**POSITION PAPER**

**Committee: AIPPM**

**Topic: Police Brutality in India and new legal reforms to strengthen the justice system**

**Delegate: Ashok Gehlot**

Police brutality is legally defined as civil rights violation where law enforcement officers exercise undue or excessive force against a subject. This includes bullying, threatening, property damage, physical or verbal harassment, physical or mental injuries. But, in a diversified country like India, which comprises a population of 135 crores, cases of police brutality are many in numbers. It’s not at all acceptable as the law enforcers of the country are only breaking the laws by harming the citizens. Although our judicial system has progressed a lot from the past few years, but there is a lot of corruption and lack of opportunities which makes the performance of our judicial system deteriorating. This is one of the major causes that why our justice system is not efficient in solving cases, and as the cases remain unsolved, so they basically get piled up and hence affects the law sector.

A total of 1,731 people died in custody in India in 2019. Around 93 persons died to alleged torture or foul play. Specially the policemen of states like Maharashtra, Uttar Pradesh and Bihar are mostly involved in corruption or they break laws, like they are bribed, they arrest innocent persons instead of those who really committed any sort of crime, they harass or sexually assault the women, etc. So, these are all the atrocious works which are practised by many policemen. All these works actually take the reputation down of our country’s judicial system. This also creates a mindset of people that our country’s judicial system is not that much efficient so maximum of them don’t want to file any case.

So, now we all need some new laws and some strict changes in our judicial system and police departments as well. While researching about this topic, I came to know about the actions taken by different countries to combat the police brutality. They are as follows: -

* Austria has legislation which criminalizes hate speech against anyone's race, religion, nationality or ethnicity. Laws like this discourage discrimination, help with altering public perceptions of different ethnic and cultural groups, and subsequently reduce the number of racially motivated incidents of police brutality.
* The Republic of Ireland's police force is called the [Garda Síochána](https://en.wikipedia.org/wiki/Garda_S%C3%ADoch%C3%A1na) (Garda) and employs around 14,500 staff. Ireland's criminal laws allow "reasonable force" to be used by the police with regard to all the circumstances, which eludes to officers actions being proportionate in the circumstances. Excessive use of force is unlawful, though section 76(7) of the Criminal Justice and Immigration Act 2008 allows the following considerations when deciding on what force is reasonable.

So these are all the rules of other countries through which we can take some ideas for improving our policing and judicial system.