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**PSYCHOSOCIAL REHABILITATION IN THE BACKGROUND OF
DEMOCRATIC POLICING AND POLICE RELATED MENTAL
HEALTH INTERVENTIONS**- Hemin V.V.¹**Abstract**

The numbers of homeless and wandering persons with mental illness are so alarming in India. The police officials are the first to meet with the homeless and wandering persons with mental illness in the streets, roads, corners, etc., and they are the first to deal with them. The legislations are obliging on the police with duties and responsibilities towards persons with mental illness who are homeless and wandering. Thus the social service skill of the officials is to be enriched for appropriate disposal of such duties and responsibilities. The implementation of objectives of democratic policing model will be helpful for such transformation of police officials.

Key Words

Mental Health, Psychosocial Rehabilitation, Homeless Persons with Mental Illness, Wandering Persons with Mental Illness, Democratic Policing, Social Service Skill of Police

“...the police have long been recognized as a community health resource...”

– Linda A. Teplin²

Introduction

Feeding the hungry, clothing the naked, housing the homeless, caring for the sick, and protecting their rights are all responsibilities of every society and state. We have a high number of homeless persons with mental illness in our country who live on the roads and streets or in prisons or home for beggars or mental health centres for the rest of their lives.

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A system that fails to provide adequate and consistent support for families of those with mental illnesses is the cause of homelessness and wandering. Society's responsibility and state's role are often watered down; resulting in the humiliations experienced by homeless persons especially those homeless persons with mental illness. Providing mental health care to homeless persons also often violates fundamental rights, including privacy, health, safety, confidentiality, and the right not to suffer inhumane treatment.

As the police are the first layer of society meeting with the homeless and wandering persons with mental illness in the streets, roads, corners, etc., they are the first to deal with them. It is the need of the day that the service of police shall be en-route towards the rehabilitation of homeless and wandering persons with mental illness. The theory of Democratic Policing supports this venture, as providing assistance and services to the public is the founding stone of it.

Issue of Homeless and Wandering Persons with Mental Illness

In India, 14.3% of the population suffers from some form of mental or behavioral illnesses. There are approximately 4.7% of people who suffer from serious mental illnesses and require urgent care from time to time.³ Among people with severe mental illnesses, homelessness is a serious problem. According to a study the number of wandering mentally ill people in India is estimated to be around 400,000^{in 2012}⁴. Such persons are often seen around railway stations, bus stands, pilgrim centers and street corners, particularly in cities, in various states of mental distress and physical abuse. These persons belong mainly to economically backward and socially marginalized families. Those from middle-class and upper-class families are also not uncommon.⁵ According to a study of World Health Organization in 2005, nine out of ten have diagnosable and treatable mental illnesses; four out of five have significant co-morbid physical health problems⁶. While the numbers of homeless persons with mental illness are so alarming, there are very few mechanisms to

³. Rajesh Sagar, et al. (India State-Level Disease Burden Initiative Mental Disorders Collaborators), *The Burden of Mental Disorders across the States of India: The Global Burden of Disease Study 1990–2017*, 7 LANCET PSYCHIATRY 151 148–61 (2020) (analyzing the burden of mental disorders in India).

⁴. Maria Politzer M & Vidya Krishnan, *Mentally Ill Struggle with Homelessness* MINT (May 24, 2012, 12:1 AM), <https://www.livemint.com/Home-Page/vyoppXFfyqNgPdc62qiu3L/Mentally-ill-struggle-with-homelessness.html>.

⁵. R. Gracia Nieto, M. Gittelman & A. Abad, *Homeless Mentally Ill Persons: A Bibliography Review* 12(2) INTER. J. OF PSYCHO. REHAB. 2, 1-12 (2008) (some of the most important worldwide studies concerning the homeless mentally ill persons are reviewed).

⁶. WORLD HEALTH ORGANIZATION, *MENTAL HEALTH ATLAS: 2005*, 10 (2005) <https://apps.who.int/iris/handle/10665/43230>

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overcome this in India.80% of our districts do not have even one psychiatrist in public service.⁷ Thus, India without a massive mental health movement will see a lot of homeless and wandering persons with mental illness.

Globally, homeless persons with mental illnesses have been studied extensively, and all of them have highlighted their uniqueness as a group compared to other psychiatric patients.⁸ They need somebody picking them up from streets and bringing them to mental health centres. If no past history is available, their identity such as name, age, address has to be determined. Lastly, they require rehabilitation either to their concerned families or sheltered housing facilities⁹.

Role of Police to Curb the Issue of Homeless and Wandering Persons with Mental Illness

The police are generally the first and frequently the exclusive community resource called on to respond to critical situations involving persons with mental illness. They are responsible in one hand for honoring the needfulness of treatment for a person with mental illness and connecting that person with the appropriate treatment facilities. In other hand for making the decision that illegal activity of the person is the principal concern and that the person should be arrested and brought about to criminal justice system. These responsibilities fix them into the role of chief doorkeepers who determine whether the mental health or the criminal justice system can best meet the needs of the person with acute mental illness. Consequently, police officers may have presumed the role of street corner psychiatrist by default.¹⁰ The transformation of police function from mere law and order maintenance to concern about the quality of lives of people will help this.

3.1 Police in a Social Welfare State

⁷. NIRAJ AHUJA, A SHORT TEXTBOOK OF PSYCHIATRY, 237 (7th ed. 2011).

⁸. A. Tripathi, et al., *Sociodemographic and Clinical Profile of Homeless Mentally Ill Inpatients in a North Indian Medical University* 6(5) ASIAN J. PSY. 408, 404-09 (2013) (socio demographic and clinical profile analysis of homeless mentally ill inpatients in a medical college).

⁹. L. Onofa, et al., *Comparison of Clinical Profiles and Treatment Outcome between Vagrant and Non-Vagrant Mentally Ill Patients, in a Specialist Neuropsychiatric Hospital in Nigeria* 15(3) AFR. J. PSY. 190, 189-92 (2012) (conducted a retrospective review of clinical records charting vagrant and non-vagrant mentally ill patients treated over a five year period from January 2004 to December 2008 at Aro Psychiatric Hospital, Abeokuta, Nigeria).

¹⁰. H. Richard Lamb, Linda E. Weinberger & Walter J. DeCuir Jr, *The Police and Mental Health, 53 PSYCHIATRIC SERVICES*, 1268, 1266-71 (2002) (examines and comments on the issues relating with the role of police to manage persons with mental illness and its effect both in the law enforcement and mental health systems).

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The function of the police in a welfare state is fundamentally diverse from their role in a police state. In the police state, the police assist mainly to look after not the populace, but the State. Police officials devote a plenty of time spying on the populace to expose political opposition and crime against citizens is least importance.¹¹

As distinct from a police state, in a welfare state the principle objective of the police is to safeguard populaces against crime and disorder. The police have judiciously determined roles that necessitate close and positive relations with people. The resort to arms and pursuit of culprits are uncommon and undertake only an insignificant portion of police duty. Rather, police officials spend the vast majority of their duty for relationship building with the public through patrolling, public service activities, listening citizens and necessary support to the public.¹² The police functions in a welfare state flourished the further improvements of the basic idea of policing. It lights the way to the theory of Democratic Policing.

3.2 Democratic Policing

Democratic policing traces its roots to the creation of the first modern police force in 1829 under British home secretary Sir Robert Peel. The basic mission of the London Metropolitan Police, Peel maintained, was to prevent crime and disorder by winning the cooperation and respect of the public rather than by the use of physical force. The test of efficiency of police, as one scholarly account summarizes Peel's view, is the nonexistence of crime and disorder, not the apparent evidence of police intervention in dealing with it¹³.

The democratic policing model makes use of Peel's formative philosophies to apply to modern police methods and code of professional conduct. As a tool for enhancing police professionalism and reform, democratic policing model takes into consideration that a democratic society demands the police to be both competent and accountable to the public, both reliant on popular support in order to carry out their duties and transparent in their practices, as well as welcomed as legitimate agents of the government.¹⁴ It means instilling in the police an ethic of serving the community and consulting the public. The key is that police officers at every level must see themselves as serving the whole public, and not

¹¹. Michael D. Wiatrowski & Jack A. Goldstone, *The Ballot and the Badge: Democratic Policing* 21 J. DEMOCRACY 80, 79-91 (2010) (discussing theory of democratic policing).

¹². *id.* at 10

¹³. ROBERT C. TROJANOWICZ & SAMUEL DIXON, CRIMINAL JUSTICE AND THE COMMUNITY 132 (1974).

¹⁴. *Supra* at 10.

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merely the state and its rulers.¹⁵

3.3 Democratic Policing and Objective of Social Services

As the police are the most visible manifestation of the State, they must perform the most obvious, immediate and intrusive tasks to ensure the well-being of individuals and communities alike.¹⁶ In order to be democratic, police must develop and implement their activities in response to the needs of the community and the State and must prioritize assistance to those members of the community in need.¹⁷ The police must be responsive to the community as a whole¹⁸ and providing prompt, equal, and unbiased services to the community should be the police's priority. A sense of security and legal protection should be promoted by the police through their activities.

1. Mental Health Rehabilitation and Intervention of Police

The legislations relating with mental health in India vest duty upon the police to safeguard the homeless and wandering persons with mental illness. Earlier the Mental Health Act 1987 empowered the officer-in-charge of the police station to take into protection a homeless and wandering person with mental illness and produce within 24 hours of taking him/her into protection before the concerned magistrate.¹⁹

Upon the production of homeless and wandering person with mental illness, the magistrate will be the authorized persons to decide the mental status of the persons who is produced before him. For the purpose the magistrate would make necessary inquiries regarding behavior, try to assess the capacity of the homeless person with mental illness, as well as ask for a medical opinion from a medical officer. If convinced, the magistrate issues a reception order authorizing the detention of the said person as an inpatient in a psychiatric hospital or psychiatric nursing home.²⁰

Presently the Mental Health Care Act 2017 empowered the station house officer to ledge a First Information Report of a missing person and the officer has a duty to trace the family of

¹⁵. MICHAEL D. WIATROWSKI & NATHAN PINO, DEMOCRATIC POLICING IN TRANSITIONAL AND DEVELOPING COUNTRIES 74 (2006).

¹⁶. DAVID H. BAYLEY, DEMOCRATIZING THE POLICE ABROAD: WHAT TO DO AND HOW TO DO IT 13 (2001).

¹⁷. U. N. Code of Conduct for Law Enforcement Officials art 1 (c).

¹⁸. U. N. Code of Conduct for Law Enforcement Officials Preamble 8(a).

¹⁹. The Mental Health Act 1987, Section 23.

²⁰. The Mental Health Act 1987, Section 24.

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such person and inform the family about the whereabouts of the person.²¹ If the family is not found, the Mental Health Care Act designates the officer-in-charge of the police station has to take protection of the homeless and wandering person with mental illness and take such person to the nearest public health establishment (not to the magistrate as in the Mental Health Act 1987).²² The medical officer-in-charge of the public health establishment is responsible for arranging the assessment of the needs of the person.²³ If the medical officer, on assessment, finds that the person does not have a mental illness of a nature or degree requiring admission to the mental health establishment, medical officer inform his/her findings to the police officer who had taken the person into protection. Then the police officer takes the person to the person's residence or, in case of homeless persons, to a government establishment for homeless persons.²⁴

2. Suggestions to Improve Rehabilitation Intervention of Police

By adopting the social service oriented approach provided by the democratic policing model, the police function can be designed to assist and help the psychosocial rehabilitation of homeless and wandering persons with mental illness. The following are some of the suggestions to improve rehabilitation intervention by the police.

a) Enhance the social work skills of police officials:

Implementing social services in police departments can be challenging due to the perception of a police officials' role. Several police officials recognize their paramount duty to be enforcement of law and prevention of crimes. Although most of the police training academies' programmes aimed at fighting against crimes, criminal laws, tactics for defense, weaponry skill, and many police officials perform social services on a daily basis. Police officials devote the lion share of their duty time on the matters such as conflicts resolution, family disputes redressel and delivering other community services. In order to enhance the various skills relating to social work, the police training academies, police officials, and department of police must incorporate social services within the framework of their training

²¹. The Mental Health Care Act 2017 Section 100 (7).

²². The Mental Health Care Act 2017 100 (1).

²³. The Mental Health Care Act 2017 Section 100 (5).

²⁴. The Mental Health Care Act 2017 Section 100 (6).

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curriculum.²⁵ Among the topics that training programmes must give emphasis to prepare police officers for their social work role are communication, mediation, resolution of conflict, intervention strategies, and recognizing symptoms of mental illness or drug addiction.²⁶

b) Training on mental illness for all law enforcement officers:

It is essential that police officials receive better training in mental illness, mental health resources, and meeting the needs of persons with mental illness. A major part of such training is learning to distinguish persons with mental illness who risk causing harm to themselves and to others. The training is also in manner to manage persons with mental illness by the mental health system than the criminal justice system.²⁷

c) Establish a Crisis Intervention Team (CIT):

A Crisis Intervention Team (CIT) is to be established under the police department. It is a mechanism designed to improve the way law enforcement and the community responds to people experiencing mental health crisis. CIT programs are built on strong partnerships between law enforcement, mental health provider agencies, and individuals and families affected by mental illness.²⁸ It is essential for police officials to undergo CIT training that stresses understanding mental illness and incorporates communication skills, practical experience, and role play. During the training police officials are familiarized to mental health professionals, persons with mental illness and their family members both in the training sites and through field visits.²⁹

d) Establish a Special Control Room exclusively for mental health:

²⁵. Sylvester Amara Lamin & Consoler Teboh, *Police Social Work and Community Policing*, 2(1) COGENT SOCIAL SCIENCES, 1, 1-13 (2016) (discussing police social work and community policing on the basis of a case study among police officers).

²⁶. Tulane University School of Social Work, *Why Police Officers Are Taking On Social Worker Responsibilities*, BLOG (Jan. 19, 2019), <https://socialwork.tulane.edu/blog/why-police-officers-are-taking-on-social-worker-responsibilities>.

²⁷. Bureau of Justice Assistance, U. S. Department of Justice, *Training for Police-Mental Health Collaboration Programs*, POLICE-MENTAL HEALTH COLLABORATION (PMHC) TOOLKIT <https://bja.ojp.gov/program/pmhc/training> (last visited Jul. 28, 2022, 07.04PM)

²⁸. National alliance on Mental Health (NAMI), *Crisis Intervention Team (CIT) Programs*, CRISIS INTERVENTION, [https://www.nami.org/Advocacy/Crisis-Intervention/Crisis-Intervention-Team-\(CIT\)-Programs](https://www.nami.org/Advocacy/Crisis-Intervention/Crisis-Intervention-Team-(CIT)-Programs) (last visited Jul. 28, 2022, 07.07PM)

²⁹. *Supra* at 26

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For identifying the whereabouts of wandering persons with mental illness who are residents of the State, under the control of state police headquarters establish a Special Control Room and unique telephone number.

e) Establish the Inter-State Police Help Desk:

For identifying the whereabouts of wandering persons with mental illness who are residents of the other States, establish an Inter-State Help Desk with every State Police Headquarters. Multi-lingual experts are to be appointed as the officers of this help desk.

Conclusion

The discipline of social service is one of the necessary aspects of democratic policing model, as police officials are doing much more than enforcement of law and fighting against crimes. The duties and responsibilities of police officials towards the homeless persons with mental illness under the mental health care legislations in India is the most apt example of the context in which the social service skill of police is a necessity. As the legislations vest on the police officials with duties and responsibilities towards persons with mental illness who are homeless and wandering, the social service skill of the officials is to be enhanced for appropriate disposal of such duties and responsibilities.