

What is Law

- Law is a set of rules decided by a particular state meant for the purpose of keeping the peace and security of society.
- Law is a system of rules that are created and enforced through social or governmental institutions to regulate behavior.
- Law has been defined both as “ the Science of justice” and “the Art of justice”.

Legal Framework for Addressing GBV

- Violence on women (Majors) : physical and psychological
- Violence on Men (Majors) : Physical or psychological
- Violence on Female Children (Below 18 years)
- Violence on Male Children
- Rape, sexual abuse of minors and adults
- Acid attacks
- Stalking
- Ragging
- Eve Teasing
- Sexual Harassment of women at Workplace
- Domestic Violence
- Human Trafficking
- Sex Detection

Case Law 1

- Lata is going to college and observed that every day after coming out of college and walking to home, a young man is following her. Not one day but about three months?
- What is this?
- If Lata tells to parents what is the first reaction?
- What to do at this situation?
- If ignored, what will be future course of action by him?
- If taken her words, what to do?

Law Related to Stalking

- Parents to hear to Lata's concerns
- Discuss with her
- Observe it and take video of it
- Give complaint in Police station
- Police will call him
- Investigate
- Then file FIR

Case Law 2

- Prasad was a bright professor, wife Suhasini was a successful engineer. But theirs was a messy marriage, nearing divorce, because of his wife's harassment by filing cases against him. He believed to kill their sons, himself and punished his wife for life.
- How to solve familial / marital issues in peaceful manner?
- Is suicide a solution ?
- What is ideal solution in this case?

Women Harassing Men

- The men's rights activists claims that the anti-dowry laws are being frequently misused to harass and extort husbands.
- The high rate of suicide among married men in India is also attributed to harassment and these laws by activists.

Case Study 3

- Chandrika was an employee. One late night she was going to home from work place. Three men followed her from railway station. Suddenly they attacked on her and gang raped. Finally police arrested them and produced before court. They are all railway gang men
- How women can make their night time journey safe?
- How to protect herself in that situation?
- How society treats her?
- Whom she can call in emergency ?

Rape, Sexual Harassment on Women by Men

- IPC Section-379D for gang rape. They shall be punishable rigorous punishment of not less than Twenty years, may even extend to life imprisonment, with fine.
- Counselling to be provided for women victim.
- Family taking her in
- Societal acceptance
- No gossip / rumours / sexual advances on her at workplace

Case Law 4

- Vamsi a student of residential school. He was raped every night at his hostel by male warden. The minor boy was student of third grade, was severely injured when he escaped from the hostel.
- Is boy also victim of rape cases?
- Are schools and hostels safe for children in general and in specific for male child?
- How do society react to a male child sexual abuse?
- Is there any law which permits male child sexual abuse punitive?

Male Child Sexual Abuse

- Child Sexual abuse is gender neutral
- Boys who are sexually abused as children spend a life time of silence because of the stigma and shame.
- The Protection of Children from Sexual Offences Act (POCSO Act) 2012 was formed to protect children from offences of sexual abuse, sexual harassment and pornography
- In case of rape of a child below the age of 12, the punishment will be death penalty, life imprisonment or minimum imprisonment of 20 years.
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Case Law 5

- Punnamma was a 74 years aged woman having two sons. Her husband died. All her property was equally distributed to her two sons. They took her property and thrown her out from home.
- If sons are not taking care what she should do?
- How to lead her life?
- What is she eligible as senior citizen?

Taking Care of Parents and Senior Citizens

- Maintenance and Welfare of Parents and **Senior Citizens Act, 2007**
- The **rights of older** persons are the entitlements and independence claimed for **senior citizens** (i.e. above 60 years of age). Reverse gift deed, maintenance, shelter.
- **Elderly rights** are one of the fundamental **rights of India**.
- The International Day of **older** persons is celebrated annually on October 1.

Law vs Social Norms

This raises the more general issue of how laws interact with social norms that tolerate violence.

Social norms are important in several respects –

- Their effects on male beliefs and behaviours (whether it is acceptable to beat your wife)
- Female beliefs and behaviours (whether it is okay to be beaten by your husband)
- Police responsiveness
- Judicial attitudes
- As well as the existence and shape of laws against violence.

Do Laws Make a Difference?

The general picture is thus an increasing and now large number of countries having laws against violence in place, including domestic violence. This is good news.

Laws are indeed an important policy commitment and create an enabling environment for change.

Major Obstacles for Effective Law Implementation

- Notably lack of awareness
- Low probability of apprehension
- In some countries, the co-existence of customary and religious laws that are not consistent with the legislative prohibitions.
- There are marked examples where laws on the books have not significantly affected behaviour, from laws prohibiting child marriage in Bangladesh, to sex selective abortion in China and dowry payments in India.

Reporting and Enforcement

Beyond awareness, the likelihood of apprehension, prosecution and conviction may affect behaviour of potential perpetrators, as well as reporting.

Whether women report is likely influenced by attitudes and norms around violence, as well as by the ease of reporting, and what happens when women report.

India is among the countries where reporting rates are very low. According to a national survey (NFHSIII), fewer than 5 percent of victims sought help from police, social workers, lawyers, doctors and other professionals

What you can do ?

- When you see violence on any person, give complaint to Police or dial 100.
- If any person comes to your office, be respond to them how you can link to government services and support in how to sought help
- Do take care of elderly
- Do not hesitate to use law
- Do not take law into your hands

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