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## Domestic violence and women’s safety during the Lockdown

Satyam Shivam<sup>a</sup> Shweta Gautam<sup>b</sup>

<sup>a</sup>Dr. Ram Manohar Lohiya National Law University, Lucknow, India <sup>b</sup>Dr. Ram Manohar Lohiya National Law University, Lucknow, India

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*This article talks about women safety and domestic violence especially during the unprecedented time of covid-19, due to the pandemic many countries imposed nationwide lockdown and this was the period when people had no option but to stay at their respective homes, spending time together with family, spouse or partner means sharing love and having compassion but it resulted into conflicts too. Women were subjected to physical, social, mental, and financial abuses and all these come under the ambit of domestic violence. The world was battling with a pandemic outside their homes but women were facing domestic violence inside their homes which also has been referred to as a shadow pandemic by the international body UN Women. The essay describes various aspects of domestic violence, its causes, consequences, and the solution. It also gives a legal perspective on how domestic violence is not morally wrong but also a crime and grossly violates the human rights of the victim. Various landmark judgments and reports were studied to present the issue of domestic violence from all the possible perspectives i.e. social, emotional, legal, and financial, etc to conclude this essay.*

**Keywords:** *lockdown, domestic violence, shadow pandemic, women’s rights.*

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## INTRODUCTION

Domestic violence is nothing but a misused power of an intimate partner on other partners. Domestic violence has many forms like physical assault or social abuse, psychological abuse. It is also one of the most common types of VAW across the world. VAW considerably prevents, and intimate partner violence could be a prevailing kind of Violence Globally, one in three ladies worldwide have fully-fledged physical and sexual violence by their partner or sexual violence. The conception of violence isn't a brand new development, nor square measure its consequences, because it could be a long-aged menace still existing in our society. The violence perpetrated on ladies could be a social issue and health, economic, biological process, academic, and especially, an individual's rights offering. The family is usually equated with sanctuary, wherever people request love, safety, security, and shelter. Still, analysis shows proof that it's additionally become the place wherever lives square measure place in peril and breeds extreme violence against ladies and girls. Violence against ladies tends to extend in each style of emergency, as well as pandemics. this is often a result of ladies square measure the foremost vulnerable in our society thus far. 50% of the population square measure ladies in India; they need been perpetually victimized by maltreatment, mental, physical, and emotional torture. during this quarantine section, women square measure being crushed, tortured, and even killed within their homes. they need to be thought of economically, socially, physically, and showing emotion weaker than males in society.

Domestic violence could be a crime that tends to happen behind the doors between intimate relationships. the half-hour of ladies in Asian country and half-hour of ladies worldwide square measure victims of violence. however sadly, once national lockdown was obligatory in Asian countries on March 25, 2020, the govt did not craft a method to mar the violence within the country. international organization secretary-general additionally accounts the globe is witnessing the sharp rise of violence against women across the world like the U.K of Great Britain and Northern Ireland, USA, Australia, France, Germany, Hong Kong, and plenty of a lot of the countries whole world, and girls square measure suffering; they're at bay with their offender in a very developing country like Asian country. National Commission for

women aforesaid it registered 587 violence complaints between March twenty-three and April sixteen – a major surge from 396 complaints received within the previous twenty-five days between Gregorian calendar month twenty-seven and March twenty-two.<sup>1</sup>

## TYPES OF VIOLENCE<sup>2</sup>

**1. Physical abuse:** physical abuse involves someone's victimization physical force against you, and it's the foremost common kind of violence. It has been outlined below the violence act 2005<sup>3</sup> to include any action that causes bodily pain or danger to life, limb or health, or development of the victim. Some really common forms of physical abuse are scratching by nails or any object, biting, pushing on the ground, slapping, or hair pulling.<sup>4</sup>

**2. Verbal abuse:** verbal abuse involves verbal interaction that causes someone emotional hurt, usually prompting them to question World Health Organization they're. Verbal abuse includes threats created by domestic relationships throughout violence against ladies. Types of verbal abuses are Blaming, Criticism, Judging, Threats.

**3. Economic abuse:** ladies in intimate partner relationships could expertise money abuse in varied forms. Like being denied access to bank accounts, data it's going to embody being financially dependent or not having enough cash to shop for food, nappies, baby formula, hygienic merchandise, or pay essential bills. Economic abuse is sometimes characterized as the way of depriving or threatening to deprive the victim and her kids of the use of financial resources.

**4. Emotional abuse:** Emotional abuse will feel as harmful and damaging as physical abuse and severely impact your psychological state. It's usually used as the way to take care of power and management over somebody. Types of emotional abuse are Verbal abuse, Rejection,

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<sup>1</sup> PTI, 'India witnesses steep rise in crime against women amid lockdown, 587 complaints received: NCW' (*Economic Times*, 17 April 2020) <<https://economictimes.indiatimes.com/news/politics-and-nation/india-witnesses-steep-rise-in-crime-against-women-amid-lockdown-587-complaints-received-ncw/articleshow/75201412.cms?from=mdr>> accessed 01 July 2021

<sup>2</sup> *Ibid*

<sup>3</sup> Domestic Violence Act 2005

<sup>4</sup> *Ibid*

Causing worry, Isolation, Bullying, and intimidation.

## HISTORICAL BACKGROUND OF CRIME AGAINST WOMEN

Each introduce history has witnessed a distinct quite social evil against ladies.

- **Vedic period:** there was no such crime against ladies during this era. ladies enjoyed complete freedom and were treated as Aradhangini.
- **Post-Vedic period:** during this amount, ladies weren't treated equally as men. The evil of sati additionally started within the amount.
- **Medieval period:** during this amount, women's positions declined. Purdah paratha, sati pratha, kid wedding, polygamy, etc., were the principal social evils.
- **British period:** once the country came to the Asian country, crime against ladies was rampant. The efforts of social reformers like Raja Ram Mohan Rai, Ishwar Chand Vidhyasagar, Lord William Bentinck helped constitute such social evils, however, women could not be free from exploitation.
- **Post-independence period:** when independent, the constitution of Asian countries arranged down equal basic rights to men and girls. They were additionally given special privileges within the kind of Art 15(3),<sup>5</sup> .and several enactments were additionally made up from time to time for strengthening the position of ladies in society. However, the theoretical rights of ladies were never enforced much, And crimes against ladies ne'er return to a finish.<sup>6</sup>

## LOCKDOWN ROLE IN DOMESTIC VIOLENCE

From the first month of t he pandemic, helpline calls increased by 60% across the EuropeanUnion. In 12 countries violence against women increased by 83% (a report by UN).<sup>7</sup>

## IN INDIA

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<sup>5</sup> Constituion of India, art 15(3)

<sup>6</sup> *Ibid*

<sup>7</sup> Ginette Azcona and others, 'From insights to action: Gender equality in the wake of COVID-19' (*UN Women*, 2021) <<https://www.unwomen.org/en/digital-library/publications/2020/09/gender-equality-in-the-wake-of-covid-19>> accessed 01 July 2021

Government across the world has failed to acknowledge the hidden domestic violence.<sup>8</sup> Pandemic in India is no exception, all the burden of family is on women, they are like unpaid workers of the house. Indian women nearly spent 353<sup>9</sup> min a day on household work, which is 5775 more compared to males.<sup>10</sup> The Indian ministry and health and family welfare have maintained silence on this issue, whereas the government of Odisha urges men not to ask for food multiple times a day, and doesn't treat this lockdown as a holiday. But is tragic that the government is only asking them not to burden women and not be contemplate men sharing the work of home equally. This patriarchal impact of the pandemic is not only bound to domestic chores. The national commission for women has recorded a major increment in gender-based violence across the country, the body receiving 257 calls in the last week of March and 116 calls in the first week.<sup>11</sup> But the reality is much more severe than this as 99% of the cases in India are going unreported.<sup>12</sup> Domestic violence is a virus in itself and it has mutated its DNA in this lockdown. Some other factors like the reduced working of courts, monitoring of phones. Additionally, the closure of wine shops can increase the complicated relationship between alcohol and domestic violence.

## IN WORLD

Domestic violence invariably will increase once the family spent longer together. The information shows that amidst this internment, violence complaints have nearly doubled. Stress, the dispersion of social and protecting networks, and shrunken access to service exacerbate the chance of violence for girls. Women's unpaid care work has long been recognized because the driver of difference includes a direct link to wage difference, lower-income poorer education outcomes, and physical and mental state stressors. In Australia

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<sup>8</sup> *Ibid*

<sup>9</sup> Jagriti Chandra, 'Covid-19 lockdown | Rise in domestic violence, police apathy: NCW' (*The Hindu*, 2 April 2020) <<https://www.thehindu.com/news/national/covid-19-lockdown-spike-in-domestic-violence-says-ncw/article31238659.ece>> accessed 01 July 2021

<sup>10</sup> *Ibid*

<sup>11</sup> Social Care Institute for Excellence, 'Types and indicators of abuse' (*Social Care Institute for Excellence*, December 2020) <<https://www.scie.org.uk/safeguarding/adults/introduction/types-and-indicators-of-abuse>> accessed 01 July 2021

<sup>12</sup> *Ibid*

there's an increase of 5% in domestic violence cases,<sup>13</sup> China has also seen a massive surge in domestic violence<sup>14</sup> after imposing lockdown.<sup>15</sup> Different states in the US have also seen a surge of 21%-35%<sup>16</sup> in domestic violence cases. Despite an increase in domestic violence all over the world a Delhi-based NGO, jagori has witnessed a drop in helpline calls by 50%,<sup>17</sup> this could be fear of getting caught by the abuser. The second necessary facet is domestic labor; gendered roles worldwide have placed domestic work on women's shoulders, that square measure socially demarcated as 'women's work.' throughout the pandemic.

The expectation is for girls to try all the tasks, which too with all the productivity and probabilities of violence increase if she fails to try to this. The Economic issue has played a very major role in this violence. In line with the middle for watching the Indian economy, internment throws 72million folks out of labor. Still, it conjointly drove another 85million to some desperation to seem for jobs amid national internment once none were out there. The increasing money burden and also the family's desire, particularly within the poor strata of society, is a square measure creating things worse. Such a sorry state of affairs comes below the umbrella of things that preserve this violence. Domestic violence is in rapes and harassment, and COVID-19 time sets out the classic example of it. Two large integer babies square measure to be born in the Republic of India by Gregorian calendar month 2020.<sup>18</sup> This can be the best variety recorded to this point. The question it raises now could be that many of these babies turn with the consent of ladies. The Republic of India has still not punished marital rape.<sup>19</sup>

## LAWS AGAINST DOMESTIC VIOLENCE

<sup>13</sup> Else Keneddy, 'The worst year': domestic violence soars in Australia during Covid-19' (*The Guardian*, 30 November 2020) <<https://www.theguardian.com/society/2020/dec/01/the-worst-year-domestic-violence-soars-in-australia-during-covid-19>> accessed 01 July 2021

<sup>14</sup> *Ibid*

<sup>15</sup> S Mittal & T Singh, 'Gender-Based Violence During COVID-19 Pandemic: A Mini-Review' (*Frontiers*, 8 September 2020) <<https://www.frontiersin.org/articles/10.3389/fgwh.2020.00004/full>> accessed 01 July 2021

<sup>16</sup> *Ibid*

<sup>17</sup> Simran Sirur & Revathi Krishnan, 'Indian women are locked in with their abusers, but are finding new ways to seek help' (*The Print*, 3 April 2020) <<https://theprint.in/india/indian-women-are-locked-in-with-their-abusers-but-are-finding-new-ways-to-seek-help/393949/>> accessed 01 July 2021

<sup>18</sup> Allen-Ebrahimian, 'China's coronavirus quarantines raise domestic violence fears' (*Axio*, 1 July 2021) <<https://www.axios.com/china-domestic-violencecoronavirusquarantine-7b00c3ba-35bc-4d16-afdd-b76ecfb28882.html>> accessed 01 July 2021

<sup>19</sup> *Ibid*

According to section 498A of the Indian Penal Code<sup>20</sup> 1860,<sup>21</sup> whoever is that the married person or relative of the husband of a girl,<sup>22</sup> subjects such ladies to mercilessness are going to be rebuffed with detainment for a term which might make 3 years can even be powerless to fine? 498 AA of IPC<sup>23</sup> and 113A<sup>24</sup> of the Indian evidence act have been inserted by the legal code (amendment) Act, 1983.<sup>25</sup> This section aims to ventilate the atrocities of recently married brides due to gifts or different similar demands from their husbands or in-laws.

## GOVERNMENT FAILURE

The national quarantine with no previous preparations was the most reason behind this second pandemic (domestic violence). All the victims of violence were confined in their homes. They can't even visit their parental homes thanks to the worry of infecting their oldsters. The victims of such abuse may a minimum of reach resolute their friends and family before this internment, however, currently, they're latched up with their abusers, which don't facilitate the case and, consequently, worsens. There square measure rumored instances wherever the police unbroken their eyes averted and refused to register a woman's criticism, below the pretext of the courts being finished off for several days. Instances like these and also the gift circumstances leave these ladies and liable to abuse.

The accumulated cases of violence don't seem to be simply a result of the frustration that stems from physical confinement. This international pandemic has brought a mammoth holdup, impenetrable state problems, and looming recessive conditions in its wake. Doubtless, state levels have escalated. There's proof from the past that violence against ladies will increase throughout episodes of state. The police are already burdened with making certain that individuals adjust to the internment. Hospitals don't have time or area to seem at violent cases. They're forced to sit down in abusive and violent environments with very little access

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<sup>20</sup> Indian Penal Code 1860, s 498A

<sup>21</sup> Tejaswi Pandit, 'Cruelty to Women [S. 498-A IPC and allied sections]' (*Sc Online*, 3 December 2018) <<https://www.sconline.com/blog/post/2018/12/03/law-for-laymen-section-498-a-ipc-and-allied-sections-cruelty-to-women/>> accessed 01 July 2021

<sup>22</sup> *Ibid*

<sup>23</sup> Indian Penal Code 1860, s 498A

<sup>24</sup> Indian Penal Code 1860, s 113A

<sup>25</sup> Legal Code (amendment) Act 1983

to redress. Those UN agencies will escape the torture notice themselves isolated while not the required support and facilities. There's a requirement for well-funded and essential support services for survivors of the abuse. There's a demand for psychological care and economic resources.

## GLOBAL RESPONSE

Antonio Guterres, the international organization secretary-general, had schooled the govt. to place women's safety foremost whereas responding to the pandemic he urged that enhanced investment in civil society organizations and online services and therefore the shelters ought to be declared as important services for safety. Moreover, he told them to hold on with the prosecution of abusers and hold the people in prisons United Nations agency were condemned of brutality against girls. Again, social and economic infrastructure and services ought to be offered to girls and kids to stop them from the violent surroundings of their unit structures. In different components of the planet, the mechanisms to shield girls from being barred in with their perpetrators have evolved whereas considering internment and social distancing. Spain, France, Germany, Italy, Norway, and Argentina have adopted a campaign referred to as mask-19.<sup>26</sup> Once a lady faces abuse reception, she will visit the closest pharmacy and invite a mask that is mask-19. The pharmacy workers take her name, number, and address. Then, they alert the emergency services. After that, the girl will return home or await the arrival of police and support employees. With the increasing range of cases throughout the primary week of internment junction rectifier, the French government announced that it might procure building rooms for victims of domestic violence and open pop-up direction centers.<sup>27</sup>

Canada is keeping force shelters open for victims of domestic and gender-based violence. It's providing \$50 million to support them. Great Britain and Australia have conjointly funded the serving to organizations. The Italian government has launched an associate degree app that permits the victims of force to hunt facilitate while not creating telephony. It's a good try taken

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<sup>26</sup> Natalia Higgins, 'Coronavirus: When home gets violent under lockdown in Europe' (BBC, 13 April 2020) <<https://www.bbc.com/news/world-europe-52216966>> accessed 01 July 2021

<sup>27</sup> *Ibid*

by them against the current issue. Asia and therefore the Pacific to cut back and stop VAW before COVID-19 complications embrace introducing or strengthening dedicated legislation on VAW, services for survivors of violence, and methods to avoid violence. Enacting associate decreed an anti-catcalling ordinance in the city, Philippines. This ordinance junction rectifies a national law against harassment publically areas. The Republic of Korea's digital sexual crime victims support center provides direction, investigation, legal and medical help to victims of digital violence. The Women's protection center in Asian countries could be a network of eleven shelters that give refuge, medical, legal, and psychological services to survivors of violence. The "my town, my rights" campaign in the capital of India, India, collaborated with businesses to form "sexual harassment-free zones" associate decreed an app to gather safety knowledge on roads and railway stations.

## CONCLUSION

We need to create a safe space for women by making certain balances. This menace will be banished entirely by a "community-based network" between the societies or communities and among folks, which is able to install a way of concern or shame before the commitment of such associate degree act by the offender. Once the govt. starts producing plans to reply to crises like COVID-19, addressing force should be prioritized. In India, the govt. looks to own unnoticed the requirement to integrate force formally and mental state repercussions into the general public health readiness and emergency response plans against the pandemic. We need an associate degree aggressive nationwide campaign to market awareness concerning force and highlight the assorted modes through that complaints will be filed. Some square measure main avenues on that the pandemic fosters violence; like enhanced exposure to perpetrators, advantages for abusers, and three. Limited support services for victims.

Incidents of intimate partner violence and digital violence square measure significantly probably to rise throughout lockdowns and remote work and faculty. whereas the theoretical implications of the COVID-19 pandemic for VAW paint a bleak image, this could be used to form new policy responses to VAW and preventative measures that will last on the far side of the worldwide health emergency and scale back VAW within the long run. Governments ought to

specialize in additional wonderful communication and knowledge access, making ways for victims of abuse to contact facilitate through various news channel and social media platforms should be strategically used the same as however the govt. has used the campaigns advocating for COVID norms like social distancing and wearing a mask. Additionally, centering on women's well-being and gender equality in policy responses to the covid-19 pandemics will mitigate the shadow pandemic.