

Status of Policing in India Report 2025: Police Torture and (Un)Accountability

Summary of Findings

The SPIR 2025 explores the nature, causes and factors that contribute to the perpetuation of police violence and torture in India. This report seeks to understand the police's attitudes towards torture and the normalisation of its use. The report also includes the perspectives and experiences of other accountability actors, namely doctors, lawyers, and judges. It is the first such study, to employ mixed methodological tools such as surveys of police personnel, interviews, and data analysis.

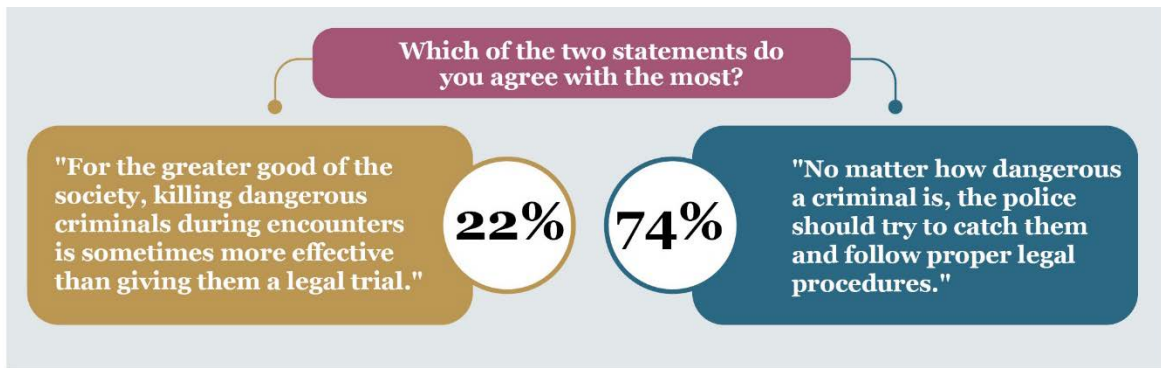
Common Cause, in collaboration with the Lokniti Programme of CSDS, surveyed 8,276 police personnel of various ranks, at 82 locations such as police stations, police lines, and courts, across 17 states and UTs. Responses were gathered from urban and rural areas, state capitals, district headquarters, and other small, medium and big towns. The respondents cover the ranks of constables (Constables and Head Constables), upper subordinates (from the ranks of Assistant Sub-Inspector to Deputy Superintendent of the Police), and IPS officers. The study also includes in-depth interviews with doctors, lawyers, and judges whose jobs involve interacting with the police and people in custody.

The findings of this study indicate that a significant proportion of police personnel justify the use of torture and violence in the course of their duties, and also believe that they should be allowed to use force without any fear of punishment.

Some of the key findings of the SPIR 2025 are presented below.

Disregard for the Rule of Law

- Twenty percent of the police personnel feel that it is “very important” for the police to use tough methods to create fear amongst the public, and another 35 percent think it’s “somewhat important”.
- One in four police personnel strongly justify mob violence in cases of sexual harassment (27%) and child lifting/kidnapping (25%). This suggests that about a fourth of India’s police personnel support the idea of the mobs acting as the judge, jury and executioner in matters they consider grave. Across various categories of crime, constabulary and IPS officers are the most likely to justify mob violence, and upper subordinate officers are the least likely to do so. Police personnel from Gujarat showed the highest support, while those from Kerala showed the least support for mob violence.
- Twenty-two percent police personnel believe that killing ‘dangerous criminals’ is better than giving them a legal trial. More experienced and upper subordinate officers are relatively less likely to agree with the statement.



Note: All figures are in percentages. Rest did not respond.

Question asked: I will read out two statements, please tell me which statement you agree with the most?

Statement 1: "For the greater good of the society, killing dangerous criminals during encounters is sometimes more effective than giving them a legal trial."

Statement 2: "No matter how dangerous a criminal is, the police should try to catch them and follow proper legal procedures."

- Police personnel overwhelmingly believe that in order to properly fulfil their responsibilities, police should be allowed to use force without any fear of punishment— 26 percent strongly agree and 45 percent somewhat agree.

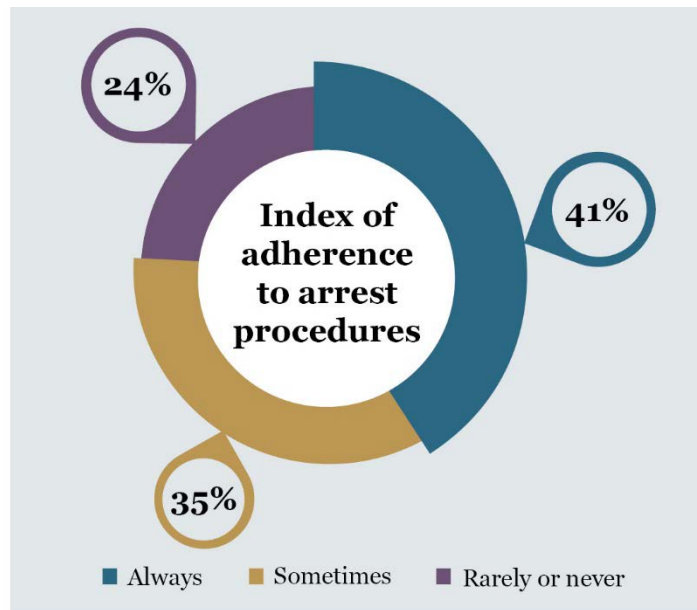


Note: All figures are in percentages. Rest did not respond.

Question asked: “To properly fulfil their responsibilities, police should be allowed to use force without any fear of punishment.” Do you agree or disagree?

Poor Compliance with Arrest Procedures

- Overall, 41 percent police personnel said that arrest procedures are “always” adhered to, while 24 percent said that they are “rarely or never” adhered to. Kerala reported the highest compliance (94% said “always”), while Jharkhand reported the poorest compliance (8% said “always”). IPS officers (33%) are the least likely to say that these procedures are always complied with, while upper subordinates (49%) are the most likely to say so.

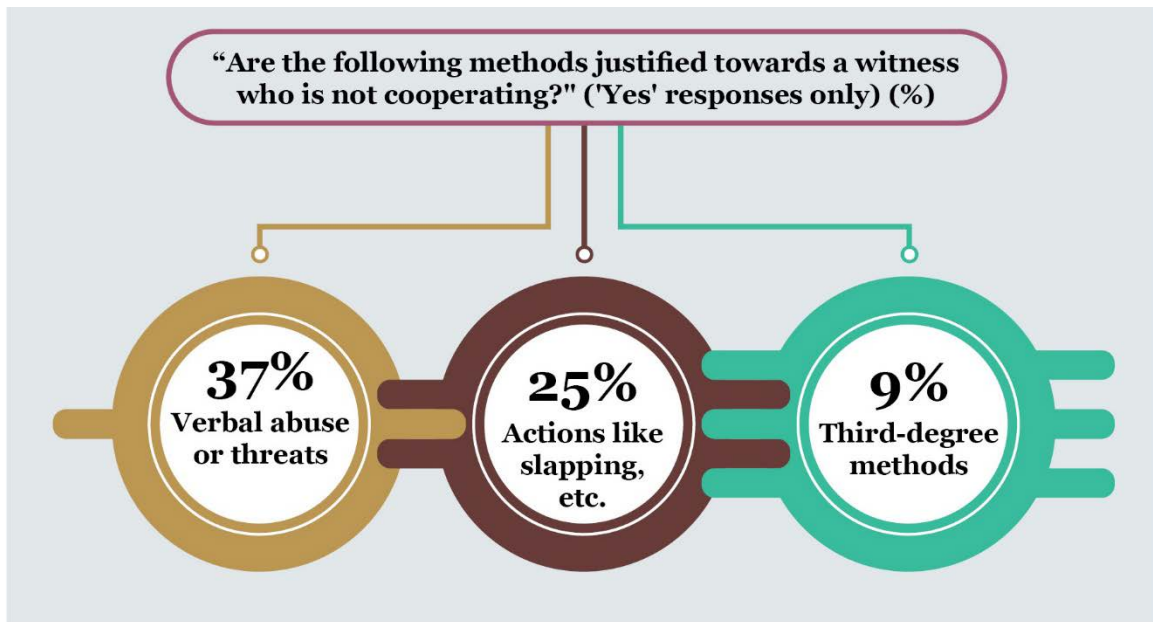


Note: All figures are in percentages. The categories of "rarely" and "never" were merged while creating the index. Please refer to Appendix 5 to see how the index was created.

- Anyone arrested for a bailable offence has a legal right to be released on bail and not kept in custody. Only 62 percent of police respondents said that the arrested person is "always" released on bail immediately at the police station in bailable offences, while 19 percent said they are "sometimes" immediately released.
- Just a little over half the respondents (56%) said that it is "always" feasible/practical for the police to produce a person before a magistrate within 24 hours of arrest. Eleven percent said that it is rarely or never feasible. IPS officers (39%) were the least likely to agree that it is "always" feasible/practical to do so, while upper subordinate ranks were the most likely to agree (61%).

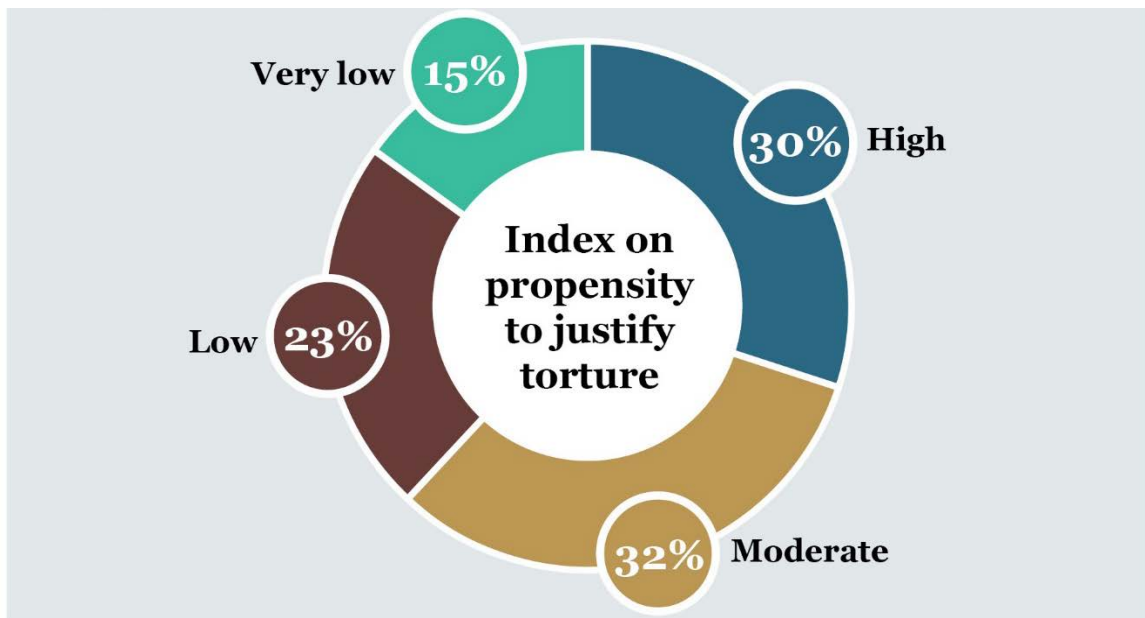
Justification of Torture

- Thirty percent of police personnel said that 'third-degree methods' are justified towards the accused in serious criminal cases. Nine percent said they are justified in petty offences. IPS officers and those respondents who often conduct interrogations are the most likely to justify the use of third-degree methods.
- Eleven percent of the police personnel feel that hitting/slapping family members of the accused is absolutely justified, and 30 percent said that it is sometimes justified.
- A quarter of the respondents (25%) justify slapping "uncooperative" witnesses, while nine percent justify the use of third-degree methods against them.



Note: All figures are in percentages. The rest either said that the above methods were not justified or did not respond.
Question asked: We often hear that the police use various tactics to solve criminal cases, such as verbal abuse, threats, physical force such as slapping, etc. or third-degree methods. In your opinion, are these practices justified towards a witness who is not cooperating?

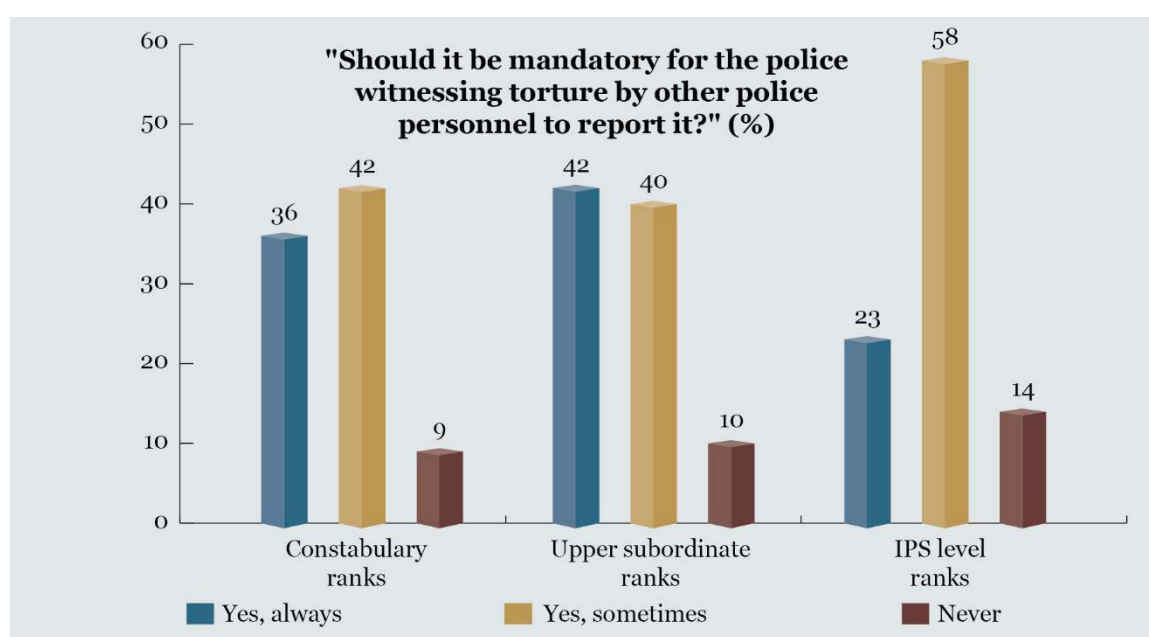
- Thirty percent of police personnel have a high propensity to justify torture, and another 32 percent have a moderate propensity to justify it. IPS officers are the most likely to have a high propensity to justify torture (34%), as are police officers who often conduct interrogations (37%). One out of two police personnel from Jharkhand (50%) and Gujarat (49%) have a high propensity to justify torture, while those from Kerala (1%) are the least likely to justify it.



Note: All figures are in percentages. Please refer to Appendix 5 to see how the index was created.

Training and Accountability

- An overwhelming majority of police personnel believe that training on human rights (79%), prevention of torture (71%) and evidence-based interrogation techniques (79%) is very important. Among the respondents with a high propensity to justify torture, 70 percent feel that training on prevention of torture is very important.
- Police overwhelmingly believe that they should be allowed to arrest and detain suspects without court investigation – 28 percent “strongly agree” and 41 percent “somewhat agree”. Those who often conduct arrests are the most likely to hold this opinion.
- Upper subordinate rank personnel (42%) are most likely to say that it should always be mandatory for a police official witnessing custodial torture to report it, followed by constabulary rank personnel (36%), while IPS officers (23%) are the least likely to agree that it should be mandatory.



Note: All figures are in percentages. Rest did not respond.

Question asked: Most often, custodial torture is witnessed by other police officers. In your opinion, should it be mandatory for police witnesses to report this type of violence?

Safeguards Against Torture: Perspectives of Lawyers, Judges, and Doctors

- Interviewees said that the victims of torture are mainly people from poor and marginalised communities. A lawyer described it as “all the faceless and voiceless” are targeted. The following groups as common targets of torture: Muslims, Dalits, Adivasis, people who cannot read and write, and slum dwellers.
- Ten interviewees said they find it is “very rare” to see magistrates interacting with arrested persons. A lawyer described magistrates as “silent spectators” who “do not record anything or ask [arrested persons] where and when they were arrested”.
- Doctors pointed out that medical examinations of arrested persons are often done by doctors without expertise in forensic medicine, who are less able to recognise signs of torture. Examinations are conducted by whichever doctor is available, even if they are an “eye specialist or anaesthesiologist”. Another pointed out that there are no forensic doctors in district and *taluk* hospitals.

- There was consensus among lawyers and judges that confessions to police should never be made admissible. A retired judicial magistrate said that it would be “very dangerous to the life of accused persons”.

Trends from Official Data

- There are discrepancies in the reporting of custodial deaths cases across various data sources. For instance, in the year 2020, the National Crime Records Bureau (NCRB) reports 76 cases, the National Human Rights Commission (NHRC) reports 90 cases, while the National Campaign Against Torture (NCAT), a civil society initiative, documents 111 cases of custodial deaths in the same year.
- A majority of the deaths in police custody occur within 24 hours of arrest. In 2022, as high as 55 percent of the deaths in police custody reported by NCRB were of persons not on remand, i.e., those in police custody in the first 24 hours of arrest. In Gujarat, 96 percent of the deaths in police custody that took place between 2018-22 were within 24 hours of arrest.
- In 2022, judicial inquiries, which are mandatory in all cases of custodial deaths, were ordered in only 35 percent of the cases.
- Between 2018-22, cases were registered against police personnel in just 10 percent of the reported deaths in police custody. Of the cases registered, chargesheets were filed in just 12 percent cases. There were zero convictions for deaths in police custody during this period.

Access the full report here:

https://www.commoncause.in/wotadmin/upload/SPIR_2025.pdf



For queries/feedback, please mail at commoncauseindia@gmail.com