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## Summary

Many acts of violence against women are never brought to justice due to underreporting and failures in justice systems. Gender-based police reforms, such as gender quotas in police hiring and women-only police stations, have been enacted in India and other countries in part to address these issues.

Using quantitative and qualitative methods, researchers sought to understand how women fare in accessing justice in India and to what extent gender-based reforms in policing are reaching their goals.

The findings paint a bleak picture of the status quo in India, revealing that women are discriminated against at every stage of the justice system, from when a woman files a crime report to when a perpetrator is tried in court.

Unlike in the United States, women did not prefer reporting crimes or cases of VAW to policewomen over policemen.

In the short- to medium-term, all-women police stations did not increase the chance that a crime is registered, nor increase the likelihood that perpetrators were arrested. Instead, the existence of the stations suddenly lowered the caseload at standard stations by justifying the deflection of gendered crimes, reduced responsibilities for policewomen, and increased travel costs for victims.

The results challenge the assumption that “enclaves” or group-specific institutions will, in and of themselves, facilitate access to justice and show that policewomen can harbor similar biases as policemen about cases involving gender-based violence.

# Separate and Unequal: Evidence on Women’s Access to Justice in India

Findings from quantitative and qualitative research

## Background

Violence against women and girls is a problem of global concern, with 1 in 3 women experiencing physical or sexual violence in their lifetime. In India, violence against women can take many brutal forms, including dowry deaths, honor killings, rape, acid attacks, poisoning, and assisted suicide. Yet acts of violence against women are often never brought to justice due to underreporting and failures in the justice system.

Gender-based police reforms are thought to help address underreporting and discrimination by law enforcement. These reforms include approaches that integrate more women into the police force (e.g., gender quotas in police hiring), those that aim to create enclaves or safe spaces for women by separating them from men (e.g., women-only police stations), and those that fall along the middle of separation and integration (e.g., women help desks located in police stations). While these reforms come in many forms, what they have in common is that they are all premised on the idea that female officers are more approachable to victims and more likely to file reports of gender-based violence and to carry out better case investigations, leading to better outcomes. Yet existing evidence on these approaches is mixed and appears to be context-specific.

In the state of Haryana, India, researchers conducted several quantitative and qualitative evaluations to shed light on key policy questions related to women’s access to justice in India, namely:

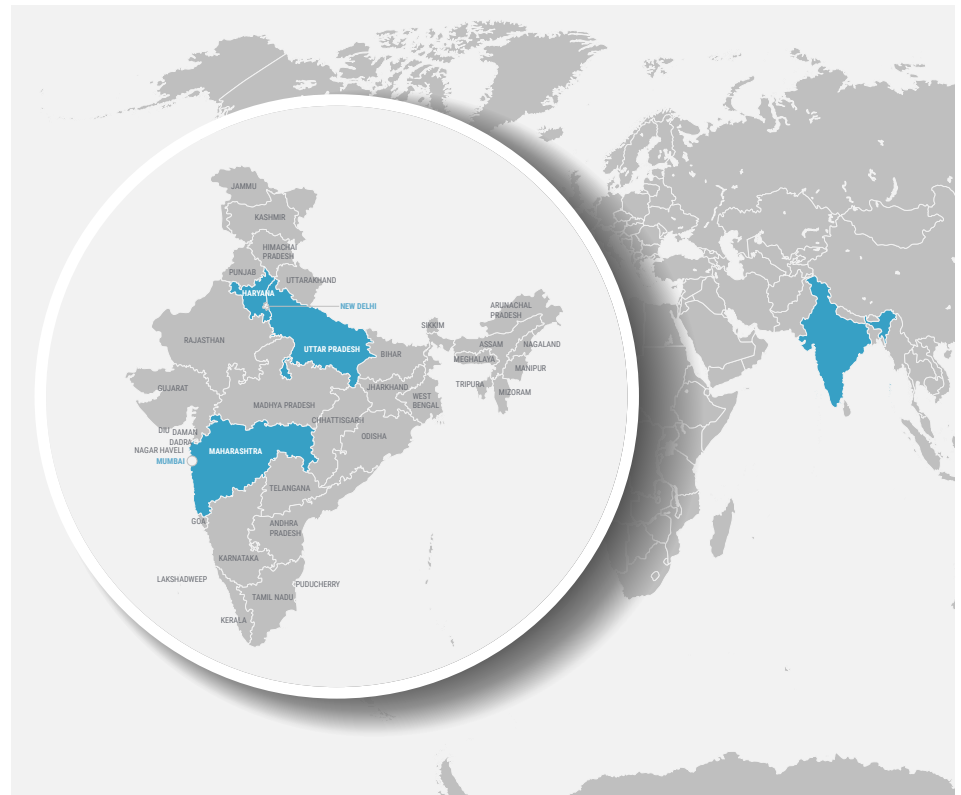
- **How well are women able to access justice compared to men?** At what stages do women experience discrimination? Are women disadvantaged, and are cases of VAW taken less seriously?
- **What are citizens’ attitudes toward policewomen?** Do women favor policewomen when they have a case of VAW to report?

- **What is the impact of women-only police stations on women's access to justice?** Do case registrations increase, including for gender-based violence, when women have access to a women-only police station? Do women-only police stations empower female officers within the force?

## The Context

This research takes place primarily in the Indian state of Haryana, but also others including Uttar Pradesh and Maharashtra. In these areas, women often have limited support from lawyers, and cases of gender-based violence can be viewed as a threat to marriage and male dominance or a strain on criminal justice resources.

India has worked to increase the number of women in law enforcement through quotas and by establishing all-women police stations. All-women stations are supposed to focus on tackling crimes like dowry harassment, rape, domestic violence, sexual harassment, and acid attacks. However, women can technically register gender-based crimes at any police station near where the crime occurred.



## The Research

To understand how women fare in accessing justice and to what extent reforms are working, researcher Nirvikar Jassal and co-authors utilized various methods. The research included i) tracking discrimination in the stages of accessing justice from initial registration of a crime with the police all the way to a court conviction, ii) measuring citizens' attitudes toward policewomen versus policemen, iii) evaluating the impact of women-only police stations on access to justice, and iv) conducting ethnographic research at police stations to help understand the findings.

### 1. Tracing discrimination in the police and judiciary

Using new data and innovative techniques, this study created a data set of crime in India based on millions of individual-level case reports. The reports were merged with lower court judicial records with assistance from the [Development Data Lab](#). To understand if any disparate treatment faced by women can be attributed to gender, the researcher used machine learning that matched similar reports between men and women based on what citizens themselves told the police.

## 2. Measuring citizen attitudes towards policewomen vs. policemen, especially in reporting VAW

Researchers used the first nationally representative survey about policing in India, and carried out a “video-based” experiment in the state of Maharashtra. For the experiment, the news corporation New Delhi Television (NDTV) created multiple videos of different types of crime incidents for the researchers in which the investigating officer in the news report was either a male or female officer. These videos were then presented to citizens door-to-door, and they were asked a series of questions about the capabilities of the officers that they had just watched investigating a case. The only distinction between the videos was whether the investigating officer in the news report was a woman or a man.

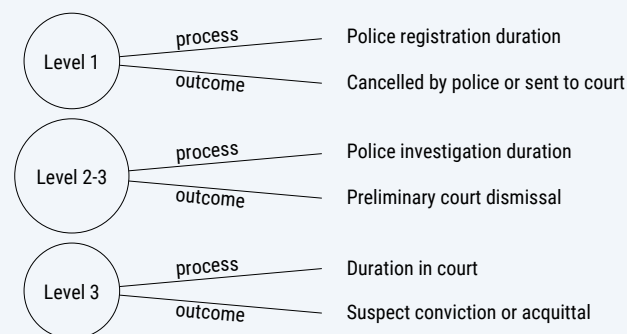
## 3. Evaluating the impact of women-only police stations on access to justice

This study tracked the period before and after all-women police stations were introduced in Haryana to estimate how the stations impacted women’s access to justice. Using data on registered crime, the researcher examined the change in the rate of recorded cases of violence against women before and after the introduction of all-women police stations. The study also measured the proportion of crimes investigated by policewomen as well as generic (non-gendered) cases registered by female victims.

## 4. Understanding the unintended consequences of enclaves

The researcher interviewed approximately 180 police officers at 100 police stations in Haryana and Uttar Pradesh, then supplemented the interviews with observation-based research. The researcher spent four hours in each police station, recording the routines and habits of officers, the dynamics inside the station, and officers’ interactions with victims.

Figure 1: Process and outcome measures of accessing justice



## Results

### Women’s complaints are more likely than men’s to be delayed and canceled at police stations.

Women’s cases have a lag of over a month between crime incident and registration compared to men’s cases. While this may be reflective of hesitancy in coming forward, including for cases of VAW, a large gap persists even for cases of non-VAW (e.g., delays of a week or more for women’s cases compared to men’s cases). Conditional on registration, women’s cases are also roughly 2% more likely to be canceled at the police station.

### Women’s cases are investigated slower by the police, and more likely to be dismissed at a preliminary court hearing.

Compared to a mean of 127 days for an average police investigation, women’s cases take approximately 10 days longer, on average. Conditional on entering court, women’s cases are 1–2% more likely to be dismissed than men’s cases, whether related to VAW or not.

Interestingly, at the police level, police officers are bound by rules to ensure registered cases of VAW transition to court or are investigated quickly. And in fact, VAW cases are investigated roughly two weeks sooner than other crimes. The problems tend to appear when cases are sent to the judiciary; at this stage, where administrators (judges) are bound by fewer constraints compared to police officers, disparities begin to appear more systematically. Indeed, women's cases in district courts are stalled, delayed, and less likely to have a suspect convicted—whether the case is related to VAW or not.

**Cases that women report are less likely to lead to a conviction than comparable cases reported by men (on behalf of a sister or family member).**

Women's lawsuits result in 10–13% fewer convictions than men's cases, whether the case is related to VAW or not. Strikingly, when men register cases of VAW on behalf of female friends or family, the case seems to make its way through the criminal justice system with fewer hurdles and better outcomes.

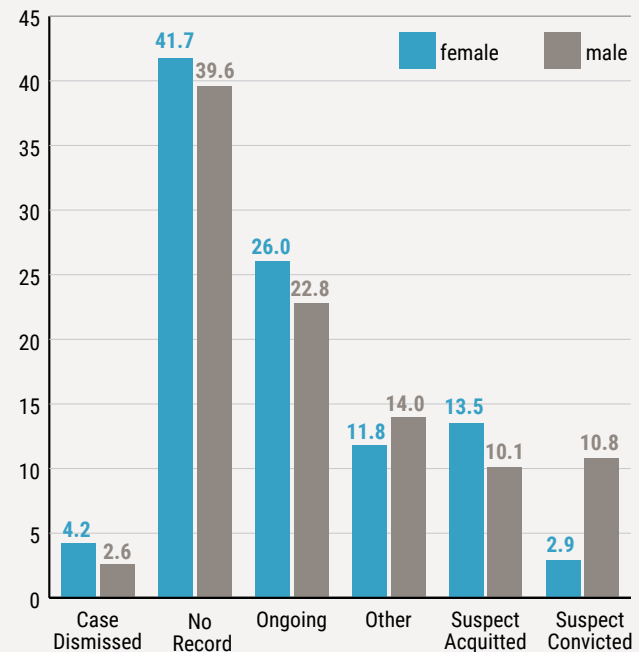
**Policewomen are generally not preferred to policemen, and citizens had significantly unfavorable ratings of policewomen in tackling VAW compared to non-VAW cases.**

Contrary to existing research—mostly from the United States—researchers find that citizens are biased against female officers, but primarily when they are seen tackling cases of violence against women (VAW). This counterintuitive finding suggests that a lack of trust for female officers may be linked to the less “serious” roles that policewomen are perceived to perform, e.g., counseling victims of domestic disputes rather than carrying out front-line work.

**All-women police stations do not increase levels of registered crime or change the status of cases in the criminal justice system in the short- to medium-term.**

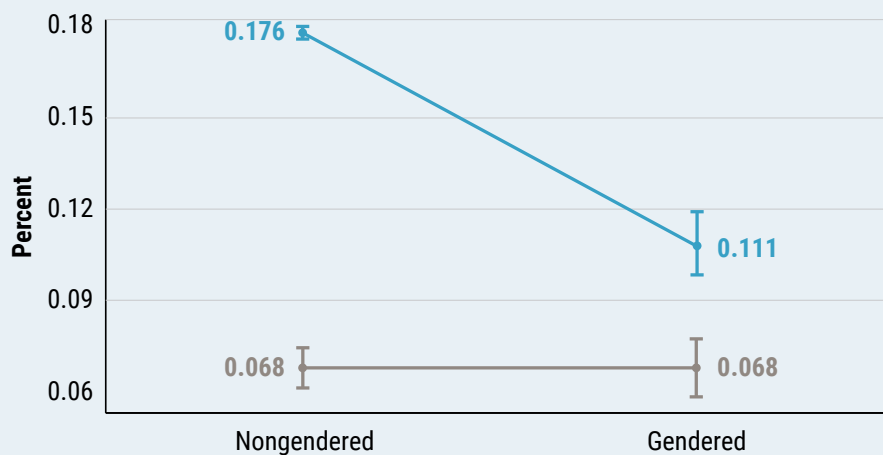
Instead, they reduce the number of VAW cases filed at standard police stations by enabling (male) officers to lighten their loads and pass cases on, creating more barriers for victims in their attempt to access justice by increasing travel costs.

Figure 2: Court status of crime reports by complainant gender



This figure depicts the raw breakdown of judicial outcomes for cases (% on Y axis). There were 38,828 cases filed by women and 379,362 filed by men from 2015–2018 in Haryana. Cases filed by women were more likely to be dismissed at a preliminary or bail hearing (Case Dismissed) and more likely to fail to make their way to court for a hearing (No Record). Women's cases/complaints were more likely to be stalled or be listed in the docket without a verdict (Ongoing). Suspects implicated in a case filed by a woman were significantly more likely to be acquitted (Suspect Acquitted) and had only a 2.9 percent chance of going to jail, compared to 10.8 percent for cases filed by men (Suspect Convicted).

Figure 3: Likelihood of suspect conviction for cases registered by men and women



This figure displays the likelihood of a suspect going to prison for cases registered by men (blue) and women (red). Gendered and non-gendered refers to 'violence against women' versus generic everyday crimes. Men are significantly more likely to have a suspect that they accuse of crime go to jail. Specifically, when a man registers a non-VAW case, the suspect is 17.6 percent likely to go to jail. When a man registers a case of VAW on behalf of a female friend or family member, the chance of a perpetrator going to jail drops to 11 percent, i.e., still higher likelihood than if a woman were to do it herself. Strikingly, whether a woman files a case of VAW or not, the suspect she accuses or is found to be implicated has only a 6.8 percent chance of going to jail.

### At women-only police stations, officers often “counseled” victims instead of making arrests.

When women tried to register cases in enclaves, policewomen believed that their mission was to reconcile victims with their abusers to maintain the woman's status in the community rather than ensuring cases were registered or sent to courts. Police officers, including policewomen, did not appear to be acting with any malign intent; they genuinely believed that they were protecting victims from being humiliated or threatened by family following a public hearing.

### The establishment of all-women police stations may reduce career options for female police officers.

The creation of enclaves can force existing policewomen to move to segregated units. This precludes female officers from working on diverse forms of police work, including higher profile assignments like murder and kidnapping cases. Instead, they are tasked with counseling victims and investigating sexual harassment. This may, in the long-term, adversely impact female officers' career trajectories, though more research is needed to rigorously test this hypothesis.

## Policy Implications

- Aiming to increase representation in the police through separation can have unintended consequences, such as enabling standard police stations to pass off cases and making it more difficult for women to report violent incidents. It also appears to lead to the typecasting of women officers as only suited to VAW cases.
- In patriarchal settings, female administrators can exhibit similar biases against women as their male counterparts, suggesting that representation—in and of itself—may not be enough to address discrimination in this setting and that additional efforts are needed such as, say, gender-sensitization training.
- Further research should investigate how reforms operate with other approaches—such as increasing women's representation in elected office as well as in local government and village councils, or “gram panchayats”—that may also help to mitigate disparities between men's and women's attempts at accessing justice.
- Future research may also investigate whether fully integrating women officers and allowing them to carry out the same tasks as male officers improves police efficiency and changes attitudes toward law enforcement officers.

This policy brief is based on the following papers and articles:

Jassal, Nirvikar. 2020. "Gender, Law Enforcement, and Access to Justice: Evidence from All-Women Police Stations in India." *American Political Science Review* 114 (4): 1035–54. <https://www.cambridge.org/core/journals/american-political-science-review/article/gender-law-enforcement-and-access-to-justice-evidence-from-allwomen-police-stations-in-india/A93960403DE5B1AF497740888BE2B1B2>

Jassal, Nirvikar. 2021. "Segregation as Efficiency? Group-Specific Institutions in North India." *The Journal of Asian Studies* 80 (3): 631–61. <https://www.cambridge.org/core/journals/journal-of-asian-studies/article/abs/segregation-as-efficiency-groups-specific-institutions-in-north-india/38842CACF25308D68C9F1F5AEDBE84EC>

Blair, Graeme, and Nirvikar Jassal. 2022. "Accessing Justice for Survivors of Violence Against Women." *Science* 377 (6602): 150–51. [Perspectives]. <https://www.science.org/doi/10.1126/science.abp9542>

Jassal, Nirvikar and Sharon Barnhardt. 2022. "Do Women Prefer In-Group Officers? Survey and Experimental Evidence from India." Revise and Resubmit at *Comparative Political Studies*.

Jassal, Nirvikar. 2022. Does Victim Gender Matter for Justice Delivery? Police & Judicial Responses to Women's Cases in India" Revise & Resubmit at *American Political Science Review*.

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