



Anonymous written Complaints to the Police: An Indian Perspective Decoded and Expanded

Meenal Makhija, S. S. Nathwat and Shivratna Vaya

Amity Institute of Behavior and Allied Sciences, Amity University, Jaipur Rajasthan, Head Amity Centre for Positivity, Amity University, Jaipur Rajasthan, and Institute of Research and Development, Raksha Shakti University, Ahmedabad.

Author Note

Meenal Makhija, Amity Institute of Behavior and Allied Sciences, Amity University, Jaipur, Rajasthan.

Correspondence regarding this article should be addressed to Meenal Makhija, Amity Institute of Behavior and Allied Sciences, Amity University, Amity Education Valley, Kant Kalwar, NH-11C, Jaipur Delhi Highway, Jaipur, Rajasthan 303007, India

Contact: meenalmakhija@gmail.com

Abstract

Anonymous written Complaints: What are they all about?

Anonymous complaints are received on a massive scale in organizations/institutions/public dealing departments. The present study is an attempt to focus all the attention on Anonymous written complaints received by the police officials in India.

There are prescribed rules in place for addressing anonymous written complaints and gaining a deeper perspective as to why these rules were actually put in place. However, Forensic Psychologists have a different outlook in understanding the possible aim and objective these written anonymous complaints and what they have to offer. The article explores the history of such complaints, the current scenario and the bright future of possibilities in terms of options still available to consider to implement within the current scenario. Psycholinguistics is playing a major role in addressing these issues i.e., forms of statement analysis. This simple act of using the ongoing protocol and merging the same with new dimensions system to find a more fruitful outcome could lead to a major transformation in the judicial system.

Keywords: Anonymous, Forensic Psychologist, Psycholinguistics, Statement Analysis, Judicial System

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Some people have something to share with others or the world at large for one time but do not want to have any future associations made to them with the information provided to the mass. This is when Anonymous writing comes into the picture. Such, anonymous writings are received in large numbers by some occupational sectors while others are barely even acquainted with the same. Some of the sectors we are talking about are any government organizations, media industry, corporates, and so on. Why them? The government organizations are targeted for lawful action, media for their influence on the majority of the population and a huge coverage of their information and corporates for internal politics and rivalry. This runs us down to the conclusion that basically it is in the control of the writer who has an objective and expectation to achieve the same.

Current Procedures and Rules in implementation

Anonymous complaints has a vital role especially the ones written to the police officials as they are intended for lawful action. But, is there a possibility that these letters may be deceitful in nature rather than being genuine. Well, that is a very high probability and every country has found their own respective ways of dealing with information received through these letters. There are rules in place for them to follow surely and the police officials do their best to keep it like that; although, let's not forget that there are exceptions everywhere and that the rules give leeway to such exceptions too.

There are some countries that encourage people to put in anonymous complaints while on the contrary there are other countries who discourage such anonymous complaints. For Example, In Japan they had a record of 10,000 anonymous crime cases filed in the year 2015 after they had step up ways in which people could make anonymous complaints which was in 2009. Israel on the other hand used to entertain anonymous complaints until 2016 when they decided not to investigate upon any further anonymous complaints as most of them were false accusations against officers on duty. In the United States, there are phone lines set up outsourced to a private organization, especially for people to be able to provide the police with anonymous tips about various crimes either witnessed or suspected under certain circumstance. Japan and United States have monetary rewards attached to providing anonymous complaints that are proven to be genuine; but this is only when the case is solved and the person does wish to disclose their identity. Though, most of the countries still promote people to come forward and disclose their identity while promising absolute anonymity towards information provided but they do have procedures in terms of penalties or punishments in place when providing false information against any individual with the intention of revenge.

Relating to what helped different countries narrow down their decision on putting these rules relating to anonymous letters in place first and foremost would be

the experience or track record of enquiries pertaining to anonymity and their outcome. This would lead them to understand whether information provided in this way was more genuine in nature or deceitful. This could still be considered as a secondary factor to creating the law while other basic factors could be taking into consideration facts about it being a developing country or a developed country, the population size in consideration, the literacy ratio of the country, available workforce to execute the law and so on. Like for example, when Israel decided to not entertain any more anonymous complaints in 2016, their count of receiving such anonymous complaints dropped drastically relating to a concern that most sexual crimes against women i.e. letters anonymously written by women reporting crimes had also dropped.

Considering India, the protocol in place by the Central Vigilance Commission for such anonymous complaints in the form of letters, short message service, electronic mail, etc., was first implemented in 1992 (No.321/4/91-AVD.III dt.29.9.92) and was last updated on March 07, 2016 [CVC,File No. 98/DSP/09(Part-2)]. There are a number of improvising circulars that have come into play between these two dates which are in an attempt to gain clarity and improvise on the situation on a timely basis. These rules apply to both anonymous / pseudonymous complaints; although, our focus is on one of them namely anonymous complaints. If why is the question: then pseudonymous letters do run a basic inquiry anyway to authenticate the letter and the writer; whereas, when it comes to anonymous letters his first level of enquiry is also not taken into consideration. Hence, let's try to focus our attention to anonymous complaints.

On June 21, 1999 the CVC circular for anonymous and pseudonymous complaints emphasizes on the need for a sense of accountability both on the side of the complainant and receiver with regards to such complaints. Following this, there was a circular passed that elaborated on how these complaints were means of disgruntled elements acting their way to blackmail honest officials due to which the first CVC circular No.321/4/91-AVD.III dt.29.9.92 was passed which stated how no action should be taken against any such complaints. Although, there were provisions left under the same which required one to go through the inquiry phase. Unfortunately, these disgruntled elements took advantage of such provisions and still got away with what their intentions were in terms of accusing honest officers. Following this record, the CVC decided and passed a circular clarifying that under no circumstance shall any of the anonymous / pseudonymous letters be inquired upon. The CVC came up with two kind of people who would resort to such an act of writing an anonymous / pseudonymous complaint (i) honest person who fear consequences but would like to say the truth (ii) a blackmailer who wants to psychologically pressurize a public servant. Taking into account, they did consider that they may also lose out on valuable information which may increase corruption; hence, they imposed various other rules and provisions wherein officers would get a chance to disclose such inside information to authorities, being rest assured that their identities would be kept in secrecy.

The CVC did consider improving their vigilance over the situation by identifying investigations that continued to take place in organization in spite of the rule being clear with regards to no action against any anonymous and pseudonymous complaints. However, it did consider complaints that could be potentially reliable should be first transferred to the Commission seeking its concurrence through the Chief Vigilance Officer (CVO); following which they then decides if there should be investigation done on the same and reverts the same back to the concerned authority to investigate upon. In 2004, a circular was passed requesting CVO's to close complaints at their level for minor issues and involve the commission only with regards to serious crimes; although, any action and report proceeding done with regards to such complaints were to be forwarded to the commission. Later in the year they introduced 'Complaint Under the Public Interest Disclosure' wherein a complainant was given a guarantee that they identity would not be disclosed but the complainant was required to furnish all their true details. The circulars passed at interval periods clarified procedure such as no investigation on cases older than 5 years, investigation to be done in a span of 3 months, any investigation carried forward with regards to an officer would only be closed at the Commission's level, and structures in terms of IP development put in place to adhere to time span provided for investigation, sanction for prosecution and conveying 'Necessary Action' towards complaints.

The Decoded Version of the Procedures and Rules

After understanding why each of the improvisations were made in the rules and how everything had a reason and importance. The CVC's understanding about two kind of people writing these complaints stands true even today. These two types of people may pertain to a numerous reasons why they want to act in the way they decide to and what is it that is being reported. Introspecting into the CVC's decision to take no actions against such complaints based on most complaints hampering the moral and self-esteem of honest government servants; it is an assumption we make that most of such complaints received in the times of 1992 to 1999 were more from disgruntled officers as compared to the normal population. The CVC did make provisions to not lose out on valuable information being provided through these letters due to which they started the provisions for officers to have a safe environment to talk about their problems; which is applicable even today.

Probably based on this provision to giving officers a secure place to open having worked to the advantage of the CVC; between 2002 and 2014 provisions were added to be able to judge such complaints on basis of their content and carry forward with an enquiry if need be while others could be filed directly. This provision was also clearly based on the seriousness of the crime reported. Following which the provision for taking into consideration these few complaints was cancelled again; no insight with regards to the same is available.

Looking at a larger perspective these rules do justify towards the massive population of India, the ratio of illiteracy that still exists among the population, and

also the manpower needed to be able to process so many complaints. These factors do play an important role in the execution of processing complaints. Let's take into consideration the Police-Population Ratio, All India Average last updated on June 11, 2017 by the South Asia Terrorism Portal which is 138 police officials to per100,000 population while the ideal ratio is supposed to be 220 police officials per 100,000 population. This means our officers are overworked most of time and don't even enjoy their weekly offs, an average Indian Police Officers works anywhere from around 11 to 14 hours a day.

But one of the main issues that still stands our way is not the deceitful complaints that are being ignored in this process but the genuine ones. These complaints have the possibility of being able to cover a vast range of crimes which may be addressed to the police officers from normal citizens of the country. If these issues are addressed a lot of before time preventions could take place rather than the follow up investigations post crime. How is it possible to address these problems keeping in mind all the other obstacles in the way; like we know, every problem has a solution.

Expanded Improvisation. As Forensic Psychologist, we understand the power that lies in the use of Forensic Psycholinguistics in assessing or investigating cases. Forensic Psycholinguistics enables one to implement of a lot techniques; while, one of them being Statement Analysis or Discourse Analysis or Language Analysis. The technique makes use of analyzing content or words that are put together in a statement to gain a deeper understanding of the information being provided and intentions of the conveyer to the message. Does that mean it is possible to decode these letters for genuine or deceitful information and then decide on a follow up action if it's needed?

Surely, that's exactly what has been suggested, to involve experts to examine and screen such complaints scientifically and analyze all anonymous written complaints received and give an opinion at primary level as to which of them needs to be considered first, need, importance and expected outcome so that investigating officers can prioritize their work. This would in turn also reduce the burden on all police officials and give them the scope to focus on other tasks as part of their job.

What all could this technique do for us – separate deceitful content from genuine??Surely yes. It focuses on not only rejecting all the deceitful information that is part of a complaint, but extracting the important and genuine from amongst a midst of false information. Complaints can be true but are surely modified to make them sound more reliable and interesting. The technique could aid in creating a psychological and behavioral profile of the complainant and correlate to any possible pattern followed by the person in terms of making perpetual complaints if any.

This technique is being used by many law enforcement departments worldwide at different stages of formal investigations, surely based on the success ratio achieved in implementation of the same. This is just one aspect of investigation that the article focuses on introducing statement analysis and its advantage but that

surely does not mean that this is the only place of implementation for such a valuable technique to be imposed in the system.

Conclusion. *It is never a question that the rules in place are inappropriate, it is only about how and what can be done to improvise on the same for better functioning and optimum use of time and resources available to the entire judicial system. Since so many attempts to modification have been made by the CVC in terms of processing anonymous and pseudonymous complaints, why not give this one try as well.*

If one was to still think of a larger perspective on the implementation of the same; partially the ratio of such anonymous and pseudonymous complaints could drop; why, simply because the population at large will be more aware of the procedures that follow in terms of such complaints, actions taken and the consequences if they are identified to have written false anonymous complaints. This in turn also leads to officers having more time to focus on the larger picture of their jobs rather than following up on random anonymous complaints to identify if they are genuine or not and then take possible action if found to be genuine or repent on the time and effort spent on realizing that the complaint was deceitful.

This could probably be that one thing everyone in the CVC is looking for in terms of not losing valuable information which could lead to increased level of corruption and crime rate and at the same time discarding the devious information. This could assist the CVC to convey a message to those people or officers who provide fraudulent information by means of just anonymous complaints; that just because of them the honest people or officers shall not be discouraged when providing worthwhile and important information.

In conclusion, though anonymous complaints are not the ideal way of sharing the information, but anonymous written complaints are probably the best ways by which information is shared to the concerned right authorities. Thus anonymous complaints or letters cannot be ignored, if they are subjected to scientific scrutiny and if public are aware of it, it automatically discourages the writer with the fear of being identified. Added advantage is probably one can expect pouring of correct information; hence, taking one step at a time towards improvising on the rules that are already in place; this could surely head towards more room for improvisation in the near future.

Further Readings and Resources

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