of applicants for many types of licenses including handgun permits, chauffer's driving licenses, and liquor licenses.

Passage of the Brady Handgun Violence Prevention Act of 1993 has expanded the role of police in firearms licensure (Gifford et al., 2000). Since 1994, over 22 million firearm transfer applications have been checked directly by the FBI, but the other half are administered by state and local police agencies. Persons wishing to obtain handguns or other firearms from federally licensed firearms dealers must first pass a criminal history background check including the FBI's National Instant Criminal Background Check System (NICS).

As a result of their involvement in licensing, police agencies are naturally a source of information to citizens interested in applying for various permits. Further, the police agency typically maintains the files on licensees and applicants as well as providing any necessary inspection services required by the license.

*Provision of information may include* citizens calling the police to report a power outage or complain about needed street repairs. Often the police agency cannot do much about

these types of problems. Rather than simply replying the problem is not a police concern, the officers and dispatchers will refer callers to the appropriate office in which to lodge their complaint. Neighbors involved in a dispute over their property line, for example, might be referred to the civil courts. Most recently, police departments across the country have been given responsibility for notifying members of the public when sex offenders are released in to the community (Farkas and Zevitz 2000). This is done in a variety of ways, including community meetings, door-to-door visits by police officers, posting fliers, mailing notices, and maintaining Internet sites (Adams 1999). 911 systems are used to notify people about emergencies such as severe weather or simply to convey other information.

Yet another most common service functions of the police are *dispute resolution*. The resolution can be achieved through a number of strategies (other than arrest of either party or both parties), such as separating the parties, threatening arrest, direct counseling, and referral to appropriate agencies (Cooper 1997).

The police are asked to settle disputes and disagreements between neighbors, spouses, retailers and customers, persons involved in automobile accidents, and almost any other circumstance where conflict between people causes a disturbance. All parties to a dispute think themselves to be in the right and typically expect the police officers to side with them. The officers, as neutral third parties, attempt to arbitrate or mediate the conflict. (Langworthy and Travis III 2003: 334).

*Lost-and-Found Services*, *Missing persons* cases are other service functions of Police in US. Bishop and Schuessler (1989:332) report that over 10,000 missing-person cases are entered in the National Crime Information Center Missing Person file each month. In

recent years, there has been increasing concern about missing children in particular (Best 1987)

As part of their overall mission to serve and protect, police officers become involved in a number of *General Safety and Preventive activities*. Traffic control, for example, while incorporating a law enforcement function in citing violators and arresting drunken drivers, is an essentially protective service. Officers directing traffic, investigating automobile accidents, and conducting safety inspections of vehicles are performing a safety service for the community. Hickman and Reaves (2001) report that 99% of police department serve the function of traffic law enforcement and accident investigation.

Many police agencies operate crime prevention and child safety programs designed to teach citizens how to protect themselves. (Giacomazzi and Thurman 1994).

### **The police and order maintenance**

James Q. Wilson (1968:16) clearly asserts that order maintenance is the primary function of the police. The patrolman's role is defined more by his responsibility for maintaining order than by his responsibility for enforcing the law. By "order" is meant the absence of disorder, and by disorder is meant behavior that either disturbs or threatens to disturb the public peace or that involves face-to-face conflict between two or more persons.

Wilson distinguishes between law enforcement, where police more or less routinely apply the criminal law and begin the process of making a suspect liable to criminal penalty, and order maintenance, where officers use discretion in ambiguous circumstances to prevent or end disruption. Unlike law-enforcement circumstances, where the actions of the

officers are fairly predictable, the officer approaches incidents that threaten order not in terms of enforcing the law but in terms of handling the situations.

The immediate task of the police officer is that the maintenance or restoration of order. The means by which the officer accomplishes this task differ from situations and from one officer to another. Sometimes the criminal law and arrest are appropriate tools, and on other occasions less formal adjustments are better suited to preserving order. In traffic cases, police officer's decisions not to cite traffic violators, even when these decisions violate agencies policy, are sometimes the path of greatest public services", suggests Bufe and Thompson (1991:167-168).

#### **Police discretion and the requirements of order**

Kenneth Culp Davis focuses attention on the exercise of discretion by criminal justice personnel. He says that public officers have discretion whenever the effective limit on his power leave him free to make a choice among possible courses of action or inaction." This definition says that a police officer has discretionary power whenever she or he can choose how to respond to a situation. In practice, that means that the patrol officers almost always have discretion. If we take the case of jaywalking as an example, we see the discretionary power of the typical police officer (Davis1969:4).

Whether and how police officers intervene in all sorts of situations is a product of the exercise of discretion. In some circumstances the choice is relatively easy e.g. arresting a bank robbery suspect. In other situations, the choice may be most difficult e.g. quelling a dispute between neighbors. In either event, the use of the criminal law is an option available to the officers.

Joseph Goldstein (1960) categorizes police discretions in term of application of the criminal law into two classes; invocation discretion and non-invocation discretion. As the term implies, invocation discretion refers to those situations in which the officers choose to invoke or use the criminal law and thus issues a citation or makes an arrest. In contrast, non-invocation discretion covers those circumstances where the officer could employ the law, but chooses not to do so. Of the two classes of discretion, Goldstein is more concerned with non-invocation choices because these are, in his words, low-visibility choices. If the officer arrests or cites, the officer's choice will be reviewed by a police supervisor, prosecutor, and/or court. Non-invocation decisions are troublesome because of their invisibilities (Goldstein 1960).

Herman Goldstein (1977:124-126) calls for the structuring of police officer discretion through the development of rules and regulations. An example of such rule making can be seen in the common practice of police agencies developing tolerance limit for speed-limit enforcement. Many police agencies have policies to guide officers in their traffic enforcement efforts. Such a policy might for example, instruct officers generally to ignore or at least not issue citations in situations where motorists are not exceeding the posted speed limit by at least five miles per hour (5mph). Such an agency has a 5-mph tolerance limit, because officers are expected to tolerate "a little speeding" as long as it does not exceed a limit. This tolerance is based on both an expectation that motorists may bend the law a little and the fact that speedometers are neither always accurate nor standardized (Herman Goldstein 1977:124-126).

Through such policies, the police administrators are able to direct the discretionary behavior of officers. While not guaranteeing control over police officer discretion, these

policies are expected to result in more consistent and uniform decisions by the police, regardless of which particular police officer is involved. The policies are designed to promote "order" in the behavior of the individual officers on patrol.

#### **4.3 Roles of Indian Police**

Police, in India has also gone through a transformation over the years and the responsibilities and roles has increased manifold. The developments have had its own toll on complexity of police functioning. Like in any other nation, police in India, are one of the most ubiquitous organizations of the society. It is the most visible representatives of the government. In an hour of need, danger, crisis and difficulty, when a citizen does not know, what to do and whom to approach, the police station and a policeman happen to be the most appropriate and approachable unit and person for him. The police are expected to be accessible 24x7x365, interactive and dynamic organization of any society.

Broadly speaking the twin roles, which the police are expected to play in a society are maintenance of law and maintenance of order. However, the ramifications of these two duties are numerous, which result in making a large inventory of duties, functions, powers, roles and responsibilities of the police organization.

Police in India does almost all the services done by US and UK police. In fact, because of the complex society, that India is and the fact that it has multifarious problem of internal security and the terror acts from inimical forces within and outside its territory, the role of police in India becomes, in more than one sense much more challenging. The relatively lower credibility and trust in police amongst its citizens only make the execution of its duties much more difficult.

The role that Indian police perform can fall into the three different measures of the nature of activity in UK viz. the formal assignments of personnel, the nature of occasions for police action, and the nature of outcomes from encounters. However, neither the social scientists nor the police themselves have categorized its role in such categories.

Similarly, when comparing it with the US Police, the police in India does all those roles as categorized in previous pages (while discussing US police above) viz. Police Crime-Control Strategies (crime control, Detection, Investigation, Arrest etc.) and Service Provision (Human Services, Emergency Aid, Licensing (at few places), provisioning of information, dispute resolution, lost and found services, general safety services).

The Model Police Act drafted by Soli Sorabji committee has exhaustively enumerated the role, functions and duties of police. The role and functions of the police in general are:

- to uphold and enforce the law impartially, and to protect life, liberty, property, human rights, and dignity of the members of the public;
- to promote and preserve public order; to protect internal security, to prevent and control terrorist activities, breaches of communal harmony, militant activities and other situations affecting Internal Security;
- to protect public properties including roads, railways, bridges, vital installations and establishments etc. against acts of vandalism, violence or any kind of attack;
- to prevent crimes, and reduce the opportunities for the commission of crimes through their own preventive action and measures as well as by aiding and cooperating with other relevant agencies in implementing due measures for prevention of crimes;

- to accurately register all complaints brought to them by a complainant or his representative, in person or received by post, e-mail or other means, and take prompt follow-up action thereon, after duly acknowledging the receipt of the complaint;
- to register and investigate all cognizable offences (the offences on which the police can initiate investigation suo-motto, without any orders from judicial magistrate!) coming to their notice through such complaints or otherwise, duly supplying a copy of the First Information Report to the complainant, and where appropriate, to apprehend offenders, and extend requisite assistance in the prosecution of offenders; to create and maintain a feeling of security in the community, and as far as possible prevent conflicts and promote amity;
- to provide, as first responders, all possible help to people in situations arising out of natural or man-made disasters, and to provide active assistance to other agencies in relief and rehabilitation measures;
- to aid individual, who are in danger of physical harm to their person or property, and to provide necessary help and afford relief to people in distress situations;
- to facilitate orderly movement of people and vehicles, and to control and regulate traffic on roads and highways;
- to collect intelligence relating to matters affecting public peace, and all kind of crimes including social offences, communalism, extremism, terrorism and other matters relating to national security, and disseminate the same to all concerned agencies; besides acting, as appropriate on it themselves;

- to take charge, as a police officer on duty, of all unclaimed property and take action for their safe custody and disposal in accordance with the procedure prescribed;
- to train, motivate and ensure welfare of police personnel.

The list above exhaustively covers the role which the Indian police performs in various states (provinces). The response may vary in degrees depending upon state to state and the peculiarities of each and every state. But, police of each state perform above duties in some form or other.

It may be noticed that role of police in protecting internal security, control terrorist activities, breaches of communal harmony and militant activities were alien to UK and US police till few (two) decades ago. The problem which Asian and African countries faced due to terrorism were not as appreciated by them till such time their society became victim of the same.

### **VIP Security**

Yet another major role that has not been mentioned explicitly in the list above, which Indian Police is performing (and which takes away huge men and material resources of police), is VIP security. It is different from the general security duties mentioned in the list above.

Trilok Nath, a retired IP officer, in his book 'The Indian Police' (1978), writes on VIP Security, "*This is [VIP Security] and would continue to be an important police responsibility to which the aid of other echelons shall be called. ... clamouring for bigger accommodation with a capacious security umbrella and a host of law-keepers hovering round to lend to them an aura of importance.*" It was said in 1978, and continues to be

true even in current scenario. In the various roles of police of providing security (to any protected/VIP or any event where either there is a large conglomeration or protected/VIP is visiting), maintaining order (a riotous situation or violent demonstration), and crime investigation; they come in the similar order of priority as mentioned here!

The security of a VIP has become a real threat in case of many, especially after the assassination of the then Prime Minister, Smt. Indira Gandhi in 1984. There are many assassinations and killing of VIPs as well as the common men in act of terror or militancy.

The assassination of the sitting Prime Minister of the largest democracy was a big slap on the security apparatus of the police force. It necessitated creation of a new specialized force, the Special Protection Group (SPG) in 1988, which provides proximate security to the Prime Minister of India and former Prime Minister of India and members of their immediate families wherever they are.

Before this, yet another specialized force was raised, the National Security Guards. It was raised in 1984, following Operation Blue Star and the assassination of Smt. Indira Gandhi for combating terrorist activities with a view to protect states against internal disturbances.

In the 2008 Mumbai attacks (26/11), were a series of attacks took place when ten members of Lashkar-e-Taiba, an Islamic militant organization based in Pakistan, carried out a series of 12 coordinated shooting and bombing attacks lasting four days across Mumbai, 164 people were killed and more than 300 persons were injured. The attacks drew widespread global condemnation. It further necessitated the increase of more

battalions of NGS and host of other measures to revamp the security apparatus and to improve the response.

### **Social Responsibilities of the Police**

Having discussed the 'formal assignment of the [police] personnel', the draft 'Model Police Act' also elaborates the social responsibilities of Indian Police at length. It cast a responsibility on every police officer:

- to behave with the members of the public with due courtesy and decorum, particularly so in dealing with senior citizens, women, and children;
- guide and assist members of the public, particularly senior citizen, women, children, the poor and indigent and the physically or mentally challenged individuals, who are found in helpless condition on the streets or other public places or otherwise need help and protection;
- provide all requisite assistance to victims of crime and of road accidents, and in particular ensure that they are given prompt medical aid, irrespective of medico-legal formalities, and facilities their compensation and other legal claims;
- ensure that in all situations, especially during conflict between communities, classes, castes and political groups, the conduct of the police is always governed by the principles of impartiality and human rights norms, with special attention to protection of weaker sections including minorities;
- prevent harassment of women and children in public places and public transport, including stalking, making objectionable gestures, signs, remarks or harassment caused in any way;

- render all requisite assistance to the members of the public, particularly women, children, and the poor and indigent persons, against criminal exploitation by any person or organized group; and arrange for legally permissible sustenance and shelter to every person in custody and making known to all such persons' provisions of legal aid schemes available from the Government and also inform the authorities concerned in this regard;
- preserve, promote and protect human rights and interests of weaker sections, backward classes, poor, weak and the downtrodden.

#### **Maintenance of Essential Services**

Currently it is also the responsibility of police in India to maintain the supplies of the essential services (once declared so) by way of ensuring that the essential supplies are not hoarded and the essential services are not denied by anyone. On any service (medical services, teaching, shipping etc.) or item (sugar, onion, salt, potato etc. are few items that have been declared essential in past), being declared as essential under the act, police have to act against the hoarders by raiding the 'secret' godowns, seize the material and arrest the culprits under relevant legal provisions. Similarly, once a service is declared essential, anyone who is stopping anyone from providing such service or anyone who is otherwise bound to provide those services, refuse to do so; both are brought under the law by the police. This is an aspect which seems alien to both, US and UK police.

Incidentally, the Model Police Act also casts this responsibility on police. It says, "When the State Government declares any specified service to be an essential service to the community, it shall be the duty of the police to maintain the essential services and every

police officer must obey any order given by any officer superior to him in connection with the service specified in the declaration by the government”.

### **Policing the Railways**

Unlike most countries, the entire Railway system in India has come under the wings of the Government and is entirely a state undertaking. The entire governance of the railways thus became an important state responsibility. It even included such unimportant matters as the watch and ward work. The watch and ward work of the railways has varied between the various units as they had their own administrative procedures, but the pattern of police work has been the same. The general pattern consisted of a string of linear police stations (along the railway lines) which looked after law and order duties on the railways and the protection of the smaller railway staff colonies situated near railway lines.

The point to be considered was whether the linear railway could be provided reasonable police cover by the regional/ provincial police or is the job so specialised as to require a separate unit. While it was decided after considerable examination that the job is specialised, requiring the attention of a separate wing of police, it was felt that this wing could not be dissociated from the administration of the police of the province concerned. Hence a via media was accepted to create a Railway police force (commonly called as GRP) under each provincial police. The GRP provided police protection to the passengers on the platforms and in the trains but not to the goods in transit. It was argued that the watch and ward work of each railway system- watch work is strictly speaking not the responsibility of a police service-should be left to each railway administration. The

duties of this nature were taken over entirely by the Railway Protection Force. The arrangement dividing responsibility of watch and ward and prevention of crime between RPF and regular provincial police has involved considerable confusion.

The system continued after the independence of India as well. To further create to the confusion and the problem of coordination, the RPF was placed under Railway Ministry and not under Ministry of Home Affairs. This force (RPF) has been assisted by specially armed units to combat the activities of armed bandits attacking goods trains etc. However, RPF is the only armed centralized force which is unavailable for other state undertakings and provides considerable scope for overlap with other armed forces. A possibility of neglect is also there. (Nath, 1978)

It is noted that Policing Railways is yet another unique feature of Indian police.

### **Industrial Security**

In India, providing security to the public undertaking companies/ industrial unit became a big concern. Under an Act of the Parliament of India on 10 March 1969, a specialized force namely, The Central Industrial Security Force (CISF) was established to provide the security cover.

CISF was subsequently made an armed force of the Republic of India by another Act of Parliament passed on 15 June 1983. The CISF provides security cover to 300 industrial units, government infrastructure projects and facilities and establishments located all over India. Industrial sectors like atomic power plants, space installations, mints, oil fields and refineries, major ports, heavy engineering, steel plants, barrages, fertilizer units, airports and hydroelectric/thermal power plants owned and controlled by Central Public Sector

Undertakings (PSUs), and currency note presses producing Indian currency are protected by CISE. CISE also provides consultancy services to private industries as well as other organizations within the Indian government. The consulting wing has amongst its clients some of the renowned business houses and organizations of India.

### **Conduct of Polls (Parliamentary, Assembly and Local Body Elections)**

In India, conduct of the elections of either parliament or assembly or local bodies in a peaceful and orderly manner is also a big role that Indian police perform. The elections are like religion or festival where a large population come out of their houses to exercise its right to vote. The elections are preceded by hectic, high decibel election campaign. The police are deeply involved in the conduct of election from the very first day of announcement of elections.

### **The Inventory of Police Roles, Functions and Jobs**

In the light of above mentioned unique police roles/ duties performed by the Indian police description of police work and functioning, an inventory of police duties, functions and jobs, in India, can be prepared in the following manner:

**Investigation related duties and jobs:** This would include police functions like crime registration, guarding, protecting, visit to the scene of crime, lifting, handling and packing of exhibits and sending them to various places like the Police Station (PS), Superintendent of Police (SP) office, Forensics Science Laboratory (FSL) and other places, calling witnesses and serving notices to them, arresting criminals and suspects, search and seizure proceedings during an investigation, interrogation of suspects,

witnesses and criminals, collection and recording of various types of evidences i.e. oral, documentary and expert opinion etc., taking criminals to courts for police/judicial custody and trial, raids for various purposes.

***Crime prevention and preservation of peace and security:*** This would include 'gast' and patrolling, including 'nakabandi', performing picket and ambush jobs, checking vehicles and frisking passengers, surveillance and checking of bad characters, preventive arrests, collection and transmission of criminal intelligence etc.

***Crime detection work:*** The crime detection job profile includes collection of information/intelligence about criminals of various types, creation of 'mukhbirs'/informers and creating contacts with various segments of society so as to obtain useful information with regard to the detection of various property and other offences like murder, dacoity, robbery etc.

***Order maintenance and security jobs:*** This profile would include among other things the tasks of surveillance, watch and action to be taken during peaceful processions, demonstrations and strikes of various types, action to be taken on agitating and unruly mobs. This would include pushing off agitators, stopping them with improvised barricades and effective intervention to contain mobs under the instructions of senior officers and the use of force whenever needed, protection of vital installations during the spate of crimes and emergencies of various types, VIP security and performance of various duties during VIP visits in different capacities.

***Enforcement of Social Legislation, Minor, Major and Special Acts:*** Performance of this role require the police to know the significance and importance of various social legislations like Child Marriage Restraint Act, Protection of Civil Rights Act, anti-dowry,

guest-control and other social legislations which provide a positive and adequate push to social change in a development-oriented society like India. It also requires police to know the significance and importance of various local, special and minor acts along with the role of constabulary in the effective execution of the various provisions thereof.

This, again, is unique to a fragmented society like India and not seen in diffracted societies of US and UK. In rural area, police may show biases in implementation of such laws, based on one's own value system.

**Collection of Intelligence:** Police are required to collect intelligence about any incident of law and order, political activities, labour activities, student activities and agitations thereof, communal tensions and events, employees' associations and strikes by them, criminal activities, miscellaneous activities and events tending to destroy peace and tranquility.

These tasks are performed by the 'Special Branch' within provincial police, as similar to the 'Special Branch/ Unit' of UK police.

**Democratic and election related duties:** This include role of police in ensuring the conduct of free, fair and impartial elections. For this, the police are sensitized about the entire electioneering process, model code of conduct for the police, government officials, contesting candidates and political parties. Police is actively involved in the guarding and transportation of EVMs and other poll related material.

It may be interesting to study the role of police in US and UK during the polls in those countries. It can form a subject matter of research in itself.

**Natural calamities, Disaster and emergency duties:** This includes various jobs like saving life and property, providing shelter, rehabilitation, evacuation of people from

crisis situations and their transportation during fires, floods, famines, the spread of an epidemic, the breakout of war or external aggression, internal disorders like communal riots, struggle between various classes, castes and sects and other clashes.

**Maintenance of Police Records:** This includes proper handling of the record, upkeep and maintenance of the record, preparation, destruction, revision and modification of the record of various police units. This is no more a matter of choice but a mandated role.

**PCR duties:** PCRs (Police Control Room vans) are similar to the patrol police of UK. The PCR vans are the first responders. Whenever anyone in distress dials 100 (akin to US's 911) the call is received in police control room and transferred to the nearest available PCR van which rushes to the 'scene'. It provides immediate 'protection' or 'relief' to the person in distress till such time the 'territorial'/'local' police (of concerned Police Station) arrives on scene. The 'local' Police, thereafter, initiates the legal proceedings.

The PCR van network in metro towns work very efficient. However, in the urban, sub-urban and rural areas, the performance of PCR van varies. In sub-urban and rural areas, people are aware of local police station numbers and prefer to call the police station staff directly.

**Traffic duties:** Traffic duties entail orderly movement of traffic, enforcing traffic rules by issuing 'tickets' to the violators etc. Generally, traffic police also participate in the committees on road engineering. It suggests the general administration about creation of new parking spaces, round-about, traffic-signals, street lighting, diversions, one-way traffic roads, closure of roads etc.

**Miscellaneous duties and functions:** Other miscellaneous duties include ceremonial duties, assistance to other departments e.g. the education department during examinations etc.

The role of police in conduct of various college and school exams and during the competitive exams for recruitment is a phenomenon which may not be found in US or UK. The deployment of police at the examination centers during such exams is necessitated due to the student resorting to illegal and unfair means e.g. cheating, carrying weapons to the center, taking away examination material out of the examination center etc. The use of unfair practices during exams vary from province to province.

Miscellaneous duties also include providing support and protection to municipal authorities during the removal of encroachment, demolition of illegal buildings and construction, removal of stray cattle and other animals from the streets, etc. This, obviously, is not the basic responsibility of police service. Somewhere, it reflects a disconnect between the legislations (on Building Bye Laws, street vendors, stray cattle) and the education of the citizens on these legislations. There is also a disconnect between the law-makers and the expectation of the citizens. Else, how does one explain every activity (of encroachment removal etc.), which is apparently for larger good of the citizens, turning into a break of law and order situation!

#### **Conflict Resolution Contexts of Police Role**

Confronting, facing and handling of conflicting situations of various sorts is an integral part of police role performance and police working. In India, police have to face numerous situations, where the contending parties on various issues, put up conditions before them, which in some way or the other, obtain the shape of conflicts. In most cases,

which the police handle, whether during investigations or maintenance of order, there are often two or more contending individuals, parties and issues which are expected to be resolved by police. Conflict resolution, thus, becomes an essential part of overall police functioning.

Conflict, in Indian context, may range from a simple situation like a debate or an argument on an issue to varied situations like disagreement, contest, dispute, quarrel, struggle, unrest, confrontation, turmoil and chaos. There can be various reasons that can give rise to conflicts viz. women, wealth, property, rights, claims, interests, ego, resource allocation, religion, ideologies, governance, partisan attitudes, etc. There could be underlying causes or immediate causes giving rise to a conflict. In India, the conflicts may have their basis in personal, social, cultural, political, religious reasons. A police officer is expected to keep a close watch on the latent state of conflicts, particularly the ones which have Law and Order, communal and terrorism overtones. He is expected to handle the situation at the formation stage itself.

Below, we discuss few conflict situations which Indian police typically face. One such area in which police provide mediation between conflicting or potentially conflicting parties is relating to castes and community. Religion and communal affiliation are not private affairs in India. Often tensions develop over celebration of religious festivals and important days (muharram, eid etc.). Police officials are often the arbitrators between the various religious communities. Some issues with which they deal are arrangements to ensure peaceful public celebration of religious days.

Police officials are often forced to act as mediators in the land-ownership disputes. In a primarily rural and agricultural society, the importance of this issue and the emotion with

which it can be approached are understandable. It is estimated by police officials that 30% to 40% of their work is related to these mediation-arbitration issues. These are more common in villages and the provinces where agriculture is more prominent source of economy. The disputes, primarily is a civil dispute, but police are forced to intervene because it soon takes criminal overtones. Murders and intense fights, resulting in other bodily and property crimes are often reported. This is a generally unpublicized aspect of police work. The dispute resolution in land matters acts as a double-edged sword for police. The intervention is viewed with suspicion. And, if the police don't intervene and the dispute takes ugly turn, then also police is damned. This aspect of police work apparently dates from pre-independence, as does many other police function. (Shane 1980: 98).

Police are also faced with another major problem - the changing relationships between men and women. It is estimated that half of the mediation problems with which police deal are related to family matters, usually women rebelling against the situation in which they are put (caution: we are not talking about dowry related issues, which is yet another situation facing police). Marriages are generally arranged, often without the involvement of either partner to any great extent in the decision. The family often seeks the help of the police in cases where, either of the marriage partner elopes or runaway (especially in case of the women partner). Family pressurize police in recovering and returning the woman to her parents or to her husband. The police cannot force the woman to return, but often some sort of compromise can be worked out (Bayley 1969).

It is evident from above that police in India perform tasks similar to those of the other police studied. It is also clear that the support aspects of police work are not as well

integrated into the work of the constabulary as they are in other countries studied. Support work, though form part of police activity and are perceived important by some police officials, yet they are often undocumented.

To summarize, the Police forces are organized in terms of function- the nature of work performed- as well as the command of territory. And frequently they do not coincide. Indeed, the only functional specialty within policing that conforms to the organization of spatial commands is patrol, known outside the United States variously as "operations," "general duties," or "uniforms." "General duties" is probably the most descriptive designation since it indicates that these personnel are prepared to do anything- patrol, emergency response, criminal investigation, order maintenance, traffic enforcement, or crime prevention. Two other functional commands are standard, except in very small departments, namely, criminal investigation and traffic control. Unlike "general duties," these commands do not appear in every geographical unit of organization.

The relative strength of different functional specialties from these are as follows. General duties are the largest specialty in policing, accounting for about 60 percent of personnel worldwide- 56 percent in the United States, 43 percent in Great Britain (Jones 1980; Police Executive Research Forum 1981, pp. 581 ff.; Bayley 1990). For criminal investigation, the numbers 9.8 percent in the United States, and 13.9 percent in Great Britain. For traffic, the figures 9 percent in the United States, and 10 percent in Great Britain. In India, the general purpose (or as it is also termed, 'local police') can migrate or can be transferred from one role to another, giving separate figures is difficult. It may,

however, be mentioned that constables, the lowest rank in the hierarchy, do not have investigative powers granted by the law of the land.

Security surveillance is the area of policing where central governments play an important role- MI5 and the Special Branch of Scotland Yard in Great Britain, the Intelligence Bureau in India, and the Federal Bureau of Investigation in the United States.

Traffic regulation and enforcement is not a highly-regarded specialty. Many senior officers consider it a burdensome nuisance that embitters their relations with the public without contributing to the prevention of crime. Talk about turning it over to nonpolice agencies is common but has not been done, at least in India.

Most police forces also maintain heavily armed units trained in handling violent confrontations with individuals or groups-such as hostage takings, sieges, terrorist attacks, and mob violence. In Great Britain, and the United States, these units are small, but in India it may be as big as a battalion. As per BPR& D, Ministry of Home Affairs 2015, almost a quarter of police personnel are maintained in armed formations. The armed police are separately recruited, trained, and commanded from the unarmed, more numerous civil police. Although armed units spend most of their time guarding government installations, their primary purpose is to serve as ready reserves in case of large-scale rioting between caste or religious groups, violence connected with strikes and boycotts, or the tumult of mammoth political demonstrations (Bayley 1969, 1983a).

Until recently, police in all these countries except the United States handled the prosecution of cases that could be tried before courts of first instance-magistrates rather than trial courts. India gave up the practice in 1974, creating separate directorates of prosecution in the states. Great Britain, where the practice originated, gave up police

prosecutions in 1985, transferring the function to the Crown Prosecution Service. Although aggregate data are lacking, new functional specialties are beginning to emerge in all these countries. They are crime prevention, often attached to enlarged community/public affairs units; centralized criminal intelligence collection and analysis, sometimes with field personnel (collators) in every police station; and research and development. These appear to be the "growth" areas of contemporary policing.