

# PROLIFERATION OF DOMESTIC VIOLENCE CASE IN LOCKDOWN

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## ABSTRACT

Domestic violence is defined as abusive and brutal behavior in a relationship by the partner in order to get control over the other or may take out frustration at. The boundary is not limited to intimate partners, it can exist in any relationship residing in close confinement. Covid 19 has affected everyone across the globe, and due to which lockdown has been imposed to keep everyone safe. During this strained time those who are locked up in closed walls with their abuser are the vulnerable ones. The condition of people residing with abusers has worsened. In India National Commission of Women launched a WhatsApp number where victims who are in constant surrounding of the outrage can reach out for help. Chhattisgarh police rolled out a campaign called “Chuppitod” in order to handle the situation. Spain’s Canary Island introduces Mask 19 Campaign. The victim can reach out to the nearest pharmacy and ask for Mask 19` so that the pharmacy staff can enrol details to caution the cops. Italy, Spain and France turned vacant hotel rooms into short term accommodation for the victims leaving the victimizer. The legislative body in India had already penalised domestic violence and supported it with Protection of Women against Domestic Violence Act, 2005.

## INTRODUCTION

Crime against women is the first hand and least touched thorny zone of the globe. Domestic abuse has always been the basal of the counting. The women are mercilessly trapped in a system that brushes off their voice. The serious and immediate threat to society is someone struggling with domestic abuse, coping with their threat of depression and anxiety instead of uncovering it.

## LOCKDOWN ADDED MISERIES TO THE LIFE OF DOMESTIC VIOLENCE VICTIM

When the existence of humans is challenged by the pandemic, people are staying in closed space. With this current situation it appears more and more numbers of women are facing the wrath of domestic violence. As per the statement of WHO'S regional director for Europe, there is 60% of spike in emergency call by women subject to violence by their partners in April this year as compared to last year, If the lockdown persist for another six months, there would be 31 million more cases of domestic violence as estimated by the UN agency for sexual and reproductive health (UNFPA).<sup>1</sup> Women that are in abusive unions have nowhere to run in this period. The lockdown has trapped the women with the burden of domestic accountability. There are no exit options from situations of abuse. Countless women right now are in need of support. They are stuck and rendered powerless because of quarantine. Domestic violence is a deep seeded issue since ages. Gender based violence has always been generalised in the society. The idea of patriarchal society is much overpowering and demolishing it won't be simpler. An act of domestic abuse should never be condoned. Even in most cases the perpetrators have no recognition of accountability of their actions. For women who are living in close confinement in a toxic relationship, there are lesser probabilities of reaching out for help compared to earlier situations. A lot of them are in constant survival mode due to the prolonged and unresolved trauma. The lockdown has exposed how vulnerable and deep the rot is. As the unpredictability of the future around covid-19 countries, it is necessary to address the worst side of the patriarchy system. The government is ventilating upon the economic cost the country is bearing and in the same notion failing to scrutinize the scars of gender-based violence living in closed walls. To restrain escalation of virus the lockdown is inescapable, but this should not be justification for the gender-based maltreatment.

The National commission of women has launched a WhatsApp number where domestic abuse cases could be reported on an emergency basis. The purpose behind it is that during the phase of lockdown the women subjected to violence are in constant surround of their abuser. So, this number is next door option for the survivor to inform about the abuse without having the perpetrator clue of it. In April, 514 of 999 complaints and in May 914 out of 2028 complaints reported to the National Commission of Women are the cases of domestic abuse.<sup>ii</sup> Due to being caged only online complaints were reported in April. The gradual descending of calls related to domestic violence was witnessed by the Delhi commission of women in the mid-April. Most of the victims of domestic abuse have barriers of reporting fear due to the social stigma of unacceptance and lack of family support. The social pressure of being abandoned and not being self-empowered restricts the victim to get out of the disdainful relationship. Another ground for non-reporting of the cases is the major fraction of the women does not have means to reach out for help. Out of the cases reported, a portion of them are educated and have the source to raise their voice. But for those who don't have, are forced to reside with their abusers. They have a minimal or may be minus options and courage to leave the victimizer. Making women's lives unnecessarily painful serves what they see as their best interest. As lockdown has triggered the disappointed level of human pathogens the results are turning out vulnerable.

“The mothers are separated from their new born after domestic violence in the lockdown” said by Deputy Advocate General Deepika Deshwal.<sup>iii</sup> Narcissistic abuse leaves the victim with less ideal coping strategies. How the sufferers endure the pain, cannot be concluded. Women after being subjected to domestic violence suffer from no stoppage depression and anxiety. They are surrounded by mental and emotional strain which lead most of them to end their life. One out of four victims of domestically ill-treated women attempt suicide. They have been found at increased risk for emotional and behavioural difficulties due to involvement in violence. Anguish and distress become internal. The victims are left with lower self-esteem and zero confidence. Most of the time women facing violence don't want to get separated from their partner in the fear of lack of support which results not only in the degradation of physical health but also mental health.

Hubei province being the epicentre of the covid-19 outbreak was in lockdown since February witnessing triple in violence against women since early February. The increased abuse to women is a predictable side effect of the covid-19 lockdown.

## CAMPAIGNS TO BREAK LOCKING UP WITH ABUSER

Recently the UK announced a codeword scheme for the victims of household assault to escape from the perpetrator during a shopping trip to avail essential information in this period of lockdown. In Spain, gender-based violence is declared essential. To deal with it “Mascarilla” 19 or Mask 19 campaign is launched in Spain’s canary island. A woman facing domestic abuse can go to the nearest pharmacy and request for Mask 19. The pharmacy staff will enrol all her details and alert the emergency services. Mask 19 is also adopted over Italy, France, Germany and more countries. An added step is being taken by Italy, Spain and France by turning vacant rooms of the hotel into temporary escaping shelters for the survivors of home abuse. The Malaysian government posted a “Household happiness” campaign to maintain a healthy environment in home offering tips to the wives on how to behave during this movement control period. However, the posters were taken down because of over the top criticism and protest. The idea still prevails rooted in the society where women are expected to flourish with one thousand percent responsibility and men are only with bread earning. Following the spike in the number of cases across the globe since the implementation of the stay in home order, the United Nations Secretary urged for emergency action to be taken from the government to ensure the safety of domestic violence survivors.

India is no exception in the shadowed subject. India is facing the jump in the number of cases of virus along with ascending cases of abuse. Recently the Odisha government appealed to people not to consider the lockdown as holiday and overburden the women by asking them to cook multiple times. The cops of Raipur, Chhattisgarh have come up with a unique way to tackle the case of domestic abuse. The ‘Chuppitod’ campaign has relieved numbers of women in abusive relationships not only from the state but also from other states. The all India progressive women’s associations secretary Kavita Krishnan said if the government had warned about the lockdown, the ill-treated women could have moved to safer places.<sup>iv</sup> The National Legal Service Authority [NALSA] is set to broaden online legal assistance services by a committee of women lawyers in each district to outstretch aid to women in need.<sup>v</sup>

The national media is unfolding all corners of the pandemic but are inefficient in revealing the shadowed violence. The media is not acting responsibly in unmasking the gravity of the subject rather are being biased onward the nature of it. Stay at home order due to covid 19 has torched up on the deficiency of Anti Domestic Violence law. The policy regarding abuse is extremely

fragile. In regards to our responsibility we have failed as developing humans and society. No education is efficient unless theoretical, moral values are merged in our daily regime. Abusing under the tag of patriarchy would not be demoralised unless people stop contemplating as their “house matter”. We can win over the pandemic but how can we demolish the demons residing in every alternate home? The pandemic making it worse fearing aggression inside and the viruses outside.

## **LEGISLATIVE BACK UP TO THE VICTIMS**

section 498A of The Indian Penal Code states that if a woman is subjected to cruelty by her husband or relative of her husband, then they shall be punished with three years of imprisonment and will be liable for fine.<sup>vi</sup>

In case of *State of West Bengal v. Orilal Jaiswal*, a newly married woman, was the victim of domestic abuse. She was ill treated by her husband and her mother in law. The court held them guilty for the cruel act.<sup>vii</sup>

In the case of *Pawan Kumar v. State of Haryana* the supreme court states that cruelty or harassment need not be physical, in a grave case mental torture would be sufficient for conviction.<sup>viii</sup> The legislative body introduced Protection of Women against Domestic Violence Act, 2005 to prohibit persecution against women. This covers the scope of all abuses like physical, emotional and economical.

## ENDNOTES

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<sup>i</sup> Available at <https://www.thehindu.com/news/international/coronavirus-lockdown-surge-in-domestic-violence-says-who/article31529111.ece#> (updated may 07, 2020 22:34 IST)

<sup>ii</sup> Available at <https://m.timesofindia.com/india/domestic-violence-accounts-for-over-47-complaints-to-ncw-in-lockdown/articleshow/76161829.cms>

<sup>iii</sup> Available at <https://m.tribuneindia.com/news/punjab/domestic-violence-cases-up-21-since-lockdown-88187> (Posted: May 22, 2020, 07:09 AM)

<sup>iv</sup> Available at <https://thelogicalindian.com/news/domestic-violence-abuse-cases-rising-20446>

<sup>v</sup> Available at <https://m.timesofindia.com/india/legal-aid-widened-as-domestic-violence-rises-amid-lockdown/articleshow/76240313.cms>

<sup>vi</sup> Section 498A, The Indian Penal Code

<sup>vii</sup> The Indian Penal Code by Prof T. Bhattacharya, page no 835

<sup>viii</sup> The Indian Penal Code by Prof T. Bhattacharya, page no 836