

**BURNISHED LAW JOURNAL****COVID 19 – Staying Home, Staying Unsafe?****Abstract**

There are many dimensions to domestic violence, all of which stem from the exercise of patriarchal power. In this reading list, we examine the laws and the redressal mechanisms available to women who are subjected to domestic violence. As the COVID-19 pandemic has forced several countries into a lockdown, cases of domestic violence rose at an alarming pace all over the world. From 30, in the first week of March, the number of grumbles rose to 69 between 23 March and 1 April<sup>[1]</sup>. Urvashi Gandhi, the director of another global, women's rights organization has said, "A load of work [during the lockdown] has increased in houses because everybody is at home. As complaints rushed, the NCW publicized a WhatsApp number to receive complaints, to be more accessible to women who find themselves in abusive homes. Another significant aspect responsible for this surge in domestic abuse is domestic labor. Gendered roles world over has placed domestic work on women's shoulders, which is socially and culturally often demarcated as "women's work." Under lockdown conditions, domestic work can be especially taxing if it is not divided equitably. Sometimes, women rely on other family members to report on their behalf. Neither is their societal will, as the following articles will show. For instance, the Press Trust of India reported that the NCW received a complaint filed by a father on behalf of his daughter whom he alleged was being brutally beaten by her husband and being denied food.

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**“The more that we choose not to talk about domestic violence, the more we shy away from the issue, the more we lose”** this quote was said by Russell Wilson, a famous American football player and no doubt these words are the bitter truth of society.

Basically, Domestic Violence is an act of physical, sexual, or emotional abuse against a woman or a girl by someone who is intimately connected to her through marriage, family relation, or acquaintanceship. Now this violence is becoming more sinful and crossing all the limits. Nowadays the sufferers of this crime are including children and LGBTQ+ individuals as well.

The world is going through a severe crisis “Covid-19” due to which government across the globe enforce lockdown so that the spread of coronavirus could be assuaged. On the night of 24<sup>th</sup> March 2020, the complete lockdown was announced in the nation for 3 weeks (presently extended till 30<sup>th</sup> June 2020) by Hon'ble Prime Minister of India, Narendra Modi.

Since the very first week of the national lockdown many people faced job losses, uncertainly over salaries, forced isolation & stressed household. People believe in the things which can be seen. Nobody hasn't thought once about the violence or the abuse that has increased. Women children are locked in their homes and due to this many are suffering from domestic abuse.

On asking anyone what is the safest place on this earth the answer would be “home”, imagine someone not feeling safe at their own homes. Women have grieved torturous behaviour not only from husband but from family also.

There are many questions to put forward such as; how have lockdown influenced the rate of domestic violence? What has been the impact on social services for domestic violence victims? What can countries do to protect those at risk of domestic violence amid the pandemic? How is the pandemic likely to affect long term progress toward ending domestic violence?

According to the World Health Organisation, the likelihood that women in an abusive relationship and their children will be exposed to violence dramatically increases as family members spend more time in close contact and families cope with additional stress and potential economics or job losses. The health impacts of violence, particularly intimate partner/domestic violence, on women and their children, are significant. Violence against women can result in injuries and serious physical, mental sexual reproductive health problems, including sexually transmitted infections, HIV, and unplanned pregnancies.<sup>[2]</sup>

Activist also highlights that the moment there is a shortage of food, as in crisis situations like this when there is not much commercial activity, the immediate victims are the daughters and mothers in the houses. Same in the case with healthcare as outlay on women in families will further shrink in a period of economic stress.<sup>[3]</sup>

The problem is that a lot of violence in India isn't even looked upon as violence. Women and girls accept it and treat it as a part and parcel of their lives due to our patriarchal setup" says Bhakti Chowdhary a counsellor with Women Power Connect, a pan – India advocacy body on women issues.

Meanwhile, the crime rates throughout the nation have fallen drastically as people are not allowed to move in a public space except for the necessities according to the data the number of cases like murder, robbery kidnapping vehicle theft, dipped around 44% since that of last year and according to the press release by Delhi Police the crime rates in Delhi NCR region have severely fallen 80% on the contrary in the condition of this crisis.

There are many provisions against domestic violence Rebello of the Bombay High Court observed in a judgment "We have to take judicial notice that crime against women instead of decreasing in on the increase<sup>[4]</sup>. As the criminal aspect of Domestic Violence is concerned, this section is the only criminal law available. Section 498-A – Husband or relative of husband of a woman subjecting her to cruelty. This law became a tool for women to lodge false cases against their husbands and led to its widespread misuse. Dead women thus got more consideration in the law than did those who survived the violence<sup>[5]</sup>

Under the Act, domestic violence includes verbal, emotional, sexual, economic, and physical abuse and compensation is provided for all kinds of violence. The other important feature of the act is the provision for a Protection Officer. For the act to be successful, a Protection Officer is provided so as to aid the victim with legal procedures and support, including medical assistance and counselling. The bill was passed by the NDA government in 2002 in the Lok Sabha and The Protection of Women from Domestic Violence Act came into being on 13th September 2005. The aggrieved person can complain to the Protection Officer in event of further incidences after which the PO prepares a Domestic Incident Report on the basis of which necessary action is taken. The uniqueness of this provision was that it recognized mental injury as well.<sup>[6]</sup>

Hopefully, these provisions, act, and statutes are serving as an influential deterrent, but nonetheless, the crime has not stopped. This is the worst-case scenario, as who fall among this category includes, mentally challenged, and the innocent children & women. Human Rights Watch (HRW) also reported that women in India are often afraid to report attacks for fear of being stigmatized and because they feel unable to overcome institutional barriers in a criminal justice system that offers no protection to victims or witnesses.<sup>[7]</sup> Even if they muster the courage to report the abuse, there are other daunting challenges. Uncooperative officers may refuse to file even a First Information Report (FIR), the first step to initiating a police investigation, especially if victims belong to economically or socially marginalized communities.<sup>[8]</sup>

Confinement is fostering the tension and strain created by security, health, and money worries and it is increasing isolation for women with violent partners, separating them from the people and resources that can best help them. It's a perfect storm for controlling, violent behaviour behind closed doors, "UN Executive Director Phumzile Mlambo – Ngcuka said in the statement calling the violence."<sup>[9]</sup>

Grass-roots of women organizations and communities have played a full of danger part in putting a stop to and give a reaction to earlier times of trouble, and need to be supported strongly in their current frontline part including with giving money ( for a purpose) that remains in the long stretch of time, help-lines, psychosocial support, and online suggesting should be pushed up, using technology-based answers such as SMS, online apparatus for making or put right things and networks, to undergo growth grouping support and get stretched to women with no way into phones or the net. Police and being just services must force ready to make certain that small events of violent acts against women and girls are given high rights of coming first with no without danger (of punishment) for persons doing crimes. The private sector also an important protagonist to play, sharing information, alerting and the dangers kept by man violent acts and giving support to positive steps like having same care responsibilities at starting place.

COVID – 19 is already testing us in ways most of us have never previously experienced, making ready strong feelings and good/money-making shocks that we are doing hard work to go higher. The violent acts that are coming-to-be-important now an as dark point of this pandemic is a looking-glass and a question to our values, our power to spring back and we must not only live on the Coronavirus but come out of renewed, with women as the powerful force I the middle of getting lost.

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<sup>[1]</sup> COVID -19, Domestic Abuse, and Violence: where do Indian women stand?  
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