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## **Community Policing and Women Safety in India**

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### **Abstract**

*Women Safety in India has become a critical concern in past one decade. The criminal and inhuman 'Nirbhaya rape case' in New Delhi in 2012 brought in forefront several critical issues pertaining to women safety in India. Though India as a country philosophically popularized that 'God resides where women are respected' unfortunately has seen massive increase in crimes against women in past one decade. Several initiatives and laws seem to be insufficient to ensure women safety. The paper presents the concept of community policing in ensuring women safety in India. Police as an agency of law and order finds it challenging to meet all the requirements and services to ensure women safety. The dismal police-population ratio in India (106 police personnel per 0.1 million population) has not only over-burdened the critical forces but have been influencing their performance immensely. In this background, the paper argues how community policing can provide a new perspective towards women safety in India.*

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### **Introduction**

Women safety has become a critical concern for not only women community but the entire society including law and order agencies, policy makers, civil society agencies and institutions of women empowerment.

Women safety faces critical challenges owing to high instances of violence and crime against women which is in the form of domestic violence, dowry deaths, acid attacks, honor killings, rape, abduction, and cruelty by husbands and in-laws. According to National Crime Records Bureau (NCRB) for the country as a whole, as the number of reported crimes against women increased to over 3.3 lakh, or 56 incidents per lakh women, the rate of increase has tapered off. There was a sharp rise in reported crimes against women between 2012 and 2013, as a result of increased awareness following the December 2012 gang-rape, but the increase was sharply lower between 2013 and 2014, the police say. While the share of reported rape cases in which the offender was known to the victim remained significantly high at 86 per cent, it was substantially lower than in past years, when the proportion was 94 per cent or higher. ([www.thehindu.com](http://www.thehindu.com); 19<sup>th</sup> August, 2015)

### **Violence and crime against women**

Violence against women in India is deeply rooted in societal norms and economic dependence of women. Discriminatory practices are underlined by laws favoring men. Inadequate policing and judicial practices deny female victims proper protection and justice. Although female participation in public life is increasing and laws have been amended, India still has a long way to go to make Indian women equal citizens in their own country. (Dona, 2013)

The crimes against women under the Indian Penal Code (IPC) can be listed as follows:

- (i) Rape (Sec. 376 IPC)
- (ii) Kidnapping & abduction for specified purposes (Sec. 363 -373 IPC)
- (iii) Homicide for dowry, dowry deaths or their attempts (Sec. 302/304-B IPC)
- (iv) Torture - both mental and physical (Sec. 498-A IPC)
- (v) Assault on women with intent to outrage her modesty (Sec. 354 IPC)
- (vi) Insult to the modesty of women (Sec. 509 IPC)
- (vii) Importation of girl from foreign country (upto 21 years of age) (Sec. 366-B IPC)

The crimes under the special & local laws (SLL): Although all laws are not gender specific, the provisions of law affecting women significantly have been reviewed periodically and amendments carried out to keep pace with the emerging requirements. The gender specific laws for which crime statistics are recorded throughout the country are -

- (i) Immoral Traffic (Prevention) Act, 1956
- (ii) Dowry Prohibition Act, 1961
- (iii) Indecent Representation of Women (Prohibition) Act, 1986
- (iv) Commission of Sati Prevention Act, 1987

The statistics by National Crime Records Bureau reveals that a total of 3,09,546 cases of crime against women (both under various sections of IPC and SLL) were reported in the country during the year 2013 as compared to 2,44,270 in the year 2012, thus showing an increase of 26.7% during the year 2013. (<http://ncrb.gov.in>)

India was dubbed as the fourth most dangerous place for women in the world according to a survey conducted by Thomson Reuters' Trust law Women in 2011. The country was placed after Afghanistan, Democratic Republic of Congo and Pakistan, as cases like female foeticide; infanticide and human trafficking are still prevalent. (<http://in.reuters.com/article/2011>)

The NCRB statistics indicate that an Indian woman is most unsafe in her marital home with 43.6 per cent of all crimes against women being "cruelty" inflicted by her husband and relatives. These numbers do not include incidences of marital rape. An increasing trend in the incidence of rape has been observed during the periods 2009 - 2013. These cases have reported an increase of 3.6% in 2010 over 2009 and an increase of 9.2% in the year 2011 over the year 2010, an increase of 3.0% in the year 2012 over 2011 and further an increase of 35.2% in the year 2013 over 2012. This may also mean that children – boys and girls – in India grow up in a situation where they see violence against women as the norm. (<http://ncrb.gov.in>)

According to the 2011 census the sex ratio between men and women indicates 940 women to a 1000 men which is a definite improvement over the 2001 census where the ratio was 933:1000. However, India still has one of the lowest sex ratios on the world with approximately 35 million women "missing". The highest number of missing women at birth is in the north-western states of Punjab, Rajasthan and Haryana, etc. Research indicates that 12 per cent of this gap is found at birth which increased to 25 per cent in childhood. (Anderson and Ray, 2012)

Some of the widely regarded key explanations for this missing number are sex-selective abortion and possible neglect of young girls during infancy indicating a high preference for male children rather than female children. (Anderson and Ray, 2012)

This preference for boys is also evident in the gender gap in the literacy rate in the 2011 census which shows that 82 per cent of males and 65 per cent of females are literate. The difference of 17 per cent indicates that many Indian parents still believe that educating the sons takes precedence over daughters while allocating family resources. Nevertheless, it is considerable improvement over previous census data where the gap was 27 per cent (1981), 25 per cent (1991), and 22 per cent (2001).

The distribution pattern of crimes against women has not changed much in the last few years, but between 2001 and 2011 the overall number of incidents of crime against women rose steadily, and was 59 per cent higher than in 2001.

Rape and violence against women are among the most under-reported crimes worldwide because of the social stigma attached to the nature of the crime. The UN Office on Drugs and Crimes records that in 2010 there were only 1.8 cases of rape reported per thousand people in India; in Germany it was 9.4, in Norway the figure was 19.2, in the United States it was 27.3 and in Sweden it was 63.5 per thousand. It is legitimate to question whether these figures represent the number of crimes, or how easy it is for women in these countries to report them to the police. ([www.unodc.org](http://www.unodc.org))

In India, where the culprits are largely known to the victim, the social and economic "costs" of reporting such crimes are high. General economic dependence on their families and fear of social ostracization act as significant disincentives for a woman to report any kind of sexual violence or abuse. Therefore the actual incidence of violence against women in India is probably much higher than the data suggests.

Another barrier to reporting is the unwillingness of police officials to register complaints. If the case is lodged, sub-standard investigative procedures and low conviction rates strengthen the impression that there is little benefit in reporting the crime. Moreover, most police in India function within the framework of the Police Act of 1861 which emphasizes enforcing order rather than upholding rights. Therefore, if a police station registers many crimes within its jurisdiction, it is considered to be incapable of enforcing law and order. This perception is a severe disincentive for a police officer to record a crime in his jurisdiction, especially if the crime is seen as "less important". (Dona et al. 2013)

The presence of more women police officers might help in dealing with the problems most women encounter in reporting cases of rape, violence or harassment. Unfortunately only around 1.05 lakh women are part of the country's police force out of 22.83 lakh personnel, said the report "Rough Roads to Equality - Women Police in South Asia". The report is the outcome of a study conducted by the Commonwealth Human Rights Initiative (CHRI). Other South Asian Countries in the study were Bangladesh, Maldives and Pakistan. In India, Kerala, Haryana, Meghalaya, Rajasthan and Jharkhand were the focus of the study. (Sharma, 2015)

Nevertheless the one positive note is that the NCRB noted that 72.2 per cent of the total registered cases of crimes against women in 2010 were investigated by 2011, making for a strong argument that if a case is registered by the police it is likely to be investigated and disposed of.

On 23 December 2011 the Indian Government set up the Justice Verma Committee to propose amendments to criminal law dealing with sexual offences. A month later, Justice Verma submitted its report recommending wider inclusion to the definition of rape, changes to the medico-legal examination procedures of the rape victim and the prosecution of members of armed forces/uniformed personnel under ordinary criminal law in the case of rape.

In response the Parliament passed the Criminal Law (Amendment) Act 2013 which provides for amendment of the Indian Penal Code, Indian Evidence Act and the Code of Criminal Procedure. It also enacted the Sexual Harassment of Women at Workplace (Prohibition, Prevention and Redressal) Act 2013, 16 years after the Supreme Court directed the Indian Government to provide legal framework to deal with the issue of sexual harassment.

Some of the positive measures in these amendments included recognizing acid attacks, sexual harassment, voyeurism, stalking and trafficking of persons as criminal acts under the amendments to the Indian Penal Code, 1860. Five exclusive fast track courts were set up to deal with cases of sexual violence against women. Additionally a women's distress helpline number, 1091 was launched in various Indian cities.

The incorporation of the recommendations of Justice Verma Committee into the criminal law amendments is insufficient to change the fundamentals that drive anti-women discrimination. Stories of harassment, the rape of women – including of children as young as five or six years of age – and governmental incompetence or apathy continue to make their way into the front pages of Indian newspapers on a regular basis. (Dona 2013). The Birbhaum Panchayat (West Bengal) decision of raping a girl by the community in the presence of the entire community is one of the most shameful incidents in so called civilized society.

The NCRB report covers data for the stages through which a crime can pass, from being reported to conviction. The stages and the NCRB data for rape cases in 2012 can be seen as follows:

- Crime reported - No data available for Rape reports
- First Information Report (FIR) filed by police - FIRs filed for rape rose by 2.9 per cent in 2012
- Investigation completed - Police officially document the crime (charge sheeting) - 95 per cent of cases investigated were 'charge-sheeted'
- Police prepare a report to establish the case (known as charge sheeting)
- Trial - Fewer than 15 per cent of rape cases came to trial in 2012

The charge-sheet rate is based on the total number of cases for which investigation is completed by the police, which in 2012 was 63.9 per cent. And, for a crime to be investigated it first needs to be registered. According to Ranjana Das in Oxfam India's intervention state of Andhra Pradesh rates are high across all crime and there have been accusations of attempts to suppress reporting of rapes due to the intense investigation required. Women's groups in the state also suspect that political parties are pressuring police to under-report cases of violence against women and girls. It is clear that we need a reporting system that compares the number of cases coming to the police against the number being registered. When reporting is suppressed in this way, the situation remains the same or even worse. (Das, 2013)

The NCRB report revealed that close relatives or acquaintances of the victims are accused in 98 per cent of India's rape cases, as opposed to the traditional belief that most rape occurs when a stranger attacks a woman unknown to him. It is these assaults by people known to the victim that can be the hardest to report.

The rise in reporting of crimes against women is welcome but we still need a long way to go to improve the criminal justice system. The conviction rate is poor, hovering between a meagre 15 to 30 per cent and there is an alarmingly high number of cases awaiting trial: 77 to 87 per cent. Unless

the criminal justice system is made more effective and accountable, both at the crime investigation and trial level, women will continue to be let down.

## **Community Policing**

It is true that there is no dearth of laws to provide safety for women. However there is lack of awareness. Moreover the emphasis on preventive measures towards crime against women seems to be inappropriate. This is a critical factor in women safety.

One of the preventive measures in curtailing crime against women and enhancing women safety is increased role to community with the assistance from sensitive policing. This is the concept of community policing.

Community policing is an approach in which there is collaboration of the police, community residence and other stakeholders in the implementation of the strategies to prevent crime. This is a philosophy that has been gaining a lot of popularity in the law enforcement circles. Since the mid 1980s, the notion of 'crime reduction through community partnership' has continued to grow in popularity. At a time when traditional policing activities failed to deliver tangible reductions in local crime rates, this significant shift in the traditional policing paradigm led to the increased use of community policing which has emerged as an important policing strategy with significant role to community.

Community policing programs not only build strategic community partnerships that result in trust and respect, but also create institutions for better communication between community leaders and the police.

Community policing is an approach in which there is collaboration of the police, community residence and other stakeholders in the implementation of the strategies to prevent crime. This is a philosophy that has been gaining a lot of popularity in the law enforcement circles. Since the mid 1980s, the notion of 'crime reduction through community partnership' has continued to grow in popularity. At a time when traditional policing activities failed to deliver tangible reductions in local crime rates, this significant shift in the traditional policing paradigm led to the increased use of community policing which has emerged as an important policing strategy. Nicholl (2000) defined community policing as a "policing philosophy designed to reduce crime and disorder in communities by fostering trust, respect, and collaboration between police officers and citizens." However, 'community policing' is a very broad term often used to describe many aspects of the process by which the police engage with the community in the prevention of crime. At its core is the recognition that by working with the community, law enforcement agencies can find local solutions to local problems. Engaging the community in crime reduction and prevention allows a more targeted approach to local priorities by empowering the community to identify and respond to local concerns. The benefits can be widespread, from improved police-citizen relations to decreases in the fear of crime.

Community policing is thought to have gained momentum for a variety of reasons, including the general community dissatisfaction with traditional law enforcement practices and the demand for greater police accountability. Community policing recognizes that community members can work together with law enforcement agencies and play an active role in reducing local crime (Segrave and Ratcliffe, 2004). The accomplishment of community policing, in terms of successful implementation and crime reduction, largely depends on the active participation of community members. Police and members of community come together, take collective decisions, and solve the problems of crime

and disorder through collective actions. This requires the existence of shared norms, network based trust, and participation. Sami Ansari and Christopher Bruell believe that community policing is not just about police departments implanting new programs and getting out of their cars, but, perhaps more importantly, involves communities taking the initiative to come forward and work with the police. It is also believed that community policing, as an institutional mechanism, can work toward developing shared norms of safety and networks of trust and participation in communities. (Ansari, and Bruell, 2009).

As discussed by Nicholl (2000), community policing programs teach residents to become valued resources for the police department by developing an understanding regarding what crime really means for their areas. More specifically, “Problem identification is not merely an outcome of collaboration; the process is critical to building a sense of joint responsibility and ownership between the police, the community, and other agencies” (Nicholl, 1999, p. 28). Community policing establishes guidelines that clearly articulate residents’ roles to maximize their ability to be the eyes and ears of the department while minimizing their personal risk (Husted, 2007 interview).

Advocates for community policing have highlighted many reasons why community policing is beneficial to society. These arguments were broken down into three areas by Segrave and Ratcliffe (2004):

#### *Community-specific advantages*

- Mobilization and empowerment of communities to identify and respond to concerns
- Improved local physical and social environment
- Increase in positive attitudes towards police
- Reduced fear of crime.

#### *Police-specific benefits*

- Improved police–community relationship
- Improved community perception of police ‘legitimacy’
- An increase in officer satisfaction with their work.

#### *Shared benefits*

- A decreased potential for police–citizen conflict
- A reduction in crime rates
- A better flow of information between the police and community
- Better implementation of crime prevention and crime control activities, as a result of both parties working towards shared goals (Segrave and Ratcliffe 2004, pp. 5-6).

Experience suggests that when communities play a key role in defining their own security and safety needs and are involved in planning, implementing and monitoring locally- defined solutions to their problems, community safety and security improves considerably.

UN Entity for Gender Equality and Empowerment of Women opines that potential partners for community-based policing for women safety and to fight the violence against women apart from police department might include:

Government agencies e.g. local authorities, prosecutors, probation and parole officers, public works departments, neighboring law enforcement agencies, health and social services, child support services, and schools.

Community members/groups e.g. individuals who live, work, or otherwise have an interest in addressing violence against women in the community—volunteers, activists, formal and informal community leaders – who are a valuable resource for identifying community concerns.

Traditional and community leaders, who are often called to intervene in cases of domestic violence, sexual abuse and child abuse.

Non-governmental/ community-based service providers, who are core partners in the referral system and provide key support to survivors or women at risk of violence e.g. shelters, women's organizations, advocacy organizations, survivor support groups, service clubs, community development organizations, faith-based groups or associations.

Private businesses, who have a stake in the health of the community and can contribute financial and other resources.

Local media, who can assist with publicizing the issue in the community and possible solutions, promote services from government or community agencies or new laws or codes that will be enforced. In addition, the media can have a significant impact on public perceptions of the police, domestic violence and security issues for women in the community. (<http://www.endvawnow.org>)

## **Women Safety and Community Policing**

Community policing is being used for ensuring women safety. Even if community policing for women safety has not become very prominent both at national and international levels, some scattered experiments and implementation definitely encourage its implementation at much broader level.

Tara Denham underlines the key priorities to ensure community-based policing improves prevention and response to violence against women include (Denham, 2008)

Integrate gender and violence against women issues across police operations locally at the earliest stages of police reform and in line with measures taken at the national level, including by:

Establishing specific units to deal with violence against women or child protection issues at the community level. For example, in the United Kingdom, every police force has a Community Safety Unit to deal with domestic violence; Child Abuse Investigation Units for cases of physical or sexual violence against minors; and Sapphire Units for sexual offences. Officers are specifically selected and trained for this work, with units based in designated buildings (separate from police facilities) to help survivors feel safe.

Placing plain-clothed officers within communities, who may be more approachable and reduce attention to women and girls who may seek support or assistance from police.

Give specific training to police to improve their capacity to implement community policing. In addition to basic training related to gender-based violence and survivor-centred responses, topics should include community policing concepts, address attitudes and myths related to survivors (key to improving effective victim identification and engagement), and specifically develop personnel skills in communication, collaborative problem-solving and cooperation.

Promote linkages between community police, women's organizations and community groups advocating or providing services to survivors (e.g. joint training/ patrolling, coordinated referral services). For example, engaging groups in conducting community safety audits can increase police awareness of women's security concerns and improving women's sense of security.

Hold regular meetings between the police and community groups in convenient and safe locations to encourage participation of all community members, especially women. Such consultations should be organized with women's advocates and should consider the location (e.g. community centers rather than police stations); time (hours where women can freely move and have fewer competing responsibilities); and format of meetings (small groups versus large public forums, presence of female personnel) to ensure women's security and maximize their participation.

Establish internal systems within the police that encourage and reward innovative practice with respect to violence prevention and response (e.g. performance-related pay, service awards, police officer of the month).

Establish local civilian oversight and coordination mechanisms to enable community groups to monitor police practices and responses to gender-based violence (e.g. community-police forums or committees and review boards).

## **Women safety and community policing initiatives**

In Bujumbura (Burundi), a community-based policing force has been operationalized in response to the identified security gap at individual and community levels, especially in rural areas, with support from several donors, including the UN Peace building Fund, Belgium and France. To better understand the security needs of women and determine if these were being adequately addressed through wider security sector reforms, the NGO International Alert conducted a survey with women in 2008. The women interviewed revealed that they placed more weight on their personal and household security over public security, and unless those issues were incorporated into police reforms, it would be unlikely that women would feel improvements in their safety.

As part of the reform process, community discussions on police reform and community policing consistently noted gender-based violence as a concern. Police officers explained their need to have information required to intervene in cases of domestic violence and encouraged women in Bujumbura to come forward about sexual violence generally. The programme design engaged representatives from 30 women's organizations in meetings with personnel administering the Peace building Fund project on developing a community-based policing approach in Burundi, which contributed to several specific recommendations for the initiative:

Ensure that police training curriculum incorporates modules on violence against women;

Ensure that there are periodic meetings between the police and local communities where women are able to participate effectively and voice their security concerns;

Provide sex-disaggregated data on the number of participants in trainings and sensitization meetings that are planned under all peace building fund projects;

Ensure women's organizations are involved in the implementation of this project, particularly with regards to sensitizing the population on the functions of the new police force and the advantages of their new functions and uniforms; (<http://www.endvawnow.org>)

In order to mobilize public support and involve active public participation in prevention and detection of crime and maintenance of law and order, a Community Policing Scheme was introduced in Himachal Pradesh in November 2000. Women cells have been established in all districts of H.P., which are manned by lady investigating officers so that victims of woman related crimes can express themselves freely without hesitation to the women officers as compared to their male counterparts.

The New Delhi Police initiated the Parivartan - a programme for the safety of women and children programme in 2005, in which women police officers conduct community awareness and sensitization activities against rape and domestic violence in densely-populated, low-income areas of the capital. The main objective and all activities of the programme are targeted towards reducing the growth rate of crimes against women and children by 25 percent annually. The initiative started in the North-West district, where the incidence of violence against women was highest among the 9 districts of New Delhi. For example, in 2005, 29 per cent of the total rape cases were reported from North West district. The initiative has since spread to the North and Outer districts of the city. It was designed by the New Delhi Police, in collaboration with civil society, including academics, human rights activists and non-governmental organizations.

Special features of the programme include: pantomimes for sensitization of communities on issues of drug abuse, domestic violence and sexual assault organized by the non-governmental organization Jagran; door-to-door awareness campaigns, distribution of safety literature and self-defence programmes for women and girls by female officers; formation of women safety committees; awareness workshops and lectures in educational institutes by the non-governmental organization Swanchetan and sensitization of male police personnel. ([www.delhipolice.nic.in](http://www.delhipolice.nic.in))

UN Entity for Gender Equality and empowerment of Women has recommended several Targeted operational measures for women safety (<http://www.endvawnow.org>)

In settings where infrastructure is weak and resources are limited, providing security and protection to women and girls at a local level is a main challenge. Communities may be located a significant distance away from the nearest police station with limited or no means of communication or transport, which limits the ability of police to implement preventive measures, provide protection for women and girls at risk and respond rapidly to incidents of violence. Additional challenges related to fear of stigmatization or retaliation in response to reporting abuse, lack of trust with police, are among other barriers preventing women from receiving adequate security in various urban and rural settings.

Alongside long-term efforts to strengthen police presence and capacity within communities, there are a number of approaches that can be taken by the police and other uniformed personnel or local security groups, where relevant, to improve security provision, protection and prevention for women and girls, whether in resource-constrained stable contexts, conflict-affected or humanitarian settings. Community can also be trained to introduce community policing. Targeted measures to improve women's security include:

Conduct specific patrols to provide preventative physical protection in places and at times where women and girls are at risk. Mobility/speed of patrols is critical for a rapid response to sexual assault and can also have a deterrent effect. Patrols are well-received when they are close enough on the ground to discern potential threats, but not so close as to impede women's normal routines, and when communities have been given advance notice as well as on the day of patrols.

In addition to helping prevent violence against women, these patrols can help improve trade and contribute to economic development. Rehabilitating transportation permits women to travel with children, rather than leaving them unattended. Night patrols keeps potential perpetrators of crimes at bay. A visible presence can also provide congregation point for at-risk civilians. Night patrols can also include the use of headlights, flares and illumination mortars to increase visibility in at-risk zones.

Communities and civilian-based alarm, warning systems or hotlines to alert the police as rapidly as possible to incidents or potential risks (e.g. rebel groups in the area, increased harassment reported by women).

Joint police-civilian patrols or sharing of patrol responsibilities depending on the time of day or week, which can enhance community confidence. It may be particularly important for women police officers or local women to accompany such patrols to make them less intimidating.

According to a report published in Times of India, the women police officers in Allahabad in state of Uttar Pradesh as part of community policing initiative would visit girl's schools and colleges to apprise them about their legal rights, its proper usage as well as self defence skills. Gram Pradhans, watchmen, basic women health workers, aanganwari volunteers and shiksha mitra are also included for community policing. (Dixit, 2013)

Criminal Law (amendment) Ordinance 2013 has been implemented. With these amendments in place, the fairer sex gets the right of self-defence in case of an acid attack and police officials would also be punished if they fail to lodge complaints / FIRs related to crime against women. Secondly, they also provide for stringent punishment for crimes against women such as acid attacks, stalking, voyeurism and sexual harassment, assault to disorder, rape and causing death or vegetative state, and human trafficking. The punishments range from life term to death penalty for repeated offenders.

More importantly, a woman police official would register and probe the cases and free treatment would be provided in case of acid attack in both government and private hospitals.

Over 23,000 cases of crime against women were registered in UP alone in 2012, as per the NCRB.

The Hyderabad police launched Hawk Eye, the mobile app in January, 2015 for safety of women. If women travelling in a cab or auto in city police limits is faced any trouble with cab driver, she can send SOS to the police from her mobile phone. Hawk Eye has several features such as woman's safety while on travel, SOS button for accessing help in emergencies, citizen police to report, traffic violations, happening crimes, criminal information, crime against woman, violations by police, suggestions for improved policing and report good work done by police, register details of servant/worker/tenant with police, enrolment for community policing, access to all contact numbers of city police at one place and status report on information furnished.

## **Conclusion**

It has to be understood with precision that efforts by law and order institutions and policy making agencies is not suffice to provide a safe environment for women. There is a greater need for active role of community and liaison with the police institutions. There is thus need to explore further community policing model for enhancing safety for women. Enhancing safety for women is vital for women empowerment and vice-versa thus facilitating greater contribution by women in nation building.

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