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No Lockdown of Domestic Violence during COVID-19

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ABSTRACT

Domestic violence is a very well known and most frequent toward women's across the globe. Domestic violence against women is understood as a situation supported and reinforced by gender norms and values that place women in a subordinate position in relation to men. It is an blatant expression of patriarchy. A situation like COVID-19 has been a shadow for the growing crimes against women; domestic violence has not only a public health issue but also a human rights crisis. Through the course of this paper I have dealt with the domestic violence amidst outbreak of COVID-19. I started by putting that how of domestic violence have increased in this pandemic situation, and then analyzed whether the steps taken by the government are in balance with the Protection of Women from Domestic Violence Act, 2005 and determines challenges that lie specific to our country. I have also stated how NGO and other international countries are providing redressal mechanism for the intimate partner violence. I have also highlight the problem how drinking of alcohol has increased the number of domestic violence cases. I had towards the end concluded some of the effective measure that should have been taken by our country and if implemented with care it shall help us to solve this crisis.

Keywords: Domestic violence, patriarchy, COVID-19, Protection of Women from Domestic Violence Act, 2005, intimate partner violence.

"Significant numbers of the world's population are routinely subject to torture, starvation, terrorism, humiliation, mutilation, and even murder simply because they are females. Crimes such as these are against any group other than women would be recognized as a civil and political emergency as well as a gross violation of the victim's humanity."

– Charlotte Bunch

I. INTRODUCTION

The viral disease is one of the world's leading causes of morbidity and mortality. The sudden outbreak of COVID-19 in 2019 in Wuhan, China has now spread globally. Our nation is

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facing a nationwide lockdown and mandated strict observance of social distancing.

One of the huge impacts of staying at home is the surge in Violence against Women and Girls (VAWG)² especially the cases of domestic violence. However, India is not the only country that is facing domestic violence but other nations are facing the rise in the number of domestic violence in this pandemic situation. VAWG is a universal issue and has a great impact on the victims/survivors, their families, and the communities they belong to.

In the time of crisis, domestic violence cases have been increasing across the globe. Such an increase is not a new trend, instead, women tend to be at greater risks during such a health disaster and pandemics like the Great Depression, Ebola outbreak.³ The main reason for such kind of behavior is due to the economic hardships that the people are facing⁴ along with poor living conditions. Domestic violence is not only a public health issue but also a human rights crisis.⁵ As per the UN Women Report⁶ Lebanon, Malaysia, and China have witnessed a two-fold and a three-fold increase respectively. Along with the increase in the report, greater complexity of violence has also been observed. Australia had an increase of 40% rise with a 70% increase in severity. Argentina, France, Cyprus, and Singapore have also registered a significant rise in complaints in their helpline requests. However, it was only one side of a coin where the upsurge is visible. There exists yet another side that pertains to poverty-ridden countries. In these places, the request has seen a sharp dip. For instance, Italy has reported 55% fewer calls; North France has a similar decline.

India has overlooked the problem the domestic violence for a very long time as it was believed to be a 'private' matter. According to a report⁷, from 2001-2012, 45-50% of all crimes are against women and the cruelty is done by the husband or his family members. As per the Crime in India Report, 2018, women face violence in every 4.4 minutes.⁸ The intimate

² Review and appraisal of the implementation of the Beijing Declaration and Platform for Action and the outcomes of the twenty-third special session of the General Assembly, Commission on the Status of Women, United Nations Economic and Social Council, 13 December 2019, <https://undocs.org/E/CN.6/2020/3>.

³ Human Rights Dimension of COVID-19 Response, Human Right Watch, March 19, 2020, <https://www.hrw.org/news/2020/03/19/human-rights-dimensions-covid-19-response>

⁴ Daniel Schneider, Kristen Harknett, and Sara McLanahan, Intimate Partner Violence in the Great Recession, April 2016, PMC 2017 Apr 1, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4860387/>

⁵ Sohini Bhattacharya, Time To Ring The Alarm Bells On A Shadow Pandemic, Reader's digest, Apr 9, 2020, <https://www.readersdigest.in/features/story-time-to-ring-the-alarm-bells-on-a-shadow-pandemic-125442>

⁶ COVID-19 and Ending Violence Against Women and Girls. UN Women, March 2020, <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/issue-brief-covid-19-and-ending-violence-against-women-and-girls-en.pdf?la=en&vs=5006>

⁷ Ritvik Chauhan, Vijay Kumar Baraik, Mapping Crimes against Women in India: Spatio-Temporal Analysis, 2001-2012, World Academy of Science Engineering and Technology, January 2007, <https://publications.waset.org/10005985/mapping-crime-against-women-in-india-spatio-temporal-analysis-2001-2012>

⁸ Crime in India 2018, Volume 1, National Crime Record Bureau Ministry of Home Affairs, December 2019, <https://ncrb.gov.in/sites/default/files/Crime%20in%20India%202018%20-%20Volume%201.pdf>

terrorism is another name of domestic violence is one of the forms of patriarchy. Women are often seen in the 'sticky floor and the glass ceiling.' The primary reason is the prevalence of cultural and religious orthodoxy and social norms which has been rooted for 'keeping the women in their place' which led to the division of gender roles and power dynamics.

Through the course of the article, I have dealt with the domestic violence amidst the outbreak of COVID-19. I started by putting the relationship of domestic violence have increased.

II. DOMESTIC VIOLENCE IN RELATION TO COVID-19

The term 'domestic violence,'⁹ which is refers to intimate partner violence; it also encompasses child and elder abuse by any member of the household. The rates of violence and abuse directed towards women are high particularly from the perpetrators known to them. As per a survey conducted by World Health Organization,¹⁰ one in every three women across the globe experience physical or sexual violence in their lifetime and at least 30% of all the women in a relationship have faced physical or sexual violence by their partners.

(A) DOMESTIC VIOLENCE IN INDIA

The Crimes in India Report, 2018¹¹, published by the National Crime Research Bureau (NCRB), a crime against women is recorded every 1.7 minutes, and every 4.4 minutes a woman is subjected to domestic violence. A total of 89,097 cases¹² related to crimes against women has been registered across India in 2018 which higher than 86,001 cases as per 2017.¹³ The National Family Health Survey (NFHS-4), 2015-16 highlighted the 30% of women in India between the age group of 15-49 have experienced physical violence.¹⁴ The reports also highlighted that 83% of married women faces physical, sexual or emotional abuse from their husbands followed by abuse from their husband's mother (56%), husband's father and her own father (33%) and siblings (27%). The main reason for such violence is due

⁹Understanding and addressing violence against women, World Health Organization and Pan American Health Organization, 2012, https://apps.who.int/iris/bitstream/handle/10665/77432/WHO_RHR_12.36_eng.pdf;jsessionid=C875FDC2858E9DB90226115FC50DBBAC?sequence=1

¹⁰ Global and regional estimates of violence against women: prevalence and health effects of intimate partner violence and non-partner sexual violence, World Health Organization, London School of Hygiene & Tropical Medicine, and South Africa Medical Research Council, https://apps.who.int/iris/bitstream/handle/10665/85239/9789241564625_eng.pdf?sequence=1

¹¹ Crime in India 2018, Volume 1, National Crime Record Bureau Ministry of Home Affairs, December 2019, <https://ncrb.gov.in/sites/default/files/Crime%20in%20India%202018%20-%20Volume%201.pdf>

¹² Ibid 10

¹³ Crime in India 2017, Volume 1, National Crime Record Bureau Ministry of Home Affairs, October 2018, https://ncrb.gov.in/sites/default/files/Crime%20in%20India%202017%20-%20Volume%201_0.pdf

¹⁴ INDIA, National Family Health Survey (NFHS-4) 2015-16, Ministry of Health and Family Welfare, International Institute for Population Sciences, December 2017, <http://rchiips.org/NFHS/NFHS-4Reports/India.pdf>

to the prevalence of orthodox social norms and the stigma that is placed on the survivors of sexual or domestic violence which results in the unreported cases. Women sometimes feels unsafe while approaching the police as they worry the partner may be arrested and face double the amount of abuse once they are released and in the interim they also may face harassment from their in-laws.

(B) DOMESTIC VIOLENCE IN CONTEXT TO COVID-19

With the mandatory stay-at-home rules, social distancing, economic uncertainty and anxieties caused by this pandemic situation, domestic violence has increased globally. Across the globe countries like China¹⁵, United States¹⁶, United Kingdom¹⁷, Brazil¹⁸, Tunisia¹⁹, France²⁰, Australia²¹, and others have reported increased domestic violence cases. India stands in the fourth worst²² country for gender-based violence.

During the emergencies it has been seen that women faces greater risks²³ including health disaster such as this pandemic and during the economic hardship there is an increase²⁴ in violent, abusive, impulsive and controlling behavior towards the cohabiting partners and romantic partners. It has been studied that since the Great Depression and seminal studies of the Unemployed Man and His Family²⁵ states the evidence of destructive effect of unemployment, lost of income, and economic hardship on marital conflict, parenting quality

¹⁵Bethany Allen-Ebrahimian, China's domestic violence epidemic, Axios, Mar 7, 2020, <https://www.axios.com/china-domestic-violencecoronavirus-quarantine-7b00c3ba-35bc-4d16-afdd-b76ecfb28882.html>

¹⁶MÉLISSA GODIN, As Cities Around the World Go on Lockdown, Victims of Domestic Violence Look for a Way Out, TIME, March 18, 2020, <https://time.com/5803887/coronavirus-domestic-violence-victims/>

¹⁷Mark Townsend, Domestic abuse cases soar as lockdown takes its toll, The Guardian, April 4, 2020, <https://www.theguardian.com/world/2020/apr/04/domestic-abuse-cases-soar-as-lockdown-takes-its-toll>

¹⁸Miriam Berger, Measures to control the spread of coronavirus are a nightmare for victims of domestic violence. Advocates are demanding governments step up, The Washington Post, April 1, 2020, <https://www.washingtonpost.com/world/2020/04/01/measures-control-spread-coronavirus-are-nightmare-victims-domestic-violence-advocates-are-demanding-that-governments-step-up/>

¹⁹Ibid 17

²⁰KATIE O'MALLEY, Women Are Using This Code Word At Pharmacies To Report Domestic Violence During Covid-19, Elle, April 2, 2020, <https://www.elle.com/uk/life-and-culture/a32015540/domestic-violence-covid-19-code-word/>

²¹Rick Morton, Family violence increasing during Covid-19 lockdown, The Sunday Paper, Edition No. 295, APRIL 4 – 10, 2020, <https://www.thesaturdaypaper.com.au/news/law-crime/2020/04/04/family-violence-increasing-during-covid-19-lockdown/15859188009641>

²²Sintia Radu, The 10 Worst Countries for Gender Equality, Ranked by Perception, U.S. News, Feb. 10, 2020, <https://www.usnews.com/news/best-countries/slideshows/10-worst-countries-for-gender-equality-ranked-by-perception>

²³As pandemic rages, women and girls face intensified risks, United Nation Population Fund, March 19, 2020, <https://www.unfpa.org/news/pandemic-rages-women-and-girls-face-intensified-risks>

²⁴Daniel Schneider, Kristen Harknett, and Sara McLanahan, Intimate Partner Violence in the Great Recession, April 2016, PMC 2017 Apr 1, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4860387/>

²⁵Komarovsky M, The unemployed man and his family; the effect of unemployment upon the status of the man in fifty-nine families, APA PsycNet, <https://psycnet.apa.org/record/1941-02696-000>

and child well-being.

The National Commission of Women (NCW) has seen the rise in the number of domestic violence complaints received via mail.²⁶ The Chairperson of NCW believes that the real figure is higher as the bulk of complaints they receive are sent by the post. Between the month of March and April, NCW has received 310 complaints about domestic violence and 885 complaints for other forms of violence against women²⁷ such as bigamy, polygamy, dowry deaths and harassments for dowry.

People are unable to file complaints through messages, posts or calls, essential service such as hospital, grocery stores, and medical stores must be urged to help people get necessary support and send their messages to authorities if needed help. In France and Spain pharmacies are trained to identify people facing abuse²⁸ through codeword which is by asking for 'mask19' for those people who cannot speak openly, to indicate that they are victims of domestic violence.

III. STEPS TAKEN BY GOVERNMENT TO CURB DOMESTIC VIOLENCE

As the coronavirus pandemic is testing relationships across the societies the citizens are having a hard time deciding whether they are liberal or not as the true test is in the living. Women are facing a hard time at work and home as they expected to become perfect from their husbands and in-laws with the things they are doing or else they are shouted upon or sometimes beaten by their husbands and in-laws. The age-old stereotypes are constantly running in the back of their minds of people which make them feel that women's job is to cook, clean; wash and man's job is to earn. The main test comes when one has to live with it and being 'liberal' is looked upon them and this confinement is showing the real mindsets of a person. The government is trying to install free counseling and helplines to report domestic violence crimes.

The Tamil Nadu government held a meeting with the Madras High Court to take effective measures to curb domestic violence against women during lockdown when they received a writ petition from advocates. The Health Department asserted that there should be a system to rescue women who all are facing domestic abuse. As per this system, the Anganwadi workers

²⁶ Domestic Violence Cases Have Risen Since COVID-19 Lockdown: Women's Panel, NDTV News, April 3, 2020, <https://www.ndtv.com/video/news/news/domestic-violence-cases-have-risen-since-covid-19-lockdown-women-s-panel-544604?pfrom=home-videos>

²⁷ National Commission for Women, India, May 29, 2020, http://164.100.58.238/frmComp_Stat_Overview.aspx

²⁸ Ivana Kottasová and Valentina Di Donato, Women are using code words at pharmacies to escape domestic violence during lockdown, CNN World, April 6, 2020, <https://edition.cnn.com/2020/04/02/europe/domestic-violence-coronavirus-lockdown-intl/index.html>

are now placed to co-ordinate and receive calls of domestic abuse and immediately inform the superior official about it. They have been working from the grass-root level and have been provided with smart phones for the same.²⁹ There were 111 counselors temporarily designated as the protection officers to only address domestic abuse cases. The mobile numbers of all such officers are publically available at every district. There have been arrangements for the fast transportation of the officers to respond to complaints of domestic abuse and rescue them to the shelter with immediate effect.

As per the counter affidavit, 65 cases of women in distress have been handled by one-stop centers across the Nation. The protection has now rendered services of 92 cases till April 21, 2020, and mainly the cases were of women wanted the officers to warn the abuser of legal consequences of their actions but none of the women went to court out of fear of infection and mobility issues. During this whole pandemic, the police departments have now set up a tele-counseling center with the help of 10 psycho-social counselors to look after all types of counseling required to the victims of domestic violence.³⁰ All the emergency numbers have now also been linked to 'Kavalan SOS App' and call centers with police helpline numbers which are functioning effectively in the State Police Master Control Room and the complaints are now attended by the nodal officer-in-charge directly. The governments have now issues district rescue teams to address violence against women.

The Delhi High Court also directed the Central Government to direct a WhatsApp number for the victims of domestic violence 24*7 and will have to respond to all the calls and messages that are receiving. The National Commission for Women (NCW) introduced a complaint portal³¹ for registering complaints and has also launched a WhatsApp number for the victims of domestic abuse. It will be further looked at by the Ministry of Information and Broadcasting to all private satellite TV channels and FM Radio channels to give publicity to ERSSS³² on women safety and persons in distress.

A PIL was filed for the protection of women and the guidelines provided were:

- Increasing the number of Protection Officers.
- By introducing wide publication through electronic and print media mode
- Helpline number should be published in several newspapers and any other

²⁹ Numbers available at ICDS website, www.icds.in.nic.in

³⁰ Greater Chennai Police Range <https://chennaicorporation.gov.in/others/police.htm>

³¹ Complaints Registration and Monitoring System, National Commission for Women. <http://ncwapps.nic.in/onlinecomplaintsv2/frminstructions.aspx>

³² 121

methodology that can be adopted.

- Emergency passes provided to all protection officer
- All team will have at least 2 women officers.

The Protection Officers are in temporary nature as per the Protection of Women from Domestic Violence Act, 2005 which can be looked into the regular appointment of Protection Officers are made. The guidelines given in the PIL should have the provisions contained in the Protection of Women from Domestic Violence Act, 2005, and shall be effected immediately. It has also been decided if there is no response to the helpline numbers then the call will be directed to the DSLSA and will be looked by them with immediate effect.

AICHLS filed a plea in which it mentioned the incidents of domestic abuse have not only gripped India but also Australia, the UK, and the USA. They also claimed that the helpline number across the nation has received 92,000 calls in the first 11 days of the lockdown alone and the victims were taken to the shelter homes provided by the government.

(A) ANALYSIS OF GOVERNMENT MEASURES IN CONTEXT TO DOMESTIC VIOLENCE ACT, 2005-

The Protection of Women from Domestic Violence Act, 2005 lays down that the government should adhere to the strategies that have not been adhered to. Firstly, the inability of the state to look out for women even in this pandemic situation is not only the violation of Fundamental Rights to Life guaranteed under Article 12 of the Indian Constitution but also Human Right Violation guaranteed in Article 21 of the Indian Constitution. In *Francis Ahmedabad Municipal Corporation v Nawab Khan Gulab Khan's*³³ case, it was guaranteed right against sexual and emotional abuse. Further, in the *Francis Coralie Mullin v Union Territory Administration*³⁴, the apex court recognized that an individual has a right to be freed from physical violence.

Section 11 of the Domestic Violence Act, 2005 highlights the part of the government for regular publicity of issues of domestic violence through the media or print to raise awareness in the society but clearly, the government left this circumstance when they issued lockdown. Section 6 of the Domestic Violence Act, 2005 talks about the establishment of shelter homes in each district by the state government in which the government has failed or the work has been carried out incognito to which no one is aware. The government has recently appointed Protection Officer as per Section 8 and 9 of the Domestic Violence Act, 2005. Section 7 of

³³ (2001) 1 GLR 204

³⁴ 1981 AIR 746, 1981 SCR (2) 516

the Act clearly states providing medical facility to women but the government has been negligent in providing essential goods that even lack sanitary napkins or tampons- a regular essential for all women. Howsoever, Section 17 of the Domestic Violence Act, 2005 talks about the shared household which is concerning the *Chameli Singh case*³⁵. In *S.R. Batra & Another v Smt. Taruna Batra*³⁶, the apex court clearly defined the meaning of shared household under Section 2(s) of the Act. The government is trying to flatten the COVID-19 curve but overlooked the women's physical mental health and violated the Sustainable Development Goal (SDG)³⁷ and Article 51(A)e³⁸ of the Indian Constitution.

The Chairman of NCW has tried its best to acknowledge women of the helpline numbers but as per the record, it has always been seen that women feel uncomfortable reporting to the police and even if they do so the reports are ignored or delayed investigation takes place. For instance, a case in UP was reported³⁹ wherein a woman approached the police regarding the domestic violence done by his husband but the police refused to rescue the victim and she was left with the accused. The numbers of cases are not proportionate to the incidents that are happening this is due to the lack of access to technology in remote and rural areas. According to a survey⁴⁰ 57% of women in India still do not have access to phones so how are they suppose to use the helpline services?

In the absence of a thorough plan by the government, several NGOs have come forward. But they are even facing problems as they are not able to go beyond the web-counseling or telephonic conversation. It has been difficult to rescue victims due to lack of transport facility or protective gears and some of the shelter homes have refused to intake women.⁴¹

IV. WAY FORWARD: INITIATIVES TAKEN BY NGOS & FOREIGN COUNTRIES

The coronavirus crisis led to the lockdown situation for the whole world but we cannot see any lockdown for domestic violence. It increasing every day and many NGOs are trying their best to cure this problem. With the lockdown and sliding into income with no job, tensions are rising especially in the lower-middle-class family. The Delhi High Court has directed the

³⁵ SLP (C) No. 4896 of 1993

³⁶ 15 Dec, 2006.

³⁷ Achieve gender equality and empower all women and girls

³⁸ to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women;

³⁹ Lockdown and domestic violence: As NGOs struggle to support women at risk, government plays catch up, Aathira Konikkara, 15th April 2020, <https://caravanmagazine.in/gender/lockdown-domestic-violence-ngo-struggle-government-catch-up>

⁴⁰ COVID-19, Domestic Abuse and Violence: Where Do Indian Women Stand?, EPW Engage, April, 2020, <https://www.epw.in/engage/article/covid-19-domestic-abuse-and-violence-where-do>

⁴¹ Ibib 39

center and the government to hold meetings to take deliberated measure to curb the domestic violence and protect the victims during the coronavirus lockdown and to protect them the decision on the domestic violence will be taken in three days and the judgment will be passed via video-conferencing.

There were a total of 282 cases⁴² received by the community and hospital-based counseling centers of women-help organization SNEHA between a gaps of one month. The NGO has also received 49 crisis mails where the survivors asked for help but prevented them from making any phone calls to them. The numbers of helpline calls were now reduced to 69 at the Lockdown 4.0.

Women from marginalized sections of society prefer to call or meet the local counselor-volunteers by now during this lockdown it was seen that the middle or upper-middle class and educated survivors are now reaching out more against the fresh outbreak of violence or old abuse that has been exacerbated.

The NGO, All India Council of Human Rights, Liberties, and Social Justice (AICHLS) claimed that they have received an increasing number of complaints of domestic violence incidents during the lockdown in comparison to the last three years. The Delhi government with the help of the Delhi Commission for Women (DCW) has introduced sufficient measures to safeguard victims of domestic violence and child abuse by activating a 24*7 helpline number and the complaint is received and the victims will be rescued immediately.

The shocking news comes when not just wives, daughters too are at the receiving end of abuse being that physical, mental, or emotional, especially those who want to pursue education. The main problems lie as the court is at standstill. The Former chairperson of Maharashtra Women's Commission requested the government to establish counseling centers in every district and the state and should be remotely active during the lockdown. United Nations Secretary-General requested all the countries to put their best efforts to keep the women of the country safe from domestic violence as men have now become a domestic predator and have alarmed the nations about the horrifying global surge in domestic violence against women and girls.

In Mumbai, many advocated came together and wrote to the Union Law Minister for Women and Child Development and offer their services toward the legal aid for victims for domestic

⁴² AATHIRA KONIKKARA, Lockdown and domestic violence: As NGOs struggle to support women at risk, government plays catch up, *The Carvan*, 15th April, 2020, <https://caravanmagazine.in/gender/lockdown-domestic-violence-ngo-struggle-government-catch-up>

violence that is rising during the lockdown. It was also seen the advocates are suggesting different methods used by the United Kingdom which is a ‘silent solution system’ which can help children who won’t have to speak up but just has to dial a dedicated number and keep the phone on so that the domestic abuser would get recorded. NGO Women’s Entrepreneurs for Transformation launched the Red Dot⁴³ initiatives which require drawing of a red dot on their palms to alert people. NGO Breakthrough⁴⁴ has come up with many initiatives like ‘StreeLink’⁴⁵, ‘Community radio in Uttar Pradesh’ along with the reviving its ‘Bell Bajao’ campaign. CORO India⁴⁶ has also started sharing information regarding help for domestic violence by sticking the information in the food packets.

Countries across the globe have brought several initiatives to prevent domestic violence in the pandemic situation. The Canadian government⁴⁷ has announced an aid package of \$50 million along with providing shelters and essential services to domestic violence victims. Australia, France,⁴⁸ and the UK⁴⁹ have also allocated funds separately. Countries including France, Spain, and other Caribbean countries⁵⁰ started providing alternative accommodation to those who cannot be adjusted in the shelter homes. South Africa has given medical facilities to women who have faced domestic violence, on the other hand, China has launched its first online awareness campaign, namely “#antidomesticViolenceDuringEpidemic”. Spain designated a code word “Mask-19” to signal to the police to indicate that they are facing domestic violence whereas, the UK government launched an app called “bright sky” to provide support and information to survivors along with postal workers to look for suspected cases of domestic violence.

While looking at the increasing number of cases across the globe there was a need for a countrywide lockdown. But there is adequate need for implementation of judiciously integrated crisis for an increase in the number of cases of domestic violence in the pandemic:

- Firstly, as the government should widen the ambit of essential service they should increase the allocation of funds for setting up shelter homes.

⁴³ COVID-19 LOCKDOWN: YOU CAN NOW REPORT DOMESTIC VIOLENCE USING THIS SIGNAL, THE NEW INDIAN EXPRESS, 04TH APRIL 2020, [HTTPS://WWW.NEWINDIANEXPRESS.COM/NATION/2020/APR/04/COVID-19-LOCKDOWN-YOU-CAN-NOW-REPORT-DOMESTIC-VIOLENCE-USING-THIS-SIGNAL-2125720.HTML](https://www.newindianexpress.com/nation/2020/APR/04/COVID-19-LOCKDOWN-YOU-CAN-NOW-REPORT-DOMESTIC-VIOLENCE-USING-THIS-SIGNAL-2125720.HTML)

⁴⁴Sohini Bhattacharya, Time To Ring The Alarm Bells On A Shadow Pandemic, Reader’s digest, Apr 9, 2020, <https://www.readersdigest.in/features/story-time-to-ring-the-alarm-bells-on-a-shadow-pandemic-125442>

⁴⁵ StreeLink, Breakthrough, <https://inbreakthrough.org/campaign/streelink/>

⁴⁶ CORO, <http://coroindia.org/>

⁴⁷COVID-19 and Ending Violence Against Women and Girls. UN Women, March 2020, <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/issue-brief-covid-19-and-ending-violence-against-women-and-girls-en.pdf?la=en&vs=5006>

⁴⁸ Ibid 46

⁴⁹ Ibid 46

⁵⁰ Ibid 46

- Secondly, the emergency warning system must be set up ensuring that the women could reach out easily without alerting the abuser.
- Thirdly, the government should take strict action regarding the protection of the sexual and reproductive health of women.
- Fourthly, try to reach out to the women who have no access to phone or internet living in the panchayats and SHGs jointly to ensure full safety.⁵¹
- Lastly, as the United Nations Secretary-General claimed that all the government should appeal for a 'ceasefire' for the victims of domestic violence by determining a long- term effect.

(A) GENDER LENS-

Many NGOs highlighted that due to a shortage of food and not much of commercial activity in the crisis situation, the immediate victim of domestic violence is mostly daughters and mothers of the house. WHO conducted a survey which clearly states that women who are in an abusive relationship their children will be exposed to the violence as the family cope with additional stress and potential economic or job losses. It was also highlighted by the WHO that the health impact caused by violence, particularly intimate partner violence on women and their children are quite significant. Violence against them results in injuries and serious, physical, mental, sexual, and reproductive health problems such as HIV, unplanned pregnancies, etc.

During this pandemic situation, women are losing jobs have made them more vulnerable and are not financially stable. The National Federation of Indian Women asserted that during the decision of conducting the lockdown the government has clearly have not considered the impact on families and the families are generally run in a feudal and patriarchal way. The work done by women inside the houses is never discussed in terms of monetary value and led it to subjugation. Men generally do not spend their whole day at home but due to this lockdown they are confined to their homes and this led to irritation and frustration which later leads to intimate partner violence or even marital rape.

The Karnataka State Commission for Protection of Child Rights highlighted that due to the lockdown the young girl's families are attempting to marry off their minors and those who all are protesting against them are now facing physical violence in their houses and are unable to reach the police or the helplines.

⁵¹ Ashwini Deshpande, In locked down India, women fight coronavirus and domestic violence, The Shadow Pandemic, April 16,2020, <https://qz.com/india/1838351/indias-coronavirus-lockdown-leads-to-more-violence-against-women/>

V. DRINKING AND DOMESTIC VIOLENCE

After 41 days of the rigorous lockdown, the government has now imposed the opening of the shutters of liquor shops and the citizens have broken all the social distancing norms. Even though the Ministry of Home Affairs has released a detailed list of rules of liquor shops to follow to function smoothly but no one followed it which later resulted in an increasing number of coronavirus cases in India. It is a secondary thing for the time being like the opening of liquor shops has now resulted in much more fear in the minds of people and that is intimate partner violence. Alcohol consumption is a major contributor to the occurrence of intimate partner violence and links between the two are manifold. This fact sheet details what is known about the role of alcohol in shaping the extent and impact of intimate partner violence, factors that increase the risk of becoming a victim or perpetrator, and the role of public health in prevention.⁵²

The government should have decided a more permanent solution to get its economy back on the track and not on the verge of the human cost that all women have to pay. Many women, especially the marginalized section of the society have constantly requested the government to stop the sale of liquor as it has added more burdens on their shoulders due to the increase of violence they are facing their homes. Several women came together and also requested the state to keep their wine shop closed during the lockdown to prevent alcoholics from shattering their families into pieces and wasting the money. Furthermore, the violation of human rights, the victims of domestic violence are facing mental as well as health issues such as depression, sexual disorder, PTSD (post-traumatic stress disorder) and substance abuse, etc. The main reason for domestic violence is due to no communication from the outside world. Earlier, the victims could easily flee from a violent situation by staying elsewhere but now the option is not available with them.

The World Health Organization (WHO) says that alcohol consumption reduces self-control and leaves people less capable of negotiating tensions within relationships whereas, excessive drinking by one partner can also lead to financial difficulties, childcare problems and other family issues which will further lead to aggression and violent behavior after drinking and which can be used as an excuse for violence

The condition of domestic violence and drinking are the same throughout the world. In South Africa, it was seen domestic abuse crimes are down by 70% as compared to last year⁵³ as

⁵² World Health Organization, http://www.who.int/substance_abuse/terminology/who_lexicon/en/

⁵³ Roli Srivastava and Kim Harrisberg, Tuesday, 5 May 2020, Will lockdown alcohol bans affect domestic violence?, Thomson Reuters Foundation, <https://news.trust.org/item/20200505191710-1niva/>

many women are trapped at home and are unable to call for help. The domestic violence calls have been 2,300 in the first five days of the lockdown which is three times more than the rate of before lockdown.⁵⁴

(A) HAVE PREVIOUS ALCOHOL BANS REDUCED DOMESTIC VIOLENCE?

The WHO sites two historical experiments that made a great impact on society. In the 1990s, an Australian town has reduced its hour of sale of alcohol which resulted in reduced in the number of victims admitted to the hospital for domestic abuse.⁵⁵ In the 1980s, Greenland limited their alcohol production and was credited with 58% fall in police call-outs for domestic incidents.⁵⁶ In 2019, in Bihar, India women joined hands and campaigned for bans on liquor which resulted in a lesser number of domestic abuse, and such bans pushed alcohol consumption underground.

It has seen that by regulating the price of alcohol the consumption of it will be reduced and thus the violence will also be reduced.⁵⁷ In the USA it has been estimated that a 1% increase in the price of alcohol will decrease the probability of domestic violence towards women by 5%.⁵⁸

VI. CONCLUSION

When the government was planning for lockdown due to the COVID-19 situation, they should have prioritized the domestic violence consequences. In India, the government has overlooked the need to integrated domestic violence and the mental health repercussions into the public health preparedness and emergency response plans against the pandemic.

We need a nationwide campaign to promote awareness regarding domestic violence and highlight the various modes through which the complaints can be filed. National news channels, radio channels, and social media platforms must be strategically used, similar to the way in which the government has deployed campaigns advocating for physical distancing and hand-washing against the COVID-19 situation. Citizens must be sensitive towards intimate partner violence and the neighbors and bystanders should not ignore it but rather intervene in the situation.

⁵⁴ Ibid 3

⁵⁵ Douglas M. Restriction of the hours of sale of alcohol in a small community: a beneficial impact. *Australian and New Zealand Journal of Public Health*, 1998,22: 714-9.

⁵⁶ Room R et al. *Alcohol in developing societies: a public health approach*. Helsinki and Geneva, Finnish Foundation for Alcohol Studies and World Health Organization, 2003

⁵⁷ Chaloupka FJ, Grossman, M, Saffer H. The effects of price on alcohol consumption and alcohol-related problems. *Alcohol Research and Health*, 26:22- 34.

⁵⁸ Stuart GL et al. Reductions in marital violence following treatment for alcohol dependence. *Journal of Interpersonal Violence*, 2003,18:1113-1131.

When people are unable to contact for help, the government should initiate an alternative just like France and Spain by introducing a codeword. The government should also allow civil society organizations, counselors, mental health organizations, and other service providers to help people who are facing domestic violence. The government should classify reaching out to people facing domestic violence as an ‘essential service.’
