ISSN 2582-0311 (Print)
ISSN 2582-0303 (Online)

Volume 2
Issue I

August 2020

VIPS STUDENT LAW REVIEW

VIVEKANANDA INSTITUTE OF PROFESSIONAL STUDIES

ISO 9001:2015 Certified Institution
(Affiliated to GGSIP University & Approved by BCI & AICTE)
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TABLE OF CONTENTS

S. No Title of the Paper/Author **Page No.**

1. Position of Colour Trademarks, Acceptability And Related Issues: A Comparative Analysis..... 1
Anuja Misra and Chitra Ahluwalia

2. Comparative Analysis of Corporate Governance in India and USA 18
Nikita Mittu

3. Right to Marry of Muslim Women on Divorce: An Analysis..... 39
Dr. Raghuvinder Singh and Arti Sharma

4. Syrian Refugee Crisis and its Impact on International Humanitarian Law..... 28
Jayanta Boruah

STUDENT SECTION

5. India's Call on Scientific Criminal Investigations 54
B.Yamuna Saraswathy and R.B. Rishabh

6. Copyrights in ebooks: A Tussle between DRM Technology and Principles of Copyright Law 62
Ananya Jain

7. Assimilating Intermediary Liability Regimes In India..... 74
Akanksha Badika and Pragya Mishra

8. Squinting at the Narco-Analysis and the Brain Mapping tests through 'Fluid" consent 86
Kanak Mishra

9. Changing Dimensions of Fantasy Games in India and its Legality..... 98
Akshit Bhardwaj

10. Little Red Riding Lawsuit: An Analysis into the Legality and Application of Single-Colour Trademarks in India, Highlighting the Dire Need for their Adoption with reference to Christian Louboutin S.A.S v. Abubaker and Ors. 112
Manan Katyal

11. A Shift to Inquisitorial Model: Assessing the Challenges to India's Criminal Justice System..... 132
Merrin Muhammed Ashraf

12. Analyzing the Enforceability of Force Majeure Clause in light of COVID-19 … 146
Rishabh Soni

13. Lockdown in India- A Major Setback? 156
Ananya Sanjiv Saraogi and Vallabhi Rastogi

14. Due Diligence Exercise: Demystifying the Duty of Merchant Bankers in Indian Securities Law Regime 171
Mansi Mishra

15. The Use and Misuse of Mercy Petitions: Its Growth as a Defence 186
Rupesh Sunil Dhengre and Omeshwari Pancham

16. A Surge in Domestic Violence: Manifestations of the Virus 198
Adiba Khan and Gunjan Kanoongo

17. Honour Killing: Preserving Honour or attracting Ignominy 213
Nidhi Chhillar and Ritika Sharma

18. The Biological Weapons Convention: Legal Lacunae and the way forward in light of COVID-19 223
Samavi Srivastava and Rounak Doshi

19. Marital Rape: Need for its Criminalisation in India 242
Manasvita Tejsi and Mridull Thaplu

CASE COMMENTS

20. Buyers' Cartels- Two Differing Opinions by the Competition Commission of India 258
Hartej Singh Kochher

21. Rathnayke Tharanga Lakmali v. Niroshan Abeykoon: Sri Lanka Supreme Court Recognises Custodial Death as a Violation of Right to Life..... 263
Raj Krishna and Kumar Mukul Choudhary

22. Dissecting the 100% Reservation Case: Case Analysis of Chebrolu Leela Prasad Rao v. State of A.P. 271
Jaideep Singh Lalli

A Surge in Domestic Violence : Manifestations of the Virus

Adiba Khan* and Gunjan Kanoongo**

Abstract

The Coronavirus Pandemic has transformed into an era that has caused distress on a global scale. Inevitable quarantine has resulted in multiple problems like reduction in daily physical activities, psychological stress due to either lack of work or being trapped inside a place especially, if the individual is staying alone. The pandemic has already been the cause of several negative repercussions. But there are still indirect effects that have not been identified by the authorities. During such difficult times, persistent problems have only worsened. Recession is an issue encountered by various economies around the globe. Poverty has become widespread and almost all activities have come to a halt. One problem which has further contributed to such troubled times is Domestic Violence.

India is already considered to be country unsafe for women. The crime rate against women and children remains at a consistent, all-time high. The justice system has failed to curb or even address this issue decently over and over for decades. The Coronavirus induced a nationwide lockdown similar to most countries all over the world. This has also caused growing concerns for the victims of domestic violence in India. The victims of domestic violence are trapped indoors with the perpetrator and only a few to no remedies to avail.

The paper aims to discuss the issue of domestic violence independently and in the light of coronavirus. It aims to study the state action concerning the same and suggest changes that could help the victims of domestic violence in India and countries all over the world.

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INTRODUCTION

The beginning of this decade was a new start for everyone around the world, a chance for setting up new businesses, pursuing higher education, getting married, or starting a family. But since the incipience of COVID-19, the world has been in complete lockdown. The Coronavirus originated in Wuhan, China but gradually found its way to almost every country on the planet.[1] Approximately, 7.42 million people worldwide have been tested positive for the virus.[2] Almost every sector and industry across the globe has taken a hit from the lockdown. The impact of coronavirus is so enormous that stock markets everywhere observed their most significant decline. The oil prices have seen the lowest crash in 21 years as there is a major drop in oil consumption.[3]

While the world is struggling to get back on its feet from the effects of COVID-19, there is another issue that has broken out- Domestic Violence. The United Nations has said that the increase of domestic violence across the world is acting like a shadow pandemic. Abuse has risen by about 20% as people have been urged to stay at home.[4]

Authorities around the globe have urged people to stay home while failing to see the heightened domestic responsibilities generated by the lockdown. The people most prone to such abuse are children who are required to stay home all day, elderly people who are particularly unsafe to the virus, and toddlers who can no longer be babysat with reliable neighbours. These people do not have any choice but to remain indoors.

If domestic abuse was a virus in itself, the lockdown not only expanded its breeding rate but also modified its DNA into a more vicious alternative. Other contributing circumstances involve the ability of the abuser to exert persistent scrutiny over the telephone, the decreased work of the courts, the failure and anxiety of travel to counselling centres, the uncertainty of virus infection in such centres and the growing financial dependency of women who are more prone to encounter salary reductions and job losses during the pandemic.[5]

1 Muhammad A. Shereen et al., Suliman Khan, Abeer Kazmi, Nadia Basheer & Rabeea Siddique, *COVID-19 Infection: Origin, transmission, and characteristics of human coronaviruses*, 24 J.A.R. 91, 92 (2020).

2 Lisa Schnirring, *Global COVID-19 cases top 7 million, deaths exceed 400,000*, CIDRAP (June 19, 2020, 10:00 AM), https://www.cidrap.umn.edu/news-perspective/2020/06/global-covid-19-cases-top-7-million-deaths-exceed-400000.

3 Jazmin Goodwin Business et al., Laura He & Mark Thompson, *Global oil prices bounce back after hitting 21-year low*, CNN (June 19, 2020, 10:05 AM), https://www.cnn.com/2020/04/21/investing/global-stocks/index.html.

4 *Stopping lockdown domestic abuse on my street*, BBC NEWS (June 19, 2020, 10:10 AM), https://www.bbc.com/news/av/world-53014211/coronavirus-domestic-violence-increases-globally-during-lockdown.

5 Harshitha Kasarla, *India's Lockdown Is Blind to the Woes of Its Women*, THE WIRE (June 19, 2020,

Increased drinking at home or forced abstention from alcohol due to the local wine shops being closed can provoke the abuser and complicate the relationship between the abuser and domestic violence. The child helpline received 92,000 calls in 11 days of the lockdown being enforced.[6] The inaccessibility of contraceptives and abortion services further impedes domestic abuse. This is particularly true because the country's top hospitals have ceased elective surgery and perform only crucial or life-saving surgery.

Domestic Violence: An Independent Concept

Definition of Domestic Violence

The universally accepted definition of violence against women is provided by the United Nations Declaration on the Elimination of Violence against Women (1993). It states that "*any act of gender-based violence that results in or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life*."[7] The United Nations' definition is rooted in gender-based origins of domestic violence stating "*violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men*."[8] This definition broadly covers it but is not restricted to, three spheres of domestic violence, i.e., "*violence occurring in the family, within the general community, and violence perpetrated or condoned by the State*."[9] The definition not only highlights the physical aspect of violence but also includes aspects of psychological harm undergone by survivors of such violence. It also considers aspects of private as well as public life.

In India, the enactment of The Protection of Women from Domestic Violence Act, 2005 introduced the legal definition of domestic violence. According to Section 3 of the Act, the act of abuse constitutes both an action and an omission which may lead to any physical injury or hurt inflicted on the woman that leads to a threat to life and limb, overall well-being including psychological health and physical health of the women and an act that may include any kinds of abuse; or any kind of harassment, hurt, physical injury or a threat

10:15 AM), https://thewire.in/women/indias-lockdown-is-blind-to-the-woes-of-its-women.

6 *Coronavirus lockdown | Govt. helpline receives 92,000 calls on child abuse and violence in 11 days*, THE HINDU (April 8, 2020, 11:00 AM), https://www.thehindu.com/news/national/coronavirus-lockdown-govt-helpline-receives-92000-calls-on-child-abuse-and-violence-in-11-days/article31287468.ece.

7 United Nations Declaration on the Elimination of Violence against Women art. 1, Dec. 20, 1993, General Assembly Resolution 48/104.

8 *Ibid*.

9 *Ibid*.

to endangering the woman with a purpose of forcing her to meet illegal demands of the perpetrator for dowry or other objects economically or otherwise valuable to the woman whether directly through her or indirectly through a person known to her; or implies a threat on the victim herself or a person is known to her by acts mentioned previously, or any kind of threat to the well-being of the woman whether psychological or physical.[10]

Domestic Violence has become a topic of concern over the last few decades. This increase in concern has been rooted in the constant struggles made by women for the acknowledgement of these problems faced by women globally. The strife to spread awareness about crimes against women, sensitize the issues and fight the defensive behavior of female survivors towards these crimes has led to the minimal increase in awareness about domestic violence. India is a country with a huge rural population (*Rural – Urban distribution: 68.84% & 31.16%)*[11] and a discriminated rate of literacy in women as compared to men (58.8% rural women were literate as compared to 78.6% rural men. 79.9% urban women were literate as compared to 89.7% urban men. A total of 65.5% women were literate as compared to 82.1% men).[12] These factors can be regarded as perpetuating factors of domestic violence.

History of Domestic Violence

The roots of domestic violence in India can be roughly placed around the post – Vedic period. During this period, it was observed that the birth of a daughter was regarded as a shameful event and was perceived to have brought upon disaster to the family. The birth of a son, on the other hand, was regarded as a blissful event.[13] The establishment of women as the biologically superior sex did not affect the social status of women. There is sufficient evidence to prove that the largely patriarchal society has rendered women the inferior sex and regards women as minors throughout their lives irrespective of their actual age. Thus, requiring women to be protected by males throughout their lives. This imposition of roles as protector and subordinate has been instilled in the minds of individuals throughout innumerable generations and results in men treating women in a brutal, barbaric manner in the guise of being a protector even in today's 'modern society'.[14]

Del Martin, in her book on Domestic Violence, has observed that "*Wife-beating, is a complex problem that involves much more than the act itself or the personal interaction*

10 Protection of Women from Domestic Violence Act, 2005, No. 43, Acts of Parliament, 2006 (India).

11 *Census of India, 2011, Rural Urban Distribution of Population*, Government of India (June 19, 2020: 11:30 AM), https://censusindia.gov.in/2011-prov-results/paper2/data_files/india/Rural_Urban_2011.pdf.

12 *Id*. at 10.

13 Rinki Bhattacharya, Behind Closed Doors: Domestic Violence In India 16 (Rinki Bhattacharya ed., Sage Publications 2004).

14 *Id*. At 17-18.

between husband and wife."[15] Further explaining, she pointed out that the domestic violence is rooted in the perception of the concept of marriage in society and the attitude of the society towards women as an entity in that concept of marriage throughout history. She also emphasizes on the sustenance of these kinds of violence by the "intricacies of civil and criminal law and delivery system of social service agencies."[16] The World Development Report of 1993 depicts that out of the total disease (physical and non-physical) burden on women (in the age group of 15 – 44), 5% constitutes rape and domestic violence.[17]

Domestic Violence in India: Perpetration

Domestic Violence Portrayed by the Media

An established author of a book on domestic violence, Rinki Bhattacharya, has also made a documentary film named 'Char Diwari' on the same subject. In her book, she has provided instances where she came across the varying and shocking perceptions of domestic violence by individuals belonging to various sectors that are considered to be the pillars of any society like the executive branch of the Government. While making her documentary, she interviewed an Additional Commissioner of Police (ACP) in a suburban Mumbai police station. The Officer was eager in pointing out the number of false cases filed under section 498A of the Indian Penal Code that penalizes the husband of a woman or the relative of the husband for subjecting her to cruelty.[18] However, in the same year, lawyer Flavia Agnes pointed out that barely 100 cases were filed under the section and the conviction rate was negligible.

The ACP did not agree for his interview to be publicized and thus, it could not be depicted in the movie. However, another ACP stepped up and cited frustration at home, workplace issues or jealousy as excuses for abusive behavior among men. This incident only gives a brief account of how gross misconceptions regarding violence against women are instilled in individuals belonging to systems that have a responsibility of protecting the citizens.

The producers of the movie themselves, the Department of Women and Child in the Ministry of Social Welfare, New Delhi, refused to provide funds for English subtitles because it would tarnish the image of 'Indian Husbands and the sacred notions of marriage in India'.[19]

15 Del Martin, Battered Wives XIV (Rev. Ed., 1980).

16 *Ibid*.

17 World Bank, World Development Report 1993: Investing in Health (1993).

18 Indian Penal Code, 1860, No. 45, Acts of Parliament, 1860.

19 *Supra* note 13 at 19.

This further highlights the ignorant attitude of authorities that have a responsibility to uproot domestic violence. In the times of a pandemic, the ignorance of these authorities can be twice as dangerous as it already would be under normal circumstances.

Another study observes the various legal factors that perpetuate domestic violence, these include, but aren't restricted to, "Lesser legal status of women either by written law and/ or by practice; Laws regarding divorce, child custody, maintenance and inheritance; Legal definitions of rape and domestic abuse; Low levels of legal literacy among women; Insensitive treatment of women and girls by police and judiciary."[20]

Statistical Reports on Domestic Violence

India in most of its regions and states at least ticks off three of these five factors, which can be posed as a dangerous threat to the safety of women.

As per data issued by the Ministry of Home Affairs in 2013, in consensus with the National Crime Records Bureau of India, the differences between filing, registration and conviction of cases are visible in the given table:

Table 1:

Year	Cases registered	Cases charge-sheeted	Cases convicted	Persons arrested	Persons charge-sheeted	Persons convicted
2009	7803	1641	236	641	695	9
2010	11718	4330	415	182	323	5
2011	9431	4499	17	695	713	3

Source: Ministry of Home Affairs[21]

The number of cases charge-sheeted out of the number of cases registered was only 47% in 2011. The number of cases with a definite conviction is a bare minimum and the number of persons convicted is negligible.

During a pandemic, the victim is locked in with the perpetrator with very little means of escape. It is difficult for them to avail medical resources even with government easements. The opening of liquor stores by the state[22] has further caused a worrisome situation for

20 Heise L.L. Et Al. Pitanguy J. & Germaine A., *Violence Against Women. The Hidden Health Burden*, *In* World Bank Discussion Papers 225 (The World Bank Ed., 1994).

21 Shri R.P.N. Singh, *Unstarred Question No. 283 - Lok Sabha*, Ministry of Home Affairs, (June 19, 2020, 11:50 AM), https://www.mha.gov.in/MHA1/Par2017/pdfs/par2013-pdfs/ls-260213/283.pdf.

22 Ministry of Home Affairs, *Notification No. 40-3/2020-DM-I(A)*, GOVERNMENT OF INDIA.

alcohol-related violence against women. In a study published in the Indian Journal of Medical Sciences, it was stated that alcohol abuse had a direct relation with chances and degree of abuse.[23] The study shows that use absence of social support to the woman also denies her an out from the situation she is in.[24] Social Support, here, means the support of maternal family members. Under normal circumstances, the support of family members could be possible if available, however, due to the pandemic, acquiring their physical support has become more difficult than it already was.

The factors that usually perpetrate domestic violence seem to have become worse throughout the pandemic, thus posing a big question on the safety of women in their own homes. The state needs to review its policies on the safety of women for the pandemic and otherwise to improve the situation.

"There is a conflict in our houses, more than 8,500 women were murdered by their spouses and family members, and 1,03,272 cases of domestic abuse were recorded in 2018. Domestic violence is a fact that subsisted before the coronavirus and has grown as a consequence of the lockdown because women are barred in with their abusers. The pressure and stress of the perpetrator's home and work duties are released on women" said Anuradha Kapoor, Director of Swayam, an NGO in Kolkata.[25]

"The kind of violence that is being inflicted on them now is much more serious. We had a woman locked up in a room asking us to call the police to save her because she was afraid of her life. Another woman who was pregnant was beaten so badly that she and her 5-year-old daughter fled the house and walked home to her parents in the middle of the night. Young girls have also been seeking help because they are being abused by their brothers and fathers," she added.[26]

This is likely because this responsibility has traditionally been carried, and remains to be disproportionately supported, by women. The contrast is even more skewed for Indian women who do more uncompensated care and work at home than women in any other country. Indian women spend up to 6 hours a day working at home, which is more than an hour spent by men.

23 Anju H. Khosla et al., Dua Deepti, Devi Lajya & Shyam S. Sud, *Domestic Violence in pregnancy in North Indian women*, 59 I.J.M.S. 195, 197 (2005).

24 *Ibid*.

25 Jagriti Chandra, *NCW records sharp spike in domestic violence amid lockdown*, The Hindu (June 15, 2020, 10:00 AM), https://www.thehindu.com/news/national/ncw-records-sharp-spike-in-domestic-violence-amid-lockdown/article31835105.ece.

26 *Ibid*.

Domestic Violence and State Action

Lockdown Resulting in Surge of Abuse Cases

The Ministry of Health and Family Welfare has issued guidelines to state that abortion has been categorized as an essential service, but the Government needs the same mandate. Gender disparity and violence are an entrenched part of our daily lives and cannot be eradicated during the pandemic. But this cannot be the reason for us to set it aside while we're 'fixing' the pandemic. Our lopsided balance of household work and domestic violence need not worsen.[27]

The National Commission for Women has displayed a large number of cases being filed for domestic violence since the lockdown began. Domestic abuse constitutes an abuse of a person, physically, psychologically, sexually, emotionally, and financially. When a person is harmed, the victim faces other perils such as depression, post-traumatic stress disorder, and chronic illness. The people most sensitive to such harm are women but women, children, house help, elderly and men can also be a victim to it. As people are exacted to stay inside, the perpetrator can be triggered due to stress, anxiety, financial dilemmas, or any other disturbances.

An examination carried out by the Hindustan Times revealed data on two aspects. In some of the states in the country, there has been an increment in the number of grievances about domestic abuse while in some states there has been a reduction in the number of complaints and calls collected by the helpline. This review assists in explaining that it is challenging for the victims to record a complaint during the lockdown since they reside with the perpetrator.[28]

The Delhi Police in April recorded about 2,446 cases associating to women out of which 600 were for abuse against women, 23 for rape, and 1612 for domestic force. In Telangana and Rajasthan, the number of complaints has declined. While on the other hand, states like Punjab saw an enormous increase in grievances about domestic abuse. The Punjab State Commission for Women states that there have been at least 30 complaints every day for domestic abuse since March. It has also affirmed that before the lockdown, there were only one-third calls booked for domestic violence.[29]

27 *Supra* note 5.

28 Dhamini Ratnam, *Domestic violence during Covid-19 lockdown emerges as serious concern*, Hindustan Times (June 04, 2020, 11:00 AM), https://www.hindustantimes.com/india-news/domestic-violence-during-covid-19-lockdown-emerges-as-serious-concern/story-mMRq3NnnFvOehgLOOPpe8J.html.

29 *Ibid*.

Problems Arising Due to the Circumstances

Although there are many state-funded and private forums available that provide help and shelter to such victims, no support can be provided due to the lockdown. Since the police across the country are busy handling the duties assigned to them for reducing the spread of COVID-19, there is no place where these victims can register a complaint about investigations. Since domestic violence is a civil dispute, it has to be filed in the lower court. But due to the ongoing situation, the courts are only hearing emergency cases like bail pleas.

Another dilemma that has arisen out of this is retaining the perpetrator in confinement. Due to the stern rules of obeying social-distancing, prisons cannot sustain a high number of offenders. Parole has to be awarded and the perpetrator goes back home. Some High Courts in the country have received intimation of the condition and have enacted special orders to manage domestic abuse cases. The Jammu and Kashmir High Court proclaimed a command affirming that it will exercise a case on their own of domestic violence during the lockdown phase and also implemented regulations for organizing a special fund and designating special secure areas like drugstores and supermarket shops for victims to report domestic abuse without alarming the perpetrator. The state government of Karnataka has said that all the helplines, shelter homes, counsellors, are running throughout the day to attend to the victims of abuse.[30]

Activists also point out that the moment there is a shortage of food, as in a crisis like this when there is not much commercial activity, the immediate victims are the daughters and mothers in the house. The same is true of health care, as the total spending on women's health in families is expected to reduce further in this period of ongoing economic stress. "The likelihood of women in abusive relationships and their children being exposed to violence is dramatically increasing, as family members spend more time in close contact and families face additional stress and potential economic or job losses," the WHO said in its note.[31]

The World Health Organisation has also pointed out how violence against women has a significant impact on the survivor's health. They have pointed out that this has various implication including "*physical, mental, sexual, and reproductive health problems, including sexually transmitted infections, HIV and unplanned pregnancy*," apart from the

30 *Supra* note 28.

31 Shemin Joy, *Coronavirus Crisis: No lockdown for domestic violence*, Deccan Herald (June 09, 2020, 11:15 AM), https://www.deccanherald.com/specials/insight/coronavirus-crisis-no-lockdown-for-domestic-violence-829941.html.

obvious physical injuries and impact on physical health.[32]

With women also succumbing to losing jobs in the lockdown, their vulnerability has risen. In many events, whatever bare minimum amount women make is handed over to their husbands, and they are stripped of their right to do what they wish to with their own money. This is another contributing factor for violence, many activists say. There seems to be no acknowledgement of this problem by the Government. The financial independence of married women has posed many threats to the safety and security of women, not just in India but across the World.

Young girls are more vulnerable during the period of COVID-19, as families are trying to get then married. Karnataka State Commission for the Protection of the Rights of the Child Rights Chairperson Antony Sebastian recently highlighted the recent spike in such cases in the state. With the police and authorities focusing on the implementation of the lockdown, families are using it as an opportunity.[33]

It's not just the estimates, but also the psychological and social influence that the lockdown would have on women. "There is every cause to examine, as more advanced studies have proposed, that there is an increment in gender-based abuse during such crises," Jayashree Velankar of women's organization stated.[34]

Ineffectiveness of Divorce in lockdown

Divorce, as described by the Oxford Dictionary, is 'the legal ending of a marriage'.[35] But when you approach the Indian courts for a divorce, you are put through the legal wringer and you come out spinning, with or without a divorce, a few years later. Incorporation of a few changes would go a long way in making this a less cumbersome process.

A divorce case ends up lasting longer than the duration of a marriage. In India, most divorce cases go on for decades with no sign of instant relief. In the United States of America or the United Kingdom, acquiring a divorce is more accessible. With the rise of domestic violence cases in the country, likely, divorce cases will also rise. The already present system in India can make a separation for couples difficult and they may have to reside with each other for a more extended period, meaning that the victim is at more risk of abuse from the perpetrator.

32 *Ibid*.

33 *Ibid*.

34 *Supra* note 31.

35 *Little Oxford Dictionary, Thesaurus and Wordpower Guide*, 2nd ed. 2005.

Striking a Ray of Hope

Uttar Pradesh, India has one of the world's most recorded cases of domestic violence in the region. The police also introduced a new domestic violence helpline to report a spike in the number of incidents. On the front page, a newspaper advertisement printed the words "Suppress corona, not your voice." The police have decided to require a female officer to deal with these incidents and the police should have the right to prosecute the suspect.[36]

A local phone line has been set up in the Thar region in India to take calls from isolated women. These helplines receive calls and also deliver food to people who are in need. Through this process, they can check up on these vulnerable women to see if they are doing better, or are they still being abused.[37]

To counter the increasing domestic violence during the Coronavirus pandemic, the Pune Zilla Parishad was motivated by the virus control manual. Abusers in the Pune district will now be disciplined with institutional quarantine if a case of domestic violence is brought against them. Ayush Prasad, CEO, Pune Zilla Parishad, narrated to The Hindu, "Globally, there has been a sharp surge in domestic violence cases during the pandemic. So, we have taken this proactive step to preclude similar cases from occurring in the Pune rural region. The definition of a particular case is as given by the Protection of Women from Domestic Violence Act 2005 and the Criminal Law (Amendment) Act, 2013 (Nirbhaya Act)."[38]

Small but dedicated organizations like the Gauravi Centre, established by Sarika Sinha in Bhopal is aiding the vulnerable people during the Pandemic. These people include abused women, sex workers, Muslim minorities, homeless people, and transgender communities. They all come together to contribute towards their community to ensure that the families most affected by the virus are aided. The centre has collaborated with 18 other organizations to distribute food, rations, and clothes to the needy. The centre strives to contribute and educate the women to stand up for themselves. They hope to inculcate the value of self-dependence so that they do not face any kind of abuse in the future.[39]

36 *The shadow Pandemic: Lockdown and domestic violence*, Kartavya Sadhana (June 19, 2020, 10:30 AM), https://kartavyasadhana.in/view-article/lockdown-and-domestic-violence-writes-prachi-patil.

37 *Stopping lockdown domestic abuse on my street*, BBC News (June 19, 2020, 10:30 AM), https://www.bbc.com/news/av/world-53014211/coronavirus-domestic-violence-increases-globally-during-lockdown.

38 Shoumojit Banerjee, *Coronavirus lockdown | Pune zilla parishad plans tough action to check domestic violence*, The Hindu (April 18, 2020, 12:15 PM), https://www.thehindu.com/news/national/other-states/coronavirus-lockdown-pune-zilla-parishad-plans-tough-action-to-check-domestic-violence/article31371216.ece.

39 *How women in India are helping those most vulnerable during the coronavirus pandemic*, Actionaid UK (June 20, 2020, 10:00AM), https://www.actionaid.org.uk/blog/news/2020/05/26/how-im-helping-indias-

The All India Council of Human Rights Liberties and Social Justice has filed a petition for safeguarding victims who have faced domestic abuse, especially during the COVID-19 lockdown. The bench of the Delhi High Court consisting of Justices J.R. Midha and Jyoti Singh ordered the Central Government, the Delhi Government and the Delhi Commission of Women to direct a meeting to discuss the matter at hand during these troubled times and to come up with a solution which should be implemented at once.[40]

There needs to be a decent way out of a country with deep-rooted patriarchal values, where women are expected to accept anything that is thrown of their direction. With the continuation of the lockout, the term of imprisonment for the sufferers is only extended. Fighting these predators and the beasts that prey on the frangibility of women is as important as tackling the pandemic. Administration and law enforcement officials need to realize the gravity of the matter. Women's health cannot be put on hold until we win the battle against the pandemic. The administration will take corrective measures without deviating from the COVID-19 work plan to protect and support victims of domestic abuse.[41]

It is believed that these measures will go a long way in uprooting domestic violence from society both during and after the pandemic. The urgency of the situation and the need for immediate and effective state action needs to be acknowledged by Governments across the globe.

International Perspective

Abuse Not Constricted to India

Every city across the globe has declared a lockdown due to the surge in coronavirus cases. The already identified vulnerable group- the abused women and children- has had it worse than others. As has been mentioned, the individual who abuses also is confined indoors. The vulnerable people are at more risk of being abused this way. Other parts of the world have also seen an increase in domestic violence cases.

Hubei province, the origin point of the Coronavirus, had reported thrice the number of domestic violence cases to the police. Activists in the region had notified that the number went from 47 reports from the previous year to 162 in just the last 2 months.

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most-vulnerable-women-during-the-coronavirus-pandemic.

40 *Pandemic Triggers Domestic Violence*, The Leaflet (June 20, 2020, 10:20 AM), https://theleaflet.in/pandemic-triggers-domestic-violence/.

41 *Ibid*.

Wan Fei, a police officer who established a charity for fighting against abuse informed the Sixth Tone website, "The epidemic has had a huge impact on domestic violence. According to our statistics, 90% of the causes of violence [in this period] are related to the Covid-19 epidemic."[42] This is a pattern that is being reported everywhere across the globe. The situation in Brazil has also deteriorated. Adriana Mello, a judge specializing in domestic abuse cases from Rio de Janeiro stated, "We think there has been a rise of 40% or 50% and there was already really big demand. We need to stay calm to tackle this difficulty we are now facing."[43]

Activists in Italy informed that they received a large number of text messages and emails asking for assistance. "One message was from a woman who had locked herself in the bathroom and wrote to ask for help. For sure there is an overwhelming emergency right now. There is more desperation as women can't go out"[44] said Lella Palladino, from EVA Cooperativa, an activist group for the prevention of violence against women.

Activist Movements across the Globe

Spain had enforced strict rules during lockdown to ensure no one stepped out of their homes. They were fined if they left their homes. But the government made sure that women had the right to go report any abuse they faced. This was after a woman had been murdered by her spouse in Valeria, five days before the lockdown. The increased danger to women and children was a foreseeable side effect of coronavirus lockdowns, activists said. Increased violence is a trend that is replicated in many crises, including war, economic crisis, or disease outbreaks, although the quarantine rules present a particularly important challenge. There have been demands in several countries for legal or regulatory reforms to represent the increased danger to women and children in quarantine.

In the United Kingdom, Mandu Reid, leader of the Women's Equality Party, called for additional police powers to remove the victims from their homes for the duration of the lockdown and for the government to waive court fees for security orders.

The prosecutor in Trento, Italy, has ruled that, in cases of domestic violence, the attacker must flee the family home and not the victim, a move praised as "fundamental" by the CGIL trade union. The union asserted, "Being confined to home because of the coronavirus

42 Emma Graham-Harrison, Angela Giuffrida Helena Smith in Athens & Liz Ford, *Lockdowns around the world bring rise in domestic violence*, The Guardian (March 28, 2020, 09:15 AM), https://www.theguardian.com/society/2020/mar/28/lockdowns-world-rise-domestic-violence.

43 *Ibid*.

44 *Ibid*.

is difficult for everyone, but it becomes a real nightmare for female victims of gender-based violence."[45]

In Germany, the leader of the Green Party, Katrin Göring-Eckardt, said this week that she feared the lives of thousands of women living with abusive spouses and called on the government to free up funds for safe houses. "The spaces in women's safe houses are small even during normal times,"[46] she said to the German media, urging the government to acknowledge the renovation of empty hotels and guest houses and the conditions for people who are vulnerable to leave their homes. Her colleague, Katja Dörner, said that house visits should proceed in situations where there is evidence that children have been exploited despite rules banning contact.

Officials in Greece said they were speeding up a program to help women cope with issues arising from the issue of confinement. "Recognizing that this is usually an issue in times of crisis, we're working around the clock to get the message out. Once official figures are released next week, and we know the true scale of the problem, we'll be enlisting TV channels as well as social media and the mainstream press. There is no question in my mind that with the economic impact of the crisis this will get worse"[47] said Maria Syrengela, who heads the General Secretariat for Family Policy and Gender Equality

SUGGESTIONS

State Action

- Consideration of financially deprived victims of abuse is necessary. The Government may facilitate technological assistance in police stations or other Government sanctioned/recognized safe places across the country. The victims can go to these places in specific time slots to prevent overcrowding and attend their hearings.
- The Government should set up psychological assistance units with multiple objectives that can be developed upon further in due course of time. The first objective would be to provide emotional support to the victims of such abuse. The second objective would be to conduct regular local surveys across the country to keep a check on existing and potential cases of abuse. It is important to note that the questions asked in the survey should preferably be indirect so that the

45 *Ibid.*
46 *Ibid.*
47 *Ibid.*

victim discloses full information without fear of the perpetrator inflicting further harm. These surveys may be conducted on the phone for the pandemic. The third objective would be to set up safe houses for women in uncontrollable or extremely violent situations. These safe houses may be made in a way to ensure social distancing and the safety of women.

- A huge contributor to this type of abuse is a lack of financial security and basic resources. To overcome this, a specific amount of state fund should be allotted for those requiring financial aid. This would remove the financial stress and reduce the risk of stress-induced violence against women. It has also been observed that men resort to alcohol when in times of difficulty. This habit soon develops into alcoholism which, again, is a leading cause of violence against women.

- A highly neglected possible solution to the problem is psychological assistance to the perpetrators themselves. The Government should implement programs and initiatives to help the men understand how their courses of action during times of stress may affect people around them.

- Men across the globe must be sensitised to these issues carefully and help them develop better Emotional Quotients to prevent the risk of violence against women. This absence of psychological or emotional awareness is what ultimately causes men to react in inhumane and unlawful ways.

- It is a dire need of the current society for its individuals, irrespective of gender, financial status or any other differentiation to be psychologically sensitised. Therefore, the Government should make efforts to remove the stigma around mental health.

- Going forward, States must promote the creation of alternative reporting mechanisms; increase shelter options; improve protection and justice capacity; retain critical sexual and reproductive health programs where victims of domestic and sexual abuse are frequently reported and supported; support independent women's groups; financing economic protection measures for women workers, especially those working on the frontlines of the pandemic or in the informal economy, and other groups disproportionately affected by the pandemic, such as migrants, refugees, homeless and trans women; and collecting detailed data on the gendered effects of COVID-19.[48]

48 *The COVID-19 shadow pandemic: Domestic violence in the world of work: A call to action for the private sector* | Digital library: Publications, UN WOMEN (June 20, 10:20 AM), https://www.unwomen.org/en/

Course of Action for Friends and Family of Aggrieved

- The right to record domestic violence to the police is always open. Nevertheless, if the victim does not plan to do so, they can set up a security system for themselves, with a secure message to inform the people with whom they live when confronted with an unsafe circumstance.
- It is prudent to have a friend, family, neighbour or someone nearby notified in the case of intensifying peril. It is also necessary to explain this to trusted family members or friends so that the perpetrator can be held accountable.
- There are also many helplines for domestic violence and useful online counselling websites that victims can utilize for welfare purposes.
- People with previous injurious, destructive inclinations and anger control difficulties must strive to keep their stress as low as feasible. Exercising self-care, reducing media exposure, taking on online motivation programs, or soliciting remedy by counselling can make them better.
- Parents must keep in mind that their temporary lack of control may have a more profound influence on their child than they apprehend.
- When your loved one tells you that she is at risk, it's a good idea for her to make a safety plan with the assistance of professional support service. This may include, for example, putting some money away and ensuring that she has access to a mobile phone via contact with emergency services.
- When your friend is still engaged in a legal matter with an abusive ex-partner, be sure to know that community law centres and legal aid programs are also offering online advice to clients.[49]

Judicial Course of Action

- With the lockdown being imposed, it is tough to have fast-tracked courts and to have regular hearings. The government should take suitable actions to assure that the victim is protected like improving the scheduling of the trial, filling in the vacancies of the judge, and, of course, the necessary Virtual Courts.
- The courts should do away with so much needless paperwork while listing any required lockdown hearings, the same can be done when routine court hearings recommence.

digital-library/publications/2020/06/brief-domestic-violence-in-the-world-of-work.

49 *Ibid.*

Organisational Course of Action

- The COVID-19 pandemic is an opportunity to reconsider how the private sector will collaborate with other stakeholders to end domestic violence. With the removal of locks as women return to work, there will likely be a further rise in demands for assistance in the workplace to aid survivors of domestic abuse.
- Organizations must also be prepared to scale up their activities in the medium and longer-term. The private sector should be at the forefront of creativity, dialogue, and cooperation with governments, workers' unions, service providers, and non-governmental organizations.[50]

Conclusion

It is important to note that domestic violence was a global pandemic even before the outbreak of COVID-19. According to data obtained by the United Nations, 243 million women and girls between the ages of 15 and 49 in the world have been exposed to sexual or physical abuse by an intimate partner over the last 12 months. Put differently, one in three women has witnessed physical or sexual harassment at some stage in her life. LGBTQ+ people face equally high rates of aggression. As the Inter-American Commission on Human Rights and the United Nations have pointed out, countries must have a gender viewpoint in their response to the COVID-19 crisis.[51]

Victims of domestic violence must remember not to blame themselves for what is happening to them. Violence is unacceptable and the perpetrator has to be held accountable. Victims must not make excuses for the perpetrators' actions. Accepting these acts will lead to a vicious cycle of violence. However, understanding this may not be possible for everyone because of the society or environment they were brought up in. In a country like India, it has been a long-known practise to instil the idea of husband worship in the minds of young women. This perpetuates the notion that a husband is equivalent to God and can do nothing wrong.

The urgency of the situation and the need for immediate and effective action needs to be acknowledged by Governments across the globe. It is believed that the aforementioned measures will assist the concerned authorities in uprooting domestic violence from society.

50 *Helping women at risk of domestic violence during the coronavirus pandemic* - ABC Life, (June 20, 10:20 AM), https://www.abc.net.au/life/helping-at-risk-dv-women-during-coronavirus/12110004.

51 *A Double Pandemic: Domestic Violence in the Age of COVID-19*, Council on Foreign Relations (June 21, 2020, 11:30 AM), https://www.cfr.org/in-brief/double-pandemic-domestic-violence-age-covid-19.