



## IMPACT OF THE COVID COVID-19 PANDEMIC ON VICTIMS OF DOMESTIC VIOLENCE

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Auroshikha Mohanty\*

### ABSTRACT

*The COVID-19 pandemic and the subsequent lockdowns exacerbated the crisis of domestic violence in India, leaving victims—especially women—trapped with their abusers and with limited access to legal and institutional support. This research examines the rise in domestic violence cases during the pandemic, analyzing the institutional response, particularly the effectiveness of the Protection of Women from Domestic Violence Act, 2005 (PWDVA). It highlights systemic challenges such as inadequate implementation, lack of awareness, and restricted access to justice mechanisms. Special attention is given to the plight of women in the informal sector, who face heightened economic and social vulnerabilities. The paper also explores the impact of domestic violence on children during lockdowns and evaluates global and national policy responses. Through a critical analysis of legal frameworks, government interventions, and societal factors, this study underscores the need for stronger enforcement mechanisms, increased public awareness, and comprehensive support systems to protect domestic violence victims, especially in times of crisis.*

### INTRODUCTION

The categorisation based on caste, creed, societal divisions, and national boundaries becomes irrelevant when it comes to violence against women in India. The enactment of laws for the same, keeping in mind the protection of women, brings a significant change in the mindset of the people and also increases dedication to protecting the same and awareness regarding the

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\*RESEARCH SCHOLAR, NATIONAL LAW UNIVERSITY, ODISHA.

Same. India's deeply ingrained patriarchal system has led to widespread societal issues against women in their relationships and their surrounding environment. The recurring trend that has been going on since the British era is why the problem is still prevalent in today's society. This causes great distress for the victims and their children, as well as serious questions regarding the general well-being of society.

Power disparities and embedded gender stereotypes are the root causes of this widespread issue. Domestic violence is likely caused by cultural expectations of gender roles and the power dynamics that accompany them in numerous ways; however, figuring out its complex history is still difficult. The ambit of domestic violence has broadened, and legislature and the judiciary have interpreted Domestic violence as not just physical injury but also financial exploitation, emotional manipulation, and other types of coercive control.

As per the laws of India, Domestic Violence is defined under section 3 of the Protection of Women from Domestic Violence Act, 2005, hereinafter to be read as PWDVA. PWDVA 2005 as any injury, coercion, or abuse that is done to the victims. It encompasses verbal, physical, sexual, emotional, and financial abuse in addition to acts that jeopardise the victims or their family member's safety. Section 498A<sup>1</sup> Served as the victims' primary source of support. However, this section did not expressly address domestic violence, which is included in the list of offenses under the Indian Penal Code; instead, it solely addressed the cruelty that married women suffered at the hands of their spouses or family members.

## **HISTORICAL ROOTS OF DOMESTIC VIOLENCE**

Women in ancient civilizations had no legal protections against domestic violence and no legal rights at all. Earlier, women were treated as property and whatever abuse a woman had to go through alone was considered to be a personal matter. Reform initiatives in the 19th and 20th centuries brought forth some legal legislation addressing domestic abuse but with little enforcement. The adoption of particular legislation, like the US's 1994 Violence Against Women Act, marked a significant turning point in the understanding and treatment of domestic

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<sup>1</sup> Indian Penal Code 1861, s 498 A.

abuse.<sup>2</sup> This judicial victory, which recognizes domestic abuse as a human rights and public welfare offense as opposed to merely a private one, is a sign of a broader societal awakening.

### **DOMESTIC VIOLENCE AND THE COVID -19 LOCKDOWN**

Due to the confinement within the households during the COVID-19 lockdowns, public awareness of domestic violence and its detrimental impact on marriages was raised. It encompasses a variety of forceful behaviours in which one intends to establish one's dominance and will over the other. Emotional abuse, using verbal threats, humiliation, and persistent criticism, undermines the victim's self-esteem and isolates them from social support networks. Financial abuse limits the victim's access to resources and money, which reduces their independence in making their own decisions. But with all the research to date, the primary cause of domestic violence is an overblown sense of entitlement and a drive for dominance and control.

To bring together the chain of events that lead to domestic violence, psychologists study the mental states of people who commit it. While behavioural theories assert that using force to achieve goals or witnessing violence in the family are two prevalent ways that people learn to be violent, psychological theories focus on factors like low self-esteem and painful events from the past.

Societal factors such as unemployment and financial constraints can make family disputes worse. The COVID-19 lockdowns created an environment that was conducive to the escalation of domestic violence. India had a surge in reports of domestic abuse during the pandemic lockdown, leading the National Commission for Women (NCW) to implement preventive measures. There was an establishment of a WhatsApp reporting system, wherein the complaints were accelerated for immediate police response, and women who had been abused were reached out. Future efforts to stop domestic abuse will require a multifaceted approach that includes victim support groups, training for law enforcement, and public awareness campaigns. Even if there has been a rise in domestic violence awareness campaigns more has to be done to build support networks and promote awareness to create safe, violence-free family environments.

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<sup>2</sup> V Kumar, Domestic Violence laws: Protection for women, (*Aishwarya Sandeep Parenting and Law*, 3 January 2024) <<https://aishwaryasandeep.in/domestic-violence-laws-protection-for-women/>> accessed on 15 March 2024.

## THE PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE ACT AND PANDEMIC

In the murky world of domestic violence (DV), which affects around 70% of Indian women, the Protection of Women from Domestic Violence Act, 2005 (PWDVA) is a ray of hope.<sup>3</sup> The PWDVA, which was passed in 2005 and went into effect in 2006, is a first step towards protecting women against domestic violence. It provides a thorough definition of domestic violence, which is inclusive of financial, emotional, and sexual manipulation that can lead to mental breakdown in addition to physical injury.

Unlike previous laws that exclusively applied to married women, the PWDVA extends protection to women in cohabiting relationships, acknowledging the variety of features of domestic partnerships. However, transitioning from a legal framework to actual change is typically challenging. The stark disparity between the PWDVA's promise and its actual implementation is a primary cause for worry. According to research, the PWDVA's legal rights are reportedly unknown to a stunning 88.5% of victims, revealing alarming levels of misunderstanding of the act's provisions.<sup>4</sup>

As a result of the COVID-19 pandemic, people being confined to homes did not know certain provisions of PWDVA which would be beneficial to all, and as per section 11 of the Act,<sup>5</sup> The government may start public awareness campaigns using a variety of media channels to educate women about their rights and empower them. In addition to raising awareness, the PWDVA offers several effective avenues for victim aid. Shelter homes provide a haven for women who are fleeing abuse, thanks to the access protections outlined in Section 6.<sup>6</sup>

Non-governmental groups and service providers are required under Section 10 to assist victims in filing complaints so they are not left to manage the legal system alone. The act's execution depends on appointing Protection Officers in line with Sections 8 and 9.<sup>7</sup> These authorities

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<sup>3</sup> R Guota, 'A Critique of the Legal Framework for Domestic Violence in the Light of Coronavirus Pandemic' (2020) 6(4) International Journal of Socio-Legal Research <[https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3729866](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3729866)> accessed 15 March 2024.

<sup>4</sup>Shodhganga, 'Problems of Victims Seeking Redressal' (Chapter VI) available at <<https://shodhganga.inflibnet.ac.in/bitstream/10603/226141/9/chapter%206.pdf>> accessed 15 March 2024

<sup>5</sup> The Protection of Women Against Domestic Violence Act 2005, s 11.

<sup>6</sup> The Protection of Women Against Domestic Violence Act 2005, s 6.

<sup>7</sup> The Protection of Women Against Domestic Violence Act 2005, s 8 & 9.

handle complaints, work with the police on investigations, ensure victims receive their due compensation, and facilitate victims' access to shelter homes in case of emergency.

The PWDVA aims to offer victims complete assistance that surpasses mere retaliation. It not only makes child custody arrangements possible and ensures that women have the rightful place in the family, but it also makes the perpetrator pay maintenance, which aids in the victim's transition to financial independence. The primary challenge is that these restrictions need to be appropriately implemented to be successful. Research reveals acquittal rates for PWDVA are high which is generally attributed because of inadequate enforcement. This issue was strongly highlighted by well-known instances such as *Suo Moto v. State of Gujarat*.<sup>8</sup> The already significant workload of a single Protection Officer was further increased upon learning that there were more than 800 pending applications in the Ahmedabad region alone.<sup>9</sup>

The perspectives of NGO workers shed light on the realities that exist on the ground. Anuradha Kapoor, a women's rights group located in Kolkata, emphasizes the need for a coordinated response that includes all stakeholders. Protection officers are responsible for providing commands and ensuring that they are carried out. Service providers are necessary to document violent occurrences, help with medical checks, and point women toward shelter places. Legal specialists are indispensable in providing legal counsel and navigating the judicial system. However, as another employee of an NGO, Ragini, noted, the system is far from ideal. Police routinely violate the PWDVA's principles by ignoring complaints or pressuring victims into making restitution.<sup>10</sup>

The case of *Shruti Singh Adv v Press Council of India & Ors*<sup>11</sup> Highlights similar issues with implementation. The petitioner disputed the state government's incapacity to choose service providers, establish refuge houses, and name Protection Officers—all of which were mandated by Section 11<sup>12</sup> Of the Act. In its decision, the Patna High Court emphasized the need for actual execution and the connection between women's empowerment and a robust and effective legal system. The issue at hand extends beyond government inaction; the backlog in court cases

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<sup>8</sup> *Suo Moto v State of Gujarat* 2013 (2) GLR 1047.

<sup>9</sup> Manisha Chachra, '10 Years of Domestic Violence Act: Dearth of Data, Inadequate Implementation, Delayed Justice' (India Spend, 9 August 2020) <<https://archive.indiaspend.com/cover-story/10-years-of-domestic-violence-act-dearth-of-data-inadequate-implementation-delayed-justice-85613>> accessed 15 March 2024

<sup>10</sup> Arpan Tulsyan, 'Protection of Women from Domestic Violence Act 2005: Lessons from a Decade of Implementation' (Oxfam India, 2016) <[Protection-of-women-from-domestic-violence-act-2005.pdf](#)> accessed 16 March 2024.

<sup>11</sup> *Shruti Singh Advocate v Press Council of India & Ors* 2008 SCC OnLine Pat 347

<sup>12</sup> The Protection of Women Against Domestic Violence Act 2005, s 11

because of adjournments, parties not compelling with the dates given by the courts, etc., makes it more challenging to carry out the administration of justice. According to Lawyers Collective research, Courts struggle to issue orders within the 60-day window.<sup>13</sup> Because of the judicial system's delay, women who experience abuse for a prolonged duration may come to a point where they give up and have a harder difficulty recovering. The impact of these implementation challenges is severe for women who live in rural areas. Their lack of support networks and communication channels exacerbates their isolation, making it more difficult for the victims to report abuse or take legal action.

Due to a shortage of shelter facilities and Protection Officers, there exist disparities in jurisdictional access to the PWDVA's safeguards, which leads to burdening these challenges. Despite the difficulties, the PWDVA's provisions have the potential to significantly reduce domestic violence if they are implemented correctly. Women's rights education is essential to empower individuals, particularly in rural areas. Making the availability of infrastructure and staff mentioned under the Act, and assurance by protection officers to provide timely justice and expedite the legal process would help the women.

The PWDVA's promise and its actual execution can be bridged by government agencies, non-governmental organizations, and the legal system working together. Until then, victims of domestic abuse won't be able to receive the justice and protection they need. The PWDVA is still a bright spot in the battle against domestic abuse, but its full significance won't be realized until all women in need may use its protections on a national level.

Women who are employed in formal and informal sectors are more vulnerable to domestic abuse. For women employed in the formal sector, despite having stable financial incomes and women who were financially dependent on their abusers frequently had to make the difficult decision to leave a violent relationship. Lockdowns made this scenario much worse. Working from home made it more difficult to distinguish between professional and personal space, which increased the husband's power and opened up additional avenues for violence. Additionally, the support networks that had previously been non-functional as coworkers and HR departments struggled with the difficulties and challenges of remote work.

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<sup>13</sup> Chachra (n 9).

The situation was worse for the women working in the unorganized sector. Their vulnerabilities were exacerbated by the epidemic followed by lockdowns, which added to an already existing financial crisis and continuous fear of harassment in public areas. With restricted access to healthcare and sanitary facilities and confined to small living quarters, the likelihood of domestic violence increased significantly. Workers in the informal sector, who were frequently domestic helpers as well, were not paid and had to shoulder the extra responsibility of keeping the household running on little resources.

The crisis highlighted the already-existing disparities that women faced in both fields. The pandemic was a sobering reminder of the connection between women's economic empowerment and domestic abuse. Women who are caught in a cycle of violence often have limited access to support networks, unstable employment, and financial reliance on their abusers. This research paper explores the domestic abuse that women had to face working in the informal sectors during the COVID-19 pandemic. Also, it covers how and what kind of impact domestic violence used to have on the children who had to witness all these situations. The paper delves into domestic violence and PWDVA and provides suggestions for remedies and promoting more support networks.

## **PANDEMIC IN INDIA**

**Initial Impact of COVID-19 in India:** In March 2020, authorities enforced stay-at-home orders due to a dramatic increase in the number of Covid-19 cases in India. School closures and widespread worker relocation as a result of furloughs, layoffs, or remote work arrangements were the results of this. People were confined to their homes as a consequence of the imposed lockdowns and restrictions put in place to stop the virus's spread, which unfortunately increased hostilities and violence among families. In close quarters with their abusers, domestic violence victims felt themselves imprisoned, making it difficult for them to escape or seek help.<sup>14</sup> It was expected that there would be a possible spike in domestic abuse cases due to the limitations on personal mobility.

**COVID-19 assistance in control:** Domestic violence abusers often isolate their victims from friends and family, making it hard for them to get help.<sup>15</sup> This isolation lets the abuser control

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14 Dr. R. Janaki Rao, 'The Shadow Pandemic: Violence Against Women during Covid-19' 22 South Asian Journal of Participative Development 1

15 Living in the World of the Domestic Violence Perpetrator: Negotiating the Unreality of Coercive Control" (2010) 16 Violence Against Women 1412.

and manipulate the victim more easily by controlling what they hear and distorting reality.<sup>16</sup> During the pandemic, social distancing rules made it even easier for abusers to isolate their victims. Keeping victims at home gave abusers more power, which can make their control seem legitimate because laws back it. The pandemic also made financial problems worse. Victims might stay in abusive relationships because they're afraid of losing their jobs or homes.<sup>17</sup> Abusers might use this fear to keep control. The stress of the pandemic can also lead to harmful coping mechanisms like drug abuse and excessive worrying, which can make domestic violence worse.

## ACCESS TO SUPPORT SERVICES

**Digital Challenges:** A lot of service providers now provide their services online, but it might be hard for survivors who are imprisoned with their abusers to ask for assistance, particularly if their communications are being watched.<sup>18</sup> Furthermore, some survivors, particularly women from marginalized communities, do not have access to the essential technology to use these remote services due to the gender and class-based digital divide. The need for services has skyrocketed, and civil society organizations that were already having difficulty meeting the requirements of survivors before the pandemic must quickly adjust to new forms of delivery.

Furthermore, because of the gender and class-based digital gap, some survivors - especially women from disadvantaged communities, do not have access to the necessary technology to utilize these remote services.<sup>19</sup> Civil society organizations, which were already struggling to satisfy the needs of survivors before the epidemic, are facing an exponential increase in demand for services, and they need to promptly adapt to new delivery methods.

**Restricted Shelter Access:** Public health restrictions aimed at preventing the virus's spread have also made it more difficult for survivors to find other places to stay. Travel restrictions have made it more difficult for them to locate lodging facilities such as hotels and shelters have either reduced or closed their doors. Despite the attempts to put residents in alternative

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<sup>16</sup> Jane EM Callaghan et al, 'Beyond 'Witnessing': Children's Experiences of Coercive Control in Domestic Violence and Abuse' (2018) 33 J Interpersonal Violence 1551

<sup>17</sup> Jolson Lim, 'Youth, women, precarious workers bear brunt of COVID-19 job losses, Statistics Canada finds' (*iPolitics* 9 April 2020) < <https://www.ipolitics.ca/news/youth-women-precarious-workers-bear-brunt-of-covid-%2019-job-losses-statistics-canada-finds> >

<sup>18</sup> Human Rights Watch, 'Submission to the UN'

<sup>19</sup> Jennifer Koshan, et al 'COVID-19, the Shadow Pandemic, and Access to Justice for Survivors of Domestic Violence' (2020) 57 Osgoode Hall LJ 739



accommodations, the reality that many shelters remain closed or just partly operating poses challenges for people in need of alternate living arrangements.

**Recognising and Supporting Survivors:** Healthcare professionals can recognize and assist those who are victims of abuse. They can provide therapy and connect survivors with crucial resources because of their ability to recognize the behavioural and physical indicators of abuse. Nonetheless, the shift to telemedicine and the postponement of unnecessary clinic appointments during the pandemic has made it more difficult to identify patients who are victims of intimate partner abuse. In addition, victims could be reluctant to report abuse because of problems including erratic internet access and worries about abusers listening in on their talks. Healthcare personnel still need to be vigilant in spotting warning signs and helping survivors despite these obstacles.

**Accessibility Barriers to Domestic Violence Hotlines:** It was expected that the number of calls to the Hotlines would increase during COVID-19 but rather it decreased.<sup>20</sup> Experts suggest that this decline is more likely due to survivors' inability to safely access support services rather than a decrease in actual incidents of intimate partner violence. The lack of reports underscores the importance of developing new methods to reach and support survivors in times of crisis. Financial difficulties, deteriorating mental health, and social isolation are some of the stressors that not only heighten the likelihood of lethal violence but also correlate with domestic violence.

## **DOMESTIC VIOLENCE IN THE INFORMAL SECTOR WOMEN DURING THE PANDEMIC**

The term "informal economy" refers to businesses, employment, workers, and economic activities that are not subject to government control or protection. Informal employment makes up over 61% of the worldwide workforce, especially in developing and emerging nations.<sup>21</sup> These workers conduct odd tasks in transportation, agriculture, hospitality, mining, construction, and other industries. They also do domestic labour, prostitution, street selling, rubbish picking, and other activities. Sub-Saharan Africa (89.2%) and southern Asia (87.8%) have the highest rates of informal employment.<sup>22</sup>

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<sup>20</sup> National Domestic Violence Hotline, <http://thehotline.org>.

<sup>21</sup> 'Women and men in the informal economy: a statistical picture' (International Labour Office – Geneva, 3 ed) ILO, 2018

<sup>22</sup> *ibid*

To combat violence and harassment, including domestic abuse, in both formal and informal work contexts, the International Labor Organization (ILO) adopted the ILO Violence and Harassment Convention (No. 190) and Recommendation (No. 206).<sup>23</sup> Informal workers continue to experience prejudice and marginalization as a result of structural problems including racism, xenophobia, and gender inequality, despite their substantial economic contributions. Those who work in informal situations, which sometimes lack official acknowledgement from authorities, are more vulnerable to domestic abuse than those who operate in regular job settings. The isolation of domestic work, prejudice against sex workers, police harassment of street vendors, and the predominance of male-dominated workplaces like construction sites are some of the factors that increase the vulnerability to violence and harassment, especially for women and people of colour.

**Informal Sector and Gender:** Home-based workers, domestic helpers, street sellers, rubbish pickers, and construction labourers are all heavily represented by women. They often work in the most hazardous and insecure unpaid jobs, earning less money in the process. Official statistics often underrepresent women who work informally, despite their significant presence.

Informally employed people in a variety of industries exhibit blatant signs of gender-based division. Women are disproportionately found on the lowest end of the informal occupational spectrum. These industries have poor levels of production and earnings, as well as insufficient capital, infrastructure, social safety, and service accessibility, in addition to a skills gap. These lower-class industries provide women less power and choice, poorer income, fewer options for collective bargaining, and a greater risk of abuse and exploitation. The combination of gender, precarious employment, and other types of prejudice intensifies the financial disadvantages experienced by female informal workers, driving them even deeper into destitution and sustaining gender-based economic inequities.

**Impact of Covid 19 on women in the informal sector:** The COVID-19 pandemic has exacerbated the precarious status of women employed in the informal sector by disproportionately affecting them. The implementation of lockdown measures during the pandemic caused a considerable disruption to informal occupations, mostly held by women and often located in houses and streets.<sup>24</sup> This resulted in fewer hours worked, more costs, problems with transportation, limited access to markets, and a drop in demand from customers.

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<sup>23</sup> International Labour Organisation, Convention No. 190 and Recommendation No. 206

<sup>24</sup> D Hulme and R Horner 'After the immediate coronavirus crisis: three scenarios for global development' 2020

In addition, the pandemic caused even more financial difficulties for women and girls with disabilities, which had both short- and long-term effects. For all these difficulties, gender-specific effects of the crisis have received little attention from policy solutions.

In addition, women working in the unorganized sector are now more vulnerable to domestic abuse as a result of the pandemic.<sup>25</sup> Breaking lockdown regulations to work or get help for domestic abuse may result in criminal charges and other consequences; this is especially true for street sellers, migrant workers, and sex workers. Unemployment and income loss may be the primary causes of the surge in domestic violence events among informal workers during COVID-19, notwithstanding the paucity of statistics on this topic. Services for victims of domestic abuse desperately need to be available and accessible throughout the pandemic. Response system modifications are required to accommodate the demands of survivors and to provide all-encompassing assistance, COVID-19 rehabilitation programs must incorporate informal workers.

**Responses to Domestic Violence on Informal Sector Women during COVID-19:** After the official efforts during the pandemic left gaps, advocacy organizations with a track record of quickly mobilizing inside their communities to help informal workers gained momentum. The International Domestic Workers Federation (IDWF) and the Global Network of Sex Work Projects (NSWP) are noteworthy for their aggressive efforts. An important source of information about pandemic-related issues was the NSWP, namely regarding the increase in violence and discrimination against sex workers.<sup>26</sup> In contrast, the IDWF created the COVID-19 Solidarity Fund to provide its members with necessities including food, housing, personal protection equipment and needs evaluations to lessen their dependency on abusive circumstances.<sup>27</sup>

Service providers are experimenting with new methods to support women in the unofficial sector who are victims of domestic abuse. For instance, a non-governmental organization in Nigeria set up inconspicuous private phone booths within pre-existing safe places for women to allow them to communicate with case workers for domestic abuse. However, since they

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<sup>25</sup> C Wenham, et al. 'Women are most affected by pandemics — lessons from past outbreaks. (*Nature* 2020) 583

<sup>26</sup> 'NSWP Global Sex Worker Consultation' (Prevention and Treatment of HIV and Other Sexually Transmitted Infections for Sex Workers in Low- and Middle-Income Countries: Recommendations for a Public Health Approach.) < <https://www.ncbi.nlm.nih.gov/books/NBK304106/> >

<sup>27</sup> 'IDWF Solidarity Fund to Fight COVID-19' (International Domestic Workers Federation, 5 October 2022) < <https://idwfed.org/covid-19-2/support-protect-fight/idwf-solidarity-fund-to-fight-covid-19/> >

depend on donations for funding, these organizations have constraints. Informal workers are not subject to responsible managers or supervisors, in contrast to formal workplaces where rules provide a certain degree of security.

International accords such as the UN Declaration on the Elimination of Violence against Women (1993) emphasize the critical need to take both national and international action to address violence against women.<sup>28</sup> Such measures must be impartial and non-discriminatory in light of the kind of employment that is in jeopardy. To prevent the increasing marginalization of informal workers, states must harmonize policy in several areas, including gender, education, employment, development, migration, and human rights. The interim regularization of migrant workers' immigration status, which gave them access to formal job prospects, banking services, healthcare, and social safety nets, was one of Portugal's exceptional pandemic management strategies. These steps reduce the likelihood of violence and make it easier for unpaid workers to report incidents of domestic abuse.

States are unable to provide the basic needs of undocumented immigrants who are victims of domestic abuse by depending only on non-governmental organizations. Even if there weren't enough resources before the outbreak, several nations reacted by implementing long-overdue legislative adjustments. For example, the Public Prosecutor of Guatemala is now accepting. Allegations of violence by mail, WhatsApp, or phone calls. France passed a law granting victims of domestic abuse access to housing and shelter. Argentina launched a program at pharmacies that allowed victims of domestic abuse to use a covert code word to notify employees to call the police right away.

**Enhancing Protections for Informal Workers Against Domestic Violence:** The ratification of ILO Convention 190, which covers workplace violence, abuse, and exploitation, is crucial to provide complete protection for all workers, including those in the unorganized sector. Sufficient funding for the development and execution of policies that protect unpaid labourers from domestic violence is required, necessitating customized responses to their particular vulnerabilities. To ensure that domestic violence services are available to informal workers and remain so during the COVID-19 pandemic, both governmental and non-governmental organizations must modify their programs. Enhancing current services, especially those that

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<sup>28</sup> (Declaration on the Elimination of Violence Against Women | OHCHR) <  
<https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-elimination-violence-against-women> >

assist non-traditional labourers, including domestic workers, sex workers, and migrant worker groups, should be the focus of sustainable financing.

States, labour unions, workers' rights groups, and informal work advocates must work together to create inclusive policies and programs that are aware of the needs of and vulnerable to domestic abuse experienced by informal workers throughout the pandemic. The identification and elimination of hurdles that prohibit informal workers from using systems for reporting domestic abuse, support, and services—such as the legal challenges experienced by individuals in criminalized sectors and those without regular immigration status—require an intersectional approach. Informal workers should have access to social safety systems, particularly cash-based interventions, via state-led efforts or humanitarian interventions, given the efficacy of cash supply in decreasing vulnerability to domestic abuse. Policy changes, information campaigns, and advocacy actions are crucial in challenging detrimental cultural norms that sustain gender inequality and discrimination against informal workers, especially in stigmatized professions like sex workers and trash pickers.

Prioritizing domestic abuse risks is critical in gendered COVID-19 recovery programs, particularly for women in informal work who have played a critical role in the care economy throughout the pandemic. Implementing policies to protect and include informal workers, acknowledge their contributions, and guarantee their involvement in the recovery process should be a priority as nations negotiate the phases of economic recovery.

### **IMPACT ON CHILDREN OF DOMESTIC VIOLENCE DURING PANDEMIC**

The COVID-19 lockdown, which was embodied in the slogan "Stay home, stay safe," increased the number, frequency, and intensity of VAW (violence against women) in the seemingly "secure" confines of people's homes. For women, this made it much harder to flee violence and to seek support from friends, family, neighbours, the government, Civil Society Organizations (CSOs), and other support agencies. The challenges were made more difficult by the abusers' ongoing presence in the residence, mobility restrictions, restricted access to transportation, and the inability to recharge communication devices.

Child abuse is a serious and complicated issue that needs to be carefully examined and addressed right away. Different cultures and nations abuse their children in different ways, utilizing emotional, physical, exploitative, and neglectful methods among others. Finding comprehensive remedies is challenging because of the intricate relationships that these abuses

have with individual behaviours, cultural norms, and societal structures. The problem with child abuse is that a lot of time the children are unaware of the abuse and after years of suffering as adults they come to realize that they had been abused. It also created a big scope of violence for children as COVID rendered them helpless in the face of adversity a lot of children were locked within the 4 walls with their abusers and in worse cases abusers.<sup>29</sup>

Even though it is commonly known that children typically have less severe cases of COVID-19 infection than adults, the containment measures used during the pandemic, like lockdowns and home isolation, have had a significant negative effect on children's mental and emotional health. Records and studies have shown a worrying increase in violent incidents aimed at children during lockdowns, highlighting the detrimental effects of social isolation, financial hardship, and shattered support systems.

It is essential to comprehend the cultural aspects of child abuse to create interventions and support systems that work. Cultural norms, beliefs, and religious practices play a vital role in influencing the psyche of people, which in turn dictates how various groups view, report, and handle cases of violence against children. This is why it is crucial to use treatments that are specifically designed to prevent violence against children while simultaneously trying to fight culturally relevant and abusive tactics.<sup>30</sup> The pandemic's worldwide reach and the widespread fear and uncertainty have led to higher stress, tension, and interpersonal strife, all of which may be contributing factors to a rise in child abuse instances.

It is essential to recognize that incidents of interpersonal violence among people, especially violence directed at women and children frequently occur during unstable and crisis-ridden times such as pandemics. Although there is a dearth of scientific data determining the exact effect of the pandemic on child violence, media accounts, and anecdotal evidence suggest a concerning increase in incidents during and after lockdown periods. This emphasizes how urgently strong research projects, extensive data gathering, and evidence-based treatments are needed to successfully address this pressing problem.

In addition to causing acute physical and psychological trauma, violence against children has long-lasting effects that should be carefully considered. Those who have experienced abuse as

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<sup>29</sup> Krishnakumar A, Verma S., 'Understanding Domestic Violence in India During COVID-19: a Routine Activity Approach.' [2021] Asian J Criminology

<sup>30</sup> Mashura Shammi, 'A review on the gendered impact of COVID-19 pandemic towards achieving sustainable development goals in Bangladesh: Ecofeminist perspectives on the response to COVID-19 pandemic.' [2023] Heliyon.

children frequently struggle with long-lasting psychological trauma, which can show up as a variety of problems such as mental health conditions, drug misuse problems, and trouble establishing positive adult relationships. Investigating the underlying causes of child abuse and providing thorough support to survivors are essential steps in ending the cycle of violence and creating a safe and nurturing environment for kids.

Collaboration between several disciplines and stakeholders, including governmental agencies, non-governmental organizations, community leaders, educators, medical experts, and the general public, is crucial for addressing child abuse. Strong child protection laws must be passed and strictly enforced, child rights and abuse prevention campaigns must be stepped up, survivors' access to mental health services must be improved, and support networks for families and children in need must be strengthened.

Adversity-affected children are a high-risk group in nations such as India since they frequently do not fit the traditional definition of a child who is deemed vulnerable in times of crisis or disaster.<sup>31</sup> Children's mental health issues are often disregarded in times of crisis, especially. When there are risks to their safety and early adversity. Children's short- and long-term mental health illnesses are influenced by this relationship between lockdown procedures, financial difficulties, and vulnerabilities related to sexuality and abuse, such as those resulting from child labour, sex work and trafficking, early marriages, and sexual abuse. Creating effective solutions to address the growing issues related to child safety, psychological well-being, and mental health requires adopting a disaster risk reduction mindset.

Adversity-affected children are a vulnerable group, particularly in developing countries such as India, where they may not always fit the traditional description of children who are considered to be especially vulnerable during emergencies and natural disasters. It also clarifies the pandemic's socioeconomic effects on these defenseless kids. Adversity-affected children are a high-risk group in nations such as India since they frequently do not fit the traditional definition of a child who is deemed vulnerable in times of crisis or disaster. Children's mental health issues are often disregarded in times of crisis, especially when there are risks to their safety and early adversity.<sup>32</sup>

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<sup>31</sup> Ghosh-Jerath and others, 'Effect of COVID-19 pandemic on food systems and determinants of resilience in Indigenous communities of Jharkhand State, India: A serial cross-sectional study.' [2022] FSFS 724321.

<sup>32</sup> D. Pandey and others, 'Gendered effects of COVID-19 school closures: India case study.' (2022).

Studies show that children and adolescents with pre-existing mental health disorders were made worse by the seclusion imposed during the pandemic. During this time, depression and anxiety became the most common symptoms.<sup>33</sup> In addition, the COVID-19 pandemic's pervasive effects generated a great deal of research on domestic violence, and it was shown that adults who experienced higher levels of anxiety and insecurity also had a higher risk of abusing their children. During the ongoing crisis, there has been a noticeable increase in the number of helpline calls.

Physical and emotional abuse are the most common types of domestic violence; sexual abuse and violence against one's mother are less common. Furthermore, neglect continues to be a serious problem in many areas, including health, education, healthcare, and mental health support in different communities. Children who witness domestic abuse, especially violence directed at their moms, frequently feel powerless, which can have long-lasting psychological effects. It is generally accepted that these kids experience higher amounts of ongoing stress, which increases their vulnerability to anxiety, sadness, and suicidal thoughts. Furthermore, it is known that early exposure to violence may play a role in the development of personality problems in later life, which is a serious long-term issue.<sup>34</sup>

According to the literature, there is a discernible pattern of youngsters moving to cities and joining the labour force during emergencies and crises, which leaves them vulnerable to exploitation.<sup>35</sup> Young people, both male and female, claim that adults have approached them for sex, particularly when they are working on the streets. This puts them at risk for exploitation, which includes verbal, physical, and sexual assault. Young people working in the unofficial economy are especially vulnerable to sexual assault; this is especially the case for girls who are street vendors, domestic servants, or beggars. On top of getting forced into prostitution and facing sexual exploitation as a part of their everyday lives, which anyway makes them highly susceptible to unwanted pregnancies and STDs, they also tend to struggle with hunger and poverty while trying to provide for their families, and in a lot of cases they also happen to be the sole bread earners.

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<sup>33</sup> A Saikia, S. Gupta and D. Singha 'Capturing the COVID-19 experiences of adolescent girls of a slum in Guwahati city: An exploratory study' [2024] CSCPI (pp. 209-225)

<sup>34</sup> Krishnaprasa & Suchita, 'The COVID-19 Pandemic and the Case of Anganwadi and ASHA Workers with Special Reference to Maharashtra.' [2021] *Gendered Experiences of COVID-19 in India*

<sup>35</sup> Subhradip Karmakar and others, 'The perils of the pandemic and India's child victims of COVID-19.' [2021] IntJ 10



During the pandemic, the shift of many life domains to online platforms created new options for getting help during difficult times as well as new avenues for violence. Mental health practitioners must be up to date with these changing dynamics and devise effective interventions to tackle the detrimental effects of family violence on mental health. Given that grassroots initiatives play a crucial role in responding to these kinds of issues, efforts should be made in concert to support a variety of socioeconomic groups that are vulnerable to mental health disruptions. Taking into account these shifting dynamics creating efficient and helpful interventions is necessary as it would act as a tool to address the negative impacts of family violence on mental health. Furthermore, as grassroots activities are essential in addressing these kinds of difficulties, at a community level various socio-economic groups who are susceptible to mental health disturbances should be supported collaboratively.

Violence against children is a serious, worldwide issue with long-lasting and devastating consequences that calls for an integrated and well-coordinated response. Physical and emotional abuse are the most common types of domestic violence. It is also notable to mention the difficulty in identifying emotional abuse as a lot of time it comes under the garb of “taking care” of the children or “disciplining” the children. In such situations, even the abuser themselves are conveniently yet more often than not genuinely oblivious that their actions would leave an indelible scar on the psyche of these children.

The Covid and the following lockdowns called the adults to action to create a safer and healthier environment for all children to thrive and reach their full potential. Reaching full potential also requires the adults and the children involved to comprehend and understand the cultural, social, and psychological aspects that unfortunately contribute to child abuse. To avoid child, abuse it's also important to put evidence-based interventions into practice and foster a culture of protection and support.<sup>36</sup> Children who witness domestic abuse, especially violence directed at their moms, frequently feel powerless, which can have long-lasting psychological effects. Furthermore, a study also found not only such children are more susceptible to abuse themselves but there is also a high chance that they might turn out to be “abusing adults” themselves.

The unexpected cessation of outdoor activities, social interactions, and educational endeavours during the epidemic had a tremendous impact on children and teenagers. Additionally, many

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<sup>36</sup> Susan Garthus-Niegel and others, 'Changes in prevalence and severity of domestic violence during the COVID-19 pandemic: a systematic review.' [2022] FP 874183.

of them were affected by an apparent increase in domestic violence cases. Stress from irregular schedules, mood swings, and interrupted learning environments may be harmful to their mental health. It is generally accepted that these kids experience higher amounts of ongoing stress, which increases their vulnerability to anxiety, sadness, and suicidal thoughts.

In light of these worries, we urge researchers particularly those whose studies are still in progress to consider how little changes in study designs or new questions can contribute to larger conversations and impact pandemic response tactics in the future. These queries might add to the data already available or pose new, intriguing, and pertinent queries. We also urge funders and research institutions to consider ways to increase the scope of ongoing grants, research programs, or funding opportunities to promote innovation and expedite changes in research priorities.

Innovative techniques that facilitate virtual data collecting may be required for research projects started during pandemics to address these issues. Many strategies are presently being investigated and evaluated for their effectiveness. Furthermore, participant protection is still the priority when collecting data, especially when primary data collection is involved in studies on violence. The increased susceptibility linked to pandemics emphasizes the need for extra measures and protections to keep study volunteers safe from health concerns while they participate in studies, as stated in modern research ethics guidelines. Even though there is much comprehensive and in-depth research on the topic of violence against children, the investigation of violence during the COVID-19 epidemic is a relatively new development. Accurately predicting the entire range of long-term consequences resulting from the pandemic issue is still difficult. Notably, given the speed at which the coronavirus is spreading throughout the world, social seclusion may not always be the best strategy for fostering mental health, even though it may seem like a sensible precaution from an epidemiological standpoint.

The complete ramifications are not yet known. Since many nations have implemented different preventive measures, it is challenging to generalize about the scope of the issue of the increased risk of domestic violence against children during home isolation. Feelings of uncertainty, frustration, and anxiety caused by various factors within the family system intensify domestic violence. In summary, the problem of violence against children is a pressing worldwide issue that necessitates a well-coordinated strategy. We can endeavour to create a safer and healthier environment for all children to thrive and reach their full potential by comprehending the

cultural, social, and psychological factors that contribute to child abuse, putting evidence-based interventions into practice, and fostering a culture of protection and support.

## CONCLUSION

Although the legal changes to stop domestic violence are a great step towards the development of women, there are still issues with their effectiveness and execution. The adoption of legislation is a step in the right direction, but their actual implementation with the aim it had been enacted is still a long way to go. Diverse jurisdictions' insights paint a different image. Even while the number of crimes reported and successfully prosecuted has increased, many more go unreported or unsolved because of several obstacles. Although victims can receive help through protection orders and legal interventions, their efficacy is limited by bureaucratic obstacles and insufficient funding allocation. Not reporting cases of violence is still a serious problem that is exacerbated by embarrassment, mistrust, and anxiety about the legal system. This disturbs the data figures and hides the actual rates for the same. Furthermore, marginalized populations face more difficulties and challenges they have to face because of discriminatory practices and cultural insensitivity in judicial institutions.

The effectiveness of the legal system depends on how easily accessible, practical, and sensitive to the many requirements of survivors it is. When coming up with plans to improve the legal safeguards for women who are victims of domestic abuse, it is imperative to consider these constraints. Being a part of the International legal frameworks such as CEDAW and regional conventions the states have to end discrimination against women and protect them from abuse in all of its kind. The effectiveness of legislation in preventing gender-based violence differs throughout jurisdictions and is dependent on contextual circumstances.

Even while there has been progress, there is still more work to be done to guarantee that all victims of domestic violence are given genuine and complete legal safeguards. Being persistent is essential, particularly in family law courts. These courts must protect the rights and duties of married women. Promoting a proper legal system, changes with the changing society should be made in the laws so that the laws can be implemented properly according to the way the legislature has made the law and there should be a governing body that oversees the proper implementation of the law in every sector of nation and this will be possible when there is a cooperation between lawmakers, solicitors, and judges. Eventually, strengthening laws against domestic violence necessitates a comprehensive strategy that includes strict enforcement, necessary modifications, and a strong support system. The law can truly help and achieve its

goal by making concentrated efforts in these areas, giving women protection and their rights, and helping them come out and voice out about the violence that they are facing rather than accepting it as a marital norm.