

THE SHADOW PANDEMIC: A QUEST TO BE SAVED

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ABSTRACT

In India, domestic violence has been a problem for many years. The women in Indian households were engaged in a completely different conflict from that being fought by the rest of the world during the Covid-19 crisis. Beyond the confines of their houses, the threat of infection was present, but a deadlier threat was also brewing inside. This study discusses the difficulties faced by domestic abuse survivors who embarked on a mission to get help, as well as how the epidemic influenced these victims' access to justice. The research initially focuses on the statistical variation in the number of reported cases in distinct pandemic months as well as a comparison between the numbers seen prior to and during the pandemic. Foreign trends are also highlighted. The limitations of several guidelines made by the Indian government and the UN to reduce domestic violence instances during the epidemic are discussed. It has also been noted how the epidemic hindered victims' access to fundamental legal assistance on a local level. The information is taken from a variety of news reports on occurrences. Different restrictions were seen. A shortage of police officers and travel restrictions on official and unofficial sources resulted in lack of assistance. We come to the conclusion that during the COVID-19 lockdown, alterations in people's daily routines gave domestic violence abusers more opportunity.

Keywords: Domestic Violence, India, Covid-19, Virus, Shadow Pandemic, Justice, Government, Lockdown

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INTRODUCTION

While we were in the comforts of our home, privileged to be surrounded by our loved ones, someone was wishing for the confinement period to end with every desperate breath they took. One random day right before the pandemic altered the course of normalcy, I read a heart wrenching story in a newspaper.

"It is a nightmare every day. My husband has a bad temper and uses profanity. He continuously picks at me and claims that I have wrecked his life even though I am taking care of the home chores. I don't feel secure around him ", said Mitthu, a woman in her mid-40s who experienced physical abuse and mental anguish at the hands of her spouse. She made this declaration on a call to one of the domestic abuse help lines. Mitthu was prepared to leave her husband's house permanently. But the government enforced a nationwide lockdown as a result of the unforeseen and unfortunate outbreak of corona virus, trapping Mitthu inside the hellhole she had once called home¹.

Women who experience domestic abuse must overcome many obstacles before receiving justice. It is often difficult for women to get justice owing to the increased prevalence and tolerance of marital abuse, women's financial restraints, lack of legal education, loopholes in the law, and gender stereotypes pervasive in entities that provide justice, making the quest for justice difficult for them. Due to the COVID-19 pandemic's disruption, access to the courts for domestic violence sufferers was made worse when the Indian government implemented a lockdown in March 2020 to stop the illness from spreading. Violence restitution became difficult because basic service was discontinued, courts were closed, and legal assistance offices were shut.

The COVID-imposed limitations on access to the courts for survivors of domestic abuse limited their options even though some legal assistance providers used online and tele-based alternatives to address clients' requirements. Domestic abuse issues were neglected as local officials and police appeared preoccupied with disaster actions, including relief distribution, enforcing lockdowns, and taking other social distancing measures. Hospitals were hubs for COVID transmission, which increases the infection risk for domestic abuse victims seeking medical attention. The urgency and difficulties that victims of domestic abuse face in getting justice during a crisis appear to have gone unacknowledged.

¹Soma Basu, "A parallel pandemic as domestic abuse victims trapped with their abusers", The Hindu, <https://www.thehindu.com/society/covid-19-lockdown-domestic-abuse-victims-trapped-with-abusers/article31388228.ece>

The questions asked and answered via this research article are:

- Whether covid-19 amplified the domestic violence cases in India
- If government took necessary steps that government took to curb crimes against women during pandemic.
- Whether government-issued guidelines for domestic violence cases were implemented on ground.
- How did Covid 19 act as a hindrance in survivor's access to justice

This research article answers the above stated questions using observational data and derived data. All the claims in the article are supported by data compiled from various newspapers, journals, e-articles and relevant reports.

STATISTICAL ANALYSIS

Only 48 out of 206 nations (including India) have made violence against women (VAW) -related operations a key component of their COVID-19 response strategies thus far. Services to safeguard and support survivors of female abuse and their kids have been deemed vital services by nations like Spain, Singapore, and South Africa².

When victims' physical and emotional support systems are damaged, free, covert, 24/7, and accessible online alternatives are crucial in reducing domestic abuse in this crisis. To combat domestic abuse, some nations have implemented WhatsApp or internet help lines, digital support networks, and media campaigns to shift mindsets. Some of these nations are much appreciated for the timely actions that they took. The Czech Republic modified the "Bright Sky app" and instructed staff, how they could spot and respond to the DV warning indicators. By entering the code word "mask19" at pharmacies, women in France could report domestic abuse under a new mechanism³. Domestic abuse avoidance and recovery were promised to get \$200 million from the New Zealand budget, and a \$1 million fund was already established to fight against domestic violence⁴.

World health organization also tried to address this issue. They suggested various ways in which different organizations, health care workers and most of all, the government could work towards preventing such cases, providing protection and justice and emotional support to the survivors.

When we talk about India, the patriarchal society has seen the suppression of women for centuries. When we talk about crimes against women, it is reported in India every 1.7 mins. In comparison, a

²<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8670615/>

³<https://www.vodafone.com/sites/default/files/2021-11/vodafone-domestic-violence-abuse-toolkit-2021.pdf>

⁴Mitali Nikore, "With Covid-19, comes the "Shadow Pandemic": How the surge of domestic violence gripped India's women in 2020", Times of India, <https://timesofindia.indiatimes.com/blogs/irrational-economics/with-covid-19-comes-the-shadow-pandemic-how-the-surge-of-domestic-violence-gripped-indias-women-in-2020/>

woman experiences domestic abuse every 4.4 mins, as per the 2018 report of bureau responsible for research on crime in the nation⁵. Per the survey, it also ranks high in the areas of violence against females. According to the report, in India, in 2018—89,097 cases—and in 2017—86,001 incidents were recorded as a crime against women.

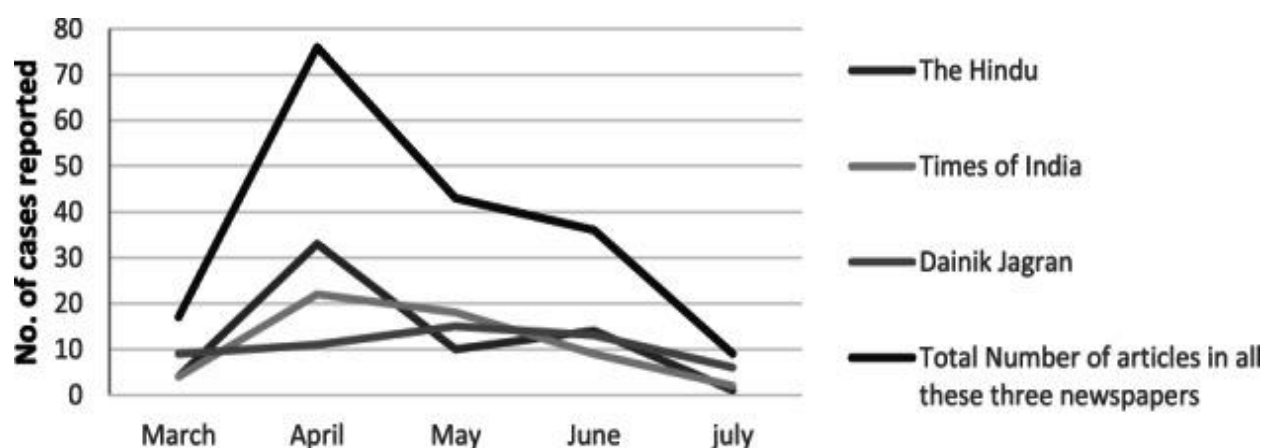
According to the National Family Health Survey of India of year 2015–16⁶, in our country 30% females ranging from teenagers to women in their 50's have been subject to violence. According to the study, an astounding 83 per cent of married women who experience severe bodily, emotional, or sexual abuse name their spouses as the primary offenders.

According to a poll of 122 local groups, between March and September 2020, Violence against women and Girls (VAWG) increased rapidly, according to 85% of respondents. Even a name has been given to this worrying rise in domestic abuse: "the shadow pandemic."

From March to September 2020, 13,410 reports of crimes against women were reported by the commission for women of our country (NCW), among which 4,350 involved domestic abuse. 1 out of 3 of all claims was made during the three months of March through May, which was the highest grievance season.

According to Ravindran and Shah (2020), there were 131 per cent more domestic abuse reports in red zone areas in May 2020 than in green zone areas with fewer limitations. The number of cybercrime reports increased significantly in red zone areas as well. Statistics on violence are just the tip of the glacier because only 14 out of 100 women who ever suffered abuse seek treatment.

Delhi, Uttar Pradesh, Maharashtra, Haryana, and Bihar were the top five states with the most reported DV cases. New cases were reported in the daily newspaper.



⁵<https://ncrb.gov.in/sites/default/files/Crime%20in%20India%202018%20-%20Volume%201.pdf>

⁶<http://rchiips.org/NFHS/NFHS-4Reports/India.pdf>

Fig, 1 The data of DV cases reported in the three most read newspapers of our country in the year 2020⁷.

CASE STUDY

Every reported story was more heart-wrenching than the previous one. More than half of the cases were not even reported because the victims were trapped in their houses with the offender. One such story was that of Geeta.

Geeta's spouse had returned home intoxicated and unhappy. As very few individuals were using the public transport system due to the covid outbreak, Vijay's salary as a rickshaw driver decreased by 53% from Rs. 1500 per day.

Since the Coronavirus outbreak, the earning of entire family of Geeta reduced to just one third of what it was before pandemic.

He had yelled, hurling a container of the alcohol he had been consuming against the wall, "How many days will be like this?" Kids of Geeta often ran for cover behind her.

After taking a few minutes to soothe the kids, Geeta admitted to the reporter how they had seen their dad get angry before but that this time was far worse. He has been observed throwing objects against a wall, grabbing Geeta's hair and pulling her.

The first incident was on the eve of their marriage when Geeta's husband hit her; now, he has done that on more occasions than she can count. Once she tried to escape from him, but he forbade her from taking the kids. They reside in a rural mohalla, which is a poor residential community. She would typically go 1 km to the closest well to draw water every day. After bringing it home, she would visit with her neighbors while she awaited the arrival of the grocery store's vegetable cart.

Her husband would depart at seven in the morning, come back for lunch and a snooze, and then leave once the two older siblings got off from school. After the schools shut down on the 14th, everything shifted. The kids then started to annoy their dad as they were always home.

He used to reserve his rage for Geeta, but lately, he started yelling at them over little stuff like putting a mug on the ground. Geeta would say something to divert his mind so he could vent out his anger at her and not the kids. Geeta was planning. She frequently walked to a plain office complex outside the area whilst her husband was away. There, she went to a local hidden class run by community activists, where Geeta learned how to write, read and sew.

Geeta wished to acquire the necessary skills to become economically independent and relocate with her kids. She also spoke with advisors in the class who were qualified to assist domestic

⁷<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8014493/figure/casp2501-fig-0004/>

abuse victims. However, this has been stopped due to India's covid shutdown. Local advisers were unable to visit women who were vulnerable now that the classes had ended⁸.

According to Vimlesh Solanki, a worker with Sambhali Trust, the second-largest city in Rajasthan and a group that promotes women, coronavirus has put women in danger.

The presence of additional triggers and stressful circumstances like these increased the problems in already violent relationships. During such distressing times, women turned their heads toward the government and the judiciary for help.

STEPS TAKEN BY THE GOVERNMENT OF INDIA

The government (NITI Ayog)⁹, after the guidelines of the UN, issued a few suggestions on how the victims of DV be assisted. It was mentioned that, in a variety of contexts, informal networks are probably wherein survivors of any age group first disclose their experiences. A required method for the protection of women facing assault was participation in informal social networks. Encouragement of online complaint filing links, emails, and WhatsApp-based networks.

Established violence intervention and prevention help lines and communication centers were advised to expand their interim operations, as well as to raise engagement and knowledge of facilities via regular news coverage and advocacy initiatives.

All screening and testing locations were expected to be able to identify women who are at risk of physical harm so that suggestions to "self-quarantine" were followed by an evaluation of the security of doing just that.

Medical centers should've been able to discover and reveal details regarding community resources (such as shelter, sexual assault crisis centers, and therapy) for victims, providing contact details, operating hours, as well as whether assistance can be provided online.

The dangers and adverse effects of VAWG on wellness were requested to be understood by healthcare professionals, so they can assist women by providing initial assistance and medical care. It is necessary to investigate how healthcare and tele-health resources could be used to address violence against women effectively.

Cash payments and rationing assistance plans were motivated to sustain the family and minimize stress levels, which will result in less violence against women. Making arrangements for alternative housing for any ladies who might require it was also a priority. But this was what should have been done.

⁸Megha Mohan, "Coronavirus: I'm in lockdown with my abuser", BBC News,

<https://www.bbc.com/news/world-52063755>

⁹<https://www.niti.gov.in/making-homes-safer-women-during-covid-19>

The recommendations were released on March 25 by the department responsible for child and female development in our country (MWCD)¹⁰. Instructions were given for all DV help Centers, the 181 female Helpline, and system established with the goal of implementing laws related to safety of females using DV Act 2005¹¹, Act prohibiting under age marriage, 2006¹², Dowry Prohibition Act, 1961¹³, etc. Urging the officers responsible, to keep performing vital functions for girls as well as women who are victims of domestic abuse.

Women's organizations also launched extra hotlines with particular arrangements for fast access and longer operating hours. These were disseminated worldwide¹⁴. In the first few days of the nationwide lockdown, a female institution in New Delhi observed a decrease in the number of assistance calls made by women who had experienced abuse, from a usual of 7-8 new calls per day to just 1-2 unknown calls. Nevertheless, as the national list of institutions that offered help during the shutdown became more well-known thanks to the efforts of society and female associations, the trajectory increased by more than 70 % calls in April and 110% in May¹⁵.

In order to support women, the NCW developed a specific WhatsApp helpline number in April. Among the first governments to notice and start communicating about domestic abuse was Uttar Pradesh. The 112 emergency services, to its praise, publicized the phrase, "Suppress corona, not your voice," they also vowed that an officer would be assigned to all instances of VAWG and the officer would be a woman. Ranchi opened two help lines to offer legal advice. During the nation's shutdown, the Kerala Government established a 24-hour WhatsApp contact for reporting domestic abuse complaints. In response to a High Court directive, the Delhi Government created a unique WhatsApp number.

GROUND SITUATION AND THE PERILS OF DV VICTIMS

But what should've happened was completely different from what actually happened. According to data collected on the field, several government hotlines just weren't operational or approachable, which frequently caused an excessive number of complaints to be placed to

¹⁰ The Ministry of Women and Child Development, March 25, 2020,

https://wcd.nic.in/sites/default/files/Advisory%20dated%2025.03.2020%20for%20OSC-WHL_0.pdf

¹¹ Protection of Women from Domestic Violence Act, 2005, Act No. 43 of 2006, Acts of Parliament, 1949 (India)

¹² Child Marriage Prohibition Act, 2006, Act No. 6 of 2007, Acts of Parliament, 1949 (India)

¹³ Dowry Prohibition Act, 1961, Act No. 28 of 1961, Acts of Parliament, 1949 (India)

¹⁴ "Breakthrough India: Violence against women in the times of COVID-19", April 16, 2020,

<https://inbreakthrough.org/violence-against-women-in-times-of-covid-19/>

¹⁵ https://darmiyanblog.wordpress.com/2020/06/29/domestic-violence-during-covid-19-lockdown-in-india-report-byshakti-shalini/?fbclid=IwAR08zuStGhBrwQnZfIp47pAZho_EWdJi4q11KDulp3iy4WVbjNCQfla0XGQ

police stations. Access of legal help, other crucial facilities, and aid from the police were severely restricted¹⁶.

The absence of responsive and redress facilities, especially One-Stop Centers, Female Support Lines, Emergency Shelters, and Female Dormitories, has been highlighted in studies by CSOs and research institutions. Due to the apparent gender disparity, an absence of privacy, and unsafe environments, women continue to have difficulty accessing essential services. Given that there was no transportation, even in areas where hotlines were operational, the shutdown limited the organization's capacity to provide help. Since they were not able to leave their houses, cannot use the telephone when an abusive person is present, or do not have accessibility to transportation, victims are much less likely to encounter and assist each other during the shutdown stage.

There was a complete restriction on movement. No exceptions were established for women who have experienced abuse to contact police assistance, legal assistance, or the justice system. As a result of the cops being overburdened with implementing the shutdown regulations, there was an approximately triple rise in officers' non-response to female reports, with the NCW getting 16 complaints as opposed to six earlier.

In order to help women who, need to flee or receive support, feminist committees started coordinating with state authorities for travel passes. Nevertheless, in terms of the law enforcement agencies' lack of coordination in the treatment and prevention of family violence as well as other types of gender-based violence¹⁷, service providers and agencies have experienced something similar.

Cross-generational - transmission of abuse, spousal abuse Women's groups and proponents of equality continue to be more concerned about females' right to privacy and safety, particularly during periods of seclusion and isolation. In a few instances, feminist groups did receive assistance from the authorities in saving victims in peril.

In India, women have the right to dwell under the DV Act. The culprits must be removed. The culprits were sent to a quarantine facility in Pune by the Panchayat to protect the ladies and their children.¹⁸

The Indian government, including its central and state ministry, has implemented a number of steps to guarantee the safety of harmed women. Nevertheless, the execution of restraining orders and directives faces significant difficulties due to inadequate funds allocated and multi-

¹⁶<https://www.ohchr.org/sites/default/files/2022-01/india-womens-r-network.pdf>

¹⁷“Breakthrough Townhall ‘Another Pandemic: Domestic Violence’”<https://www.youtube.com/watch?v=HrYbREsmW7U>

¹⁸ The Hindustan Times, April 19, 2020, <https://www.hindustantimes.com/pune-news/pune-zp-to-send-domesticviolence-perpetrators-in-institutional-quarantine/story-UZJSOjnuWie1KFn10iIrn.html>

sector cooperation with pertinent sector responding actors. Feminist groups have also noted deep flaws in the Safeguard of Women from DV Act of 2005 and sensitization of all enforcement officers, governmental agencies, and interested parties.

When the aggrieved women rushed to the courts for justice, they encountered difficulties because of the pandemic there also. The Indian Supreme Court has established guidelines for the operation of the Court via video calls while the country was in shutdown. The Court mandated the Informatics centre of our country to coordinate with relevant courts. Also ordered them, to devise a strategy related to online operation of courts where parties participate in hearings via cell phone or video call equipment. The authority providing legal service in Delhi is working with milkman, chemists, and pharmacies all around NCR to assist victims of abuse during the lockdown. The DSLSA also established an app to provide legal assistance to such people. The purpose of engaging dairy vendors and pharmacists is to have them notify DLSA if anyone learns about someone experiencing violence at home. Professionals from Anganwadi and ASHA who could encounter abuse cases in their communities have formed partnerships with DSLSA. Additionally, DLSA established a phone number that may be contacted by Text messaging and WhatsApp messaging¹⁹. During the shutdown, over 700 spousal abuse incidents have been reported from all throughout the nation. There have been no particular steps to accelerate proceedings in domestic violence matters against the partner or assistance for women victims and survivors to register a complaint and present for an online hearing, despite the fact that warnings and orders given by different courts have recognized that there is surge in the incidents relating to VAWG. The court system is still out of reach for the majority of women due to the enormous gap when it comes to digital literacy that prohibits them from accessing online legal assistance and resources, as well as a shortage of safe spaces inside their homes.

While the government and community service centers tried their best to combat this evil, there were a lot of shortcomings. The present food supply problem and health crises have taken up most of the assets for VAW operations, including human capital.

Restrictions of in-person, real-time, tangible help for victims of assault. Absence of availability to cutting-edge innovation remedies and systems for speeding up and broadening the exposure of amenities to women victims and survivors, lack of sops and abilities to react to VAW by many members of the government and authorities during humanitarian emergencies, inaccessibility to SRHR services for females, especially for victims of abuse, lack of prioritizing of gender-specific necessities, and failure to take women's health and safety into consideration.

¹⁹ The Indian Express, May 14, 2020, <https://www.newindianexpress.com/thesundaystandard/2020/may/24/delhi-statelegal-services-authority-comes-to-the-aid-of-domestic-abuse-victims-2147172.html>

CONCLUSION

Domestic violence cannot be terminated immediately and permanently, the pandemic should be treated as a lesson, and since times are changing, just a little push is all that is required for modern women to stand up for themselves against this century-old misogynistic evil.

Government should alter its epidemic policies, treating domestic abuse as an emergency situation with adequate remedies for the same. Tackling domestic abuse should be addressed when nations begin developing measures to respond to disasters like COVID-19. The necessity to properly incorporate domestic abuse and its effects on mental wellness into the nation's emergency preparedness and outbreak action plans appears to have gone unnoticed in India.

To make individuals aware of domestic abuse and emphasize the different ways in which reports can be made, we have to have a vigorous grassroots movement. Akin to how the government has employed programs promoting physical distance and personal hygiene to prevent COVID-19, public news outlets, broadcasters, and social networking sites should be effectively used.

Unfortunately, the cases reported to date aren't the last ones. It's time we learn from the mistakes and come back stronger and prepared to eradicate this horrendous crime from its very roots.