

Bengaluru Safe City Police Training Programme

With an aim of sensitising police personnel on the theme of gender and gender-based violence, a session on the Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (POSH) is organised during the two-day Safe City Police Training Programme.

Besides discussing the statutory provisions, the main objective of this session is to delineate what is gender-based violence and to discuss the various forms of sexual harassment that occur at the workplace and in public places. This session is designed in a manner such that based on case-studies, videos, role play, and other forms of illustration, the participants are able to identify the different forms of sexual harassment. Such an exercise is not only participatory in nature but it also provides an opportunity to the participants to think, deliberate, question, and indulge in a wide-ranging conversation on the subject of sexual harassment and gender-based violence. As a result, this session affords the participants a chance to understand the subject-matter deeply, and qualitatively improve their skills of investigation in cases pertaining to violence against women.

About the Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (POSH):

After over a decade of its enactment, the POSH Act continues to hold critical value as there is an increasing labour participation rate of women signalling the necessity to create safe, inclusive and healthy workplaces. While the Supreme Court's guidelines in the case of *Vishakha v State of Rajasthan*¹ were historic, the statute provided teeth to the landmark judgment.

The objective of the Act combines the punitive and rehabilitative forms of justice by aiming to prevent and protect women against workplace sexual harassment as well as to ensure effective grievance redressal.

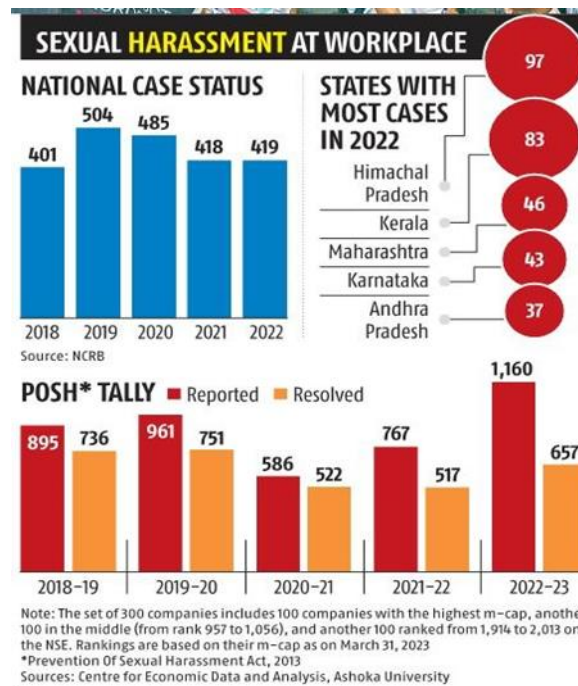
The law is aimed at providing every woman a safe, secure and dignified working environment, free from any form of harassment.

What is the Bengaluru Safe City Police Training Programme hoping to achieve?

While the primary objective of this training session is to discuss the POSH Act in detail, with a clear emphasis on latest judgments and case-studies, but an equal emphasis is laid on the need to establish supportive environments for the police personnel to voice their thoughts and concerns freely and to encourage them to unlearn pre-existing prejudices regarding violence against women. Additionally, these sessions are aimed at offering a space of learning to the participants to understand different perspectives on what constitutes violence against women and to reflect on the fresh information in a non-judgemental manner.

¹ AIR 1997 SUPREME COURT 3011.

As an important functionary of the State, the police carry an onerous responsibility to discharge their duty with utmost faith and inspire confidence among the public at large. To this end, the training programme aims to pave way for a broader normative change by cultivating a culture of gender sensitive policing. This is also the only long-term, sustainable solution to the pandemic of gender-based violence.



Key Observations from the Training Sessions on Gender-based Violence and POSH:

In order to understand the concept of violence against women, it is essential to understand what violence implies. What are the ingredients of violence? What act may be referred to as violence? With this question being the starting point of the conversation on gender-based violence and sexual harassment, there are varying responses that the exercise elicits. It has been noted that a majority of them believe that only repeated physical violence that results in severe bodily injuries can be called violence.

Consider for example a situation that was discussed with the participants in one of the sessions. M, a young woman was waiting at the bus stop. K and his friends stop at the bus stop on seeing her and compliment her on her clothes and hair. The participants were asked if they could identify any act of violence in the given situation. A large section of the trainees believed that ‘merely complimenting’ a woman on her appearance, even if one does not know her personally, is *not* violence. Evidently, perceiving, identifying and acknowledging an act as violence itself becomes a point of divergence and an eventual cause of conflict and denial. These responses offer the opportunity to steer the conversation in the direction where acts constituting gender-based violence are distinguished from acts that constitute sexual harassment as per the POSH Act.

An associated and second layer of the problem lies in seeing violence as necessary and almost as a 'right' in certain circumstances. During the discussion of a case study, it was observed that many participants believed that men were entitled to hit women to 'correct' them.

Further, at a normative level, it has been noticed that there is an absence of understanding the social-cultural context that drives violence. The role of power and authority that individuals derive from societal structures of patriarchy, caste, class, religion is not given due consideration. On many instances, participants vehemently denied the role of unequal gender relations or even caste in gender-based violence. Hence, unsurprisingly, the widely held perception is that crimes against women at best occur because the perpetrator is either mentally ill or has psychological concerns.

Inherent Bias

Discussions on why women do not readily approach the police to report crimes triggered discussions on when a woman can be considered a 'victim'.

Offering the prototype for an 'ideal victim', the participants observed that women can be victims only when there is 'severe physical injury', 'bleeding', 'physical resistance to the crime' and 'non-cooperation with the perpetrator'.

During the training session, the participants were encouraged to identify the causes for violence against women. Few of these grounds are enlisted as follows -

1. Increased individualistic tendencies among women emanating from financial and professional independence. Some male participants argued that this made women arrogant whereas female participants chose to frame it as 'self-respect'.
2. A decreasing intent and unwillingness among women to accept the demands of their spouses.
3. Influence of western culture encourages women to dress in a manner that has traditionally not been acceptable in India.
4. The commission of a crime by a man against a woman is reasonable.

These observations show that although the law has been a welcome measure, a proper understanding of the law remains a challenge. There is a general lack of clarity on various dimensions of the law including what constitutes sexual harassment, what are the obligations of an employer, and what is the nature of remedies available to a victim. Additionally, it is largely believed that trivial acts like lewd jokes or inappropriate comments are normal and that they do not constitute sexual harassment. Resultantly, women remain apprehensive and hesitant

to complain for fear of being disbelieved or ridiculed. As a result, the existing scenario demands greater awareness and stricter enforcement of the law.

Based on the interaction during these sessions, it has been observed that there is a lack of basic understanding of law and legal nuances within the police force. The participants are unable to understand the law in the given socio-cultural context and the broader ramifications it produces for women approaching the legal system, especially from the marginalised communities. For example, the constabulary lamented that they were unaware of the report published by the Justice Verma Committee (2013)² or the recommendations made by the Ugrappa Committee.³ By extension, they are unaware of the new definitions of sexual harassment or rape or even the offences of voyeurism and stalking.

Building a path towards a Better Future

Based on the insights offered by the training sessions and the diversity and depth of interactions, there is a strong belief among the NGOs and police personnel alike that a constant, continuous and long-term engagement with the state institutions on the question of gender discrimination will definitively yield long-term dividends.

Although the training programme focusses on only a handful of the important legislations, still it is hoped that the structured schedule of the programme is a step in the direction of initiating a long-lasting attitude change. This hope is buttressed based on the feedback of the participants, where many of them noted that the topics covered in the training sessions helped them overcome several of their pre-conceived ideas about gender. In fact, many of them observed that training sessions on gender should form a part of the Induction Programme so as to have greater effectiveness. Besides, it was noticed that when male speakers conducted sessions on gender and patriarchy, that evoked deeper interest. This helps in busting the myth that gender-based violence is merely a women's issue devoid of any socio-cultural or legal ramifications.

Further, the NGOs voiced a concern that gender and caste must be addressed together in order to effectively fight inequality and discrimination against women.

² The Committee recommended enhancement of punishment for rape from 7 years to a minimum of 10 years up to 20 years or life imprisonment.

³ The Committee made recommendations to prevent sexual violence against women and children.