

Bengaluru Safe City Police Training Programme

The NLSIU project team, in partnership with the BCP, aims to sensitise the police personnel on issues concerning gender and gender-based violence and to train them on the principal legislations that are aimed at curbing violence against women and children. Currently, the training programme is being conducted for personnel belonging to two principal divisions, namely, Law and Order and Traffic. In order to make the nature of the training sessions effective and interactive, the NLS project team has collaborated with non-governmental organisations (NGOs) based out of Bengaluru, which conduct these sessions across different venues in the city. The sessions are designed in a manner whereby the participants are exposed to intriguing and thought-provoking information, and they are encouraged to actively participate and contribute to the discussions through activities based on role play and group interaction. Not only are the themes of discussion diverse, but the audience is equally vibrant consisting of both men and women personnel belonging to different ranks including Constables, Head Constables and Assistant Sub-Inspectors. The closing session of this two-day training programme witnesses enthusiastic participation by the personnel as they are encouraged to provide feedback and address their doubts and queries.

The idea behind this series is to curate field notes, observations and key insights from the training sessions with the intent of highlighting and sharing the perspectives of police personnel, advocates, and NGOs in understanding gender, gender-based discrimination, gender-based violence, processes of criminal law, and legislations affecting rights of women and children.

About The Protection of Children from Sexual Offences Act, 2012 (POCSO)

The POCSO Act, 2012 is the primary legislation that deals with the commission of sexual offences against children. The law is gender-neutral from the perspective of the victim as well as the offender, i.e. it acknowledges that the victim of a sexual offence could be either a boy or a girl (below the age of 18), as also that the offender could either be a man or a woman. The comprehensive nature of the law incorporates elements of both punitive and rehabilitative justice and provides punishment for three categories of sexual offences including sexual assault, sexual harassment and child pornography.

The Protection of Children from Sexual Offences Act, 2012: A Decadal Assessment

With over a decade since the law came into force, several research studies have been undertaken to evaluate POCSO. One such notable study was conducted by the Vidhi Centre for Legal Policy titled, [“A decade of POCSO: Developments, Challenges and Insights from Judicial Data.”](#) This study assessed the implementation of the POCSO Act in the last 10 years by analysing case laws, policy interventions and case meta-data collected from e-Courts. Nearly 4,00,000 cases (spanning across the different States and Union Territories) were collected and cleaned to provide an in-depth analysis regarding the pendency and disposal pattern of matters relating to POCSO. A few noteworthy observations are that there is a high pendency rate of cases filed under POCSO, there is non-uniformity in the manner of conducting trials in the district courts and there is a lack of effective training of police personnel on this law.

Similarly, at a seminar organized by the Delhi Commission for Protection of Child Rights (DCPCR) titled “Rehabilitation of POCSO Victims: Strategies, Challenges, and Way

Forward,” it was observed that effective and timely payment of compensation was a major issue concerning the victims.¹ Further, it was noted that there was a shortage of support personnel, and many districts lacked the designated number of support persons as mandated under the POCSO Rules.

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

Police is one of the main functionaries of the criminal justice system and a first responder to crimes. As one of the main stakeholders of the criminal justice system, the understanding and awareness of police is pivotal to a successful investigation, trial and conviction.

The objective of the sensitization sessions on POCSO is two-fold, i.e., to ensure adherence to uniform protocols by the police and to discuss important legislations. Besides, these sessions provide an occasion for collective brainstorming by police personnel and NGOs to ensure effective implementation of the law.

With crimes against children seeing a spike,² an immediate need was felt for equipping the police personnel with the latest and necessary information about relevant laws and processes. Thus, the training programme is aimed at fostering an interaction, at a substantive level, to discuss the different aspects relating to gender as well as the latest amendments, and judgments by High Courts and the Supreme Court, and at a normative level, to develop a responsible culture and a sensitive outlook among the police.

Key Observations from the Training Sessions on POCSO

Apart from discussing the statutory provisions of POCSO in great detail, the participants are informed about the relevant statutory provisions from the new criminal laws including the Bharatiya Nyaya Sanhita, 2023, Bharatiya Nagarik Suraksha Sanhita, 2023 and the Bharatiya Sakshya Adhinyam, 2023 that are essential for investigation of POCSO cases.

It has been observed that the participants demonstrate keen interest and willingness to assimilate knowledge on the law and the procedures that need to be followed by the police. Their doubts and queries revolve around in-camera proceedings, medical examination of victims, and documentation including filling of Forms A and B under POCSO.

As evidence is critical to a successful prosecution under POCSO, emphasis is laid on making the participants understand the time-sensitive nature of collecting forensic evidence as well as on protecting the evidence from contamination.

The resource persons from the partner NGOs are able to provide the participants with critical information regarding key stakeholders including details of support persons, emergency

¹ POCSO @10"Rehabilitation of POCSO Victims: Strategies, Challenges, and Way Forward" available at [https://dcpcr.delhi.gov.in/dcpcr/conferences-seminars#:~:text=of%20POCSO%20Cases%E2%80%9D-Delhi%20Commission%20for%20Protection%20of%20Child%20Rights%20\(DCPCR\)%20in%20collaboration,December%2C%202022%20at%20Delhi%20Secretariat.](https://dcpcr.delhi.gov.in/dcpcr/conferences-seminars#:~:text=of%20POCSO%20Cases%E2%80%9D-Delhi%20Commission%20for%20Protection%20of%20Child%20Rights%20(DCPCR)%20in%20collaboration,December%2C%202022%20at%20Delhi%20Secretariat.)

² Bengaluru sees spike in POCSO cases even as disposal rate slumps in special courts, available at [https://indianexpress.com/article/cities/bangalore/bengaluru-pocso-cases-court-9460564/.](https://indianexpress.com/article/cities/bangalore/bengaluru-pocso-cases-court-9460564/)

contact numbers, addresses of shelter and observation homes, details of District Child Protection Units (DCPUs), and civil society organisations (CSOs) working for the welfare of women and children. This exercise also helps in improving the potential of liaison between the NGOs and police and helps in improving synergy between them.

The participants are informed about the legally permissible Medical Termination of Pregnancy (MTP) procedures under the Medical Termination of Pregnancy (Amendment) Act, 2021. While POCSO aims to prevent and address child sexual abuse, the MTP Act governs abortion services. The participants are informed about the co-relation between these laws and the crucial role that the police have in facilitating the abortion process with the medical officers ensuring minimum re-traumatization of the victims.

Owing to the close interaction between the victims and police, it is emphasised that participants must aim to establish rapport with the victims as they engage with the criminal justice system.

Additionally, these sessions have highlighted the challenges faced by police personnel while handling POCSO cases including inadequate training and awareness on legislations relating to children, inadequate procedural knowledge particularly in POCSO cases, inaccessibility of clear legal opinion, and a lack of emphasis on understanding gender and its related dimensions, within their profession and in civil interactions.

Based on various studies and deliberations, it has been observed that adequate sensitization of the key stakeholders, implementing child-friendly procedures and preventing re-traumatization of children are essential for ensuring effective implementation of POCSO.