

Strategic Shift in Approach towards Women's Protection in Twelfth Five Year Plan (2012-2017)

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Abstract

An analysis of crimes against women and children by bureau of crimes Government of India shows that despite increase in financial input on women welfare interventions in eleventh five year plan crime graph against women is on the increase. This is despite the fact that a substantial crime goes unreported and some time it's unnoticed even. Hence there is an urgent need to reorient the approach and nature of programmes during 12th plan particularly related to protection of women and children. *This paper analyses the adequacy of existing arrangements and policy support as also felt need for a change in approach taking domestic violence against women and their children as an example to suggest a new possible roadmap.* Reformed in legislation, approach to critical issues of protection, operational framework and paradigm shift in mindset of different stakeholders have been identified as key focus areas of intervention. This article also suggests fresh ideas and indicators for measuring tangible outcomes in few selected parameters to know the improvement in enabling environment for crime against women during Twelfth five year plan period.

Key words

Women Empowerment, Gender Equity, violence against women Twelfth Five Year Plan, Social Justice.

Introduction

Within the framework of a democratic polity, our laws, development policies, Plans and programmes have aimed at women's advancement in different spheres. From the Fifth Five Year Plan (1974-78) onwards has been a marked shift in the approach to women's issues from welfare to development. In recent years, the empowerment of women has been recognized as the central issue in determining the status of women.

During Eleventh Five Year Plan enough emphasis has been placed on empowerment of women. This has mostly come by way of introducing various schemes for upliftment of women specially girl child by various states. This may improve socio-economic indicators for women in the long run and is entirely desirable,

However, there still exists a wide gap between the goals enunciated in the Constitution, legislation, policies, plans, programmes, and related mechanisms on the one hand and the situational reality of the status of women in India, on the other. One can simply observe the mismatch between the on hand provisions and situational pragmatism of women in the country . One of the topmost priorities is to bring about a change in the environment for protection of women and their children in order to realize their highest growth potential. Presently this environment is vitiating by so many adverse factors which lead to various crimes against women and their children. Inter alia, some of the important ones including avoiding the birth of a daughter or female foeticide, child labor, eve teasing, domestic violence, trafficking of women and harassment at work place etc. While all these crimes are an obstacle to empowerment of women life, domestic violence in particular has a debilitating effect as it not only affects the women but their children also. So it, along with others, has to be accorded significant priority and be approached from a different dimension in twelfth plan.

Before undertaking a programme from this end in view, governments should clearly define the desired plan outcomes. These plan outcomes must be fixed in factual consultation with the victims and the perpetrators of these crimes through various methods of consultations. Building on the achievements of the Twelfth five year plan the following action areas must be structured into plan outcomes.

1. Legislation and Judicial Legal Systems review.
2. Detection, early intervention and prevention.
3. Greater awareness and participation of community in prevention of violence against women.
4. Protection and safety of victims
5. Delivery of a range of support services
6. Justice Delivery
7. Building capacity
8. Research and Development

In order to achieve these above mentioned outcomes, the government's nodal department of Women and Child Development should put in place a result based action plan for each one of these. While it may be argued that there are already programmes to take care of these areas, the fact of the matter is that current responses of departments are far too inadequate and need to be improved in focus, scope and effectiveness. Therefore, each action plan has to have a measurable outcome against a benchmark. It should also have a definite strategy and measure of success as part of plan. As a starting point to initiate reform of laws, governments should carry out a review of laws and Judicial Legal Systems. The review should include focus on issues of definition, enhanced penalties, and issue of asset ownership, inheritance and capacity building of different stakeholders. Legal-judicial system should be made more responsive and gender sensitive to women's needs, especially in cases of domestic violence and personal assault. New laws may be enacted and existing laws reviewed to ensure that justice is quick and the punishment meted out to the culprits is commensurate with the severity of the offence. State also needs to bring in a family safety framework that shall help victims and those at risk with support services in twelfth plan. Some of the important plan outcomes to be attempted in Twelfth five year plan can be as follows.

Plan outcome -01 Community are safe and free from violence

During Twelfth and subsequent plans it should be a critical outcome which is needed to be achieved against present benchmark. Why it is important is because inheritance of positive and respectful attitude of community is critical for safety of women. Social norms play a significant role in shaping attitude and beliefs which contribute to all forms of violence against women. It is, therefore, necessary that communities be the first port of gender sensitization to effect a significant change in attitude and proper behavior towards women.

Strategy- 1.1 Promoting community involvement

Since violence against women happens in community. Most often community takes that it is a personal matter between victim and perpetrator of violence. This leads to dissipation of social pressure that can act as a significant barrier against domestic violence. It is therefore very crucial that leaders in community, work places, and local- governments are targeted for a community wide response. In the long run it

can be a very useful intervention to promote respectful relationships of women in society. This strategy should essentially involve recognizing men who promote gender sensitive behavior and discourage gender stereotypes including Discrimination against girl children, adolescent girls and women.

Strategy -1.2 Primary Prevention

This strategy should focus on early identification and prevention against aggressive behavior. The best place to implement this strategy is in schools, colleges, workplaces, business places where healthy attitudes can be inculcated in our youth. Aggressive social marketing campaigns can be very effective and must be accorded top priority. Success of these campaigns has also been proved as tools of mass communication, sensitization and behaviour change recently by episodes of Satyamev Jayate produced by Amir Khan on national television. Televising such theme based programmes can help build positive attitudes and beliefs as also positive social norms to confront violent behavior.

Strategy -1.3 Promoting Gender Equity

Building greater equalities can always promote better attitude in men and should be the main aim of this strategy. This strategy can take care of factors which promote gender equality and broaden social policy initiatives. Women's equality in power sharing must be given the priority including the ownership of assets- both immovable and movable- by women. Numerous studies have proved that asset ownership has a positive impact on the status and bargaining power of women. It also enhances the bargaining power of women in decision making in household. Ownership of assets per se is the source of economic security, income from assets can be leveraged to broaden the livelihood choices of women by making them participate in financial markets including poor ones. All legislation should be reviewed from this point of view during Twelfth plan period and be made very progressive. Joint titling of assets alone, for example, can go along way if planned and executed effectively.

Similarly movable asset (cash) ownership can empower women and their dependent children especially those who are house wives as they are at a greater risk in the event of domestic violence or breakdown of institution of marriage. Majority of them most often look after the household and children. Financially they are dependent on

husbands. Any legal source of regular income as a share in the income of their husbands shall lead to their empowerment and participation in decision making in the house hold. Efforts of minister of women and child at centre seem to in the right direction as it will not only provide regular flow of income at the disposal of women but also give them greater choices to make in life. Such an approach will go a long way in promoting gender equality and bridging the wealth gap vis a vi man. Similarly all measures must be taken to guarantee women equal access to and obvious **voice** in decision making bodies at every level, including the legislative, executive, judicial, corporate, statutory bodies, as also the advisory Commissions, Committees, Boards, and Trusts etc.

Measuring Success

Progress achieved shall be measured by increase in tolerance of community against women. A midterm survey should be conducted in Twelfth Plan period. A nationwide survey may be conducted to know gender disparity including the asset ownership. Then an aggressive programme of legislative action at national and states level can be drawn up and implemented during Twelfth Plan. At the end of plan period figures of survey can be matched with benchmarks so as to see what difference has been made by the new approach.

Plan outcome- 2 One stop shop arrangement for ensuring adequate service delivery

Most often it has been the experience that services provided to victims by state are highly inadequate and ineffective. What is needed in Twelfth Plan is that these services are provided in a more responsive manner along with highly enhanced access and quality. Equally important is that these services are provided at the first point of contact as first stop shop to women victims and their children. Here it is important to note that women in difficult circumstances require different access needs not only for mainstream services but also for specialist care and support. Special care needs to be taken for such victims as older, disadvantaged, and women with disabilities.

Strategy- 2.1 Reach to unreached

First and foremost it is important that needs for services are identified proactively particularly for prevention in the initial stage. For this purpose it is vital that the role and organization of community policing must be totally reoriented and reorganized. In many states of India Family Counseling Centers have been set up. But these are being run in a typical regulatory set up mostly manned by police personnel. If these centers are to serve a useful purpose, these need to be broad based by including men of eminence from professional counselors, Psychotherapist, lawyers, social activists and Civil Service Organizations'. The vertical reach of these bodies also need to be universal from village to state capital in both rural and urban areas. This will help enhance first point of contact for victims by the state to respond and provide wide range of services. Such a first floor approach will help avoid victims the agony of seeking help from multiple agencies.

Recent trends in violence against women show that it is taking place against women and children of all age classes and communities. This situation requires to be changed urgently to provide a sense of security and care for women. This necessitates a need for the government to support specialized services based on individual needs. Many a times while relief is instantly available, long term rehabilitation of the victim is often neglected. In Twelfth Plan there is a strong need to strengthen and synergize these rehabilitation services as part of social protection measures with involvement of civil society organizations. This would include setting up of more help lines, family courts, rehabilitation centers, helpline homes etc in states. An analysis of expenditure of women and child department in Eleventh plan clearly shows that expenditure on protection of women and children has been a neglected area. This anomaly needs to be put paid to in Twelfth Plan.

Strategy 2.2 Working together with Community Based Organizations (CBOs)'

The women's movement and a wide-spread network of Community Based Organizations' which have strong grass-roots presence and deep insight into women's concerns have contributed in inspiring initiatives for the empowerment of women. For successful implementation of gender based programmes, participation of women Stakeholders is enormously essential. Wide spread awareness about the programmes among groups of beneficiaries and other stakeholders including

voluntary agencies, etc. would be advantageous. Government must seek the quality support area for partnership with CBOs on large scale.

some community based organizations have reached out to affected women directly with legal aid, family intervention, alternative shelter, and economic programs providing income- generating opportunities, many others have refrained from tackling the issue of violence head on. Those organizations operating with an understanding of the structural nature of domestic violence seek to empower women through education, legal awareness, asset creation, and mobilization of strong women's groups. Innovative methods to build community awareness and support include street plays, exhibitions, mass meetings, organizing elderly women to welcome every new bride to the village, and mock funeral processions publicizing violence.

Measuring Success

A **baseline** personal safety survey should be conducted to establish a baseline of such indicators as access to responsiveness and services available. A midcourse survey to assess the direction should be helpful to plan for future. If access to services is found to be on increase then social security programmes for protection of women and their children can further be strengthened as part of mid course correction of Twelfth Plan.

Outcome 3

Effective justice responses

Effective justice responses should start with reviewing of legislation in respect of domestic and sexual violence against women and children. Inter alia, provisions of definition, penalties, emotional abuse (Needs to include emotional and psychological damage and denial of financial, social and personal freedom), safety (physical and property) and sensitivities of justice dispensing agencies. Here it is important to note that children by themselves are victim of domestic and sexual violence. Suitable amendments must be made to amend laws in order to bring such violators under purview of such laws. This has become significant in view of large scale violations of children in the country.

In order to make these changes acceptable and sustainable, full participation of all stakeholders including community and religious leaders is desirable. As presented in outcome one, after adopting this approach of community participation, it would be easier for the government to bring about these changes in medium and long term.

Yet another area which needs immediate attention is the sensitization of different agencies involved. As discussed above, we should make a serious attempt in Twelfth Plan to reorient and sensitize a separately organized and broad based cadre of community policing in the country. It will help counsel the would-be cases proactively thereby reducing the regulatory burden on hardcore policing, as only the serious offences would be reported for further legal action. It shall help in reducing the burden of courts and therefore lead to better case management subsequently. As the number of cases is reduced considerably, it will lead to adequate legal response which is insufficient today.

Another paradigm shift is needed in bringing the perpetrator to justice. It is important to note here that while incidence and consistency in conviction play an important role in making the violator accountable, even more important role is played by following a zero tolerance approach. All types of violence against women, physical and mental, whether at domestic, work place or societal levels, including those arising from customs, traditions or accepted practices must be dealt with effectively with a view to eliminate its incidence. This will help enable a better environment for reduction of crime against women and children.

Strategy- 3.1

Protection from Violence

During the Twelfth Plan period improved access to justice for women and their children should be priority for policy action. Civil and criminal justice system need to be accessible and responsive to needs of women affected by domestic and sexual assault. Prime problem to be addressed has to be in bringing guilty to justice in a reasonable period of time. It will take concerted efforts on the part of government, judiciary and the bar to work out a comprehensive plan backed by adequate

resources and technological interventions to make it possible. It is only after this that a legal response can be said to be somewhat adequate.

Another area that needs to be strengthened is to improve and sensitize police leadership in dispensing justice to these victims of domestic and sexual assault. To start with, sensitivity should be restored by creating "all women cell" in crucial positions such as initiation, interrogation, prosecution and argument of the cases. At the same time a massive programme of sensitization of all concerned should be taken up. Above all police, judiciary and community need to work in tandem to bring about any tangible result

Measuring Success

Enhanced rate of reporting and increased rate of conviction can be good indicators for measuring the trends in these crimes. But the risk with these indicators is that these are often suppressed by implementing agencies for fear of adverse publicity and retribution. It is, therefore, suggested that a personnel safety survey based on security threat perception parameters be conducted in the beginning of Twelfth Plan. Improvement in these parameters can be assessed by a similar survey at the end of Twelfth Plan to know progress on these measures. Indicators such as degree of lack of fear for visiting police station by women can be taken initially.

Institutional arrangement for implementation

This is one of the most ticklish issues before governments to consider with a view to providing services and justice to women. Given the vast expanse and huge population to cover, a feasible and effective arrangement needs to be put in place. Also the need for composite services and justice will necessitate putting up a composite structure at the lowest possible unit. It is, therefore, proposed that a composite vehicle of representation for safety, internal security and justice administration is put in place up to block/taluka level in the Twelfth Plan for this purpose.

Organization of this institutional structure, along with reorganization and reorientation of police for community policing, from state level to block level-- in particular of the wing dealing with internal security and crimes against women and their children needs to be innovatively set up. At state level this structure can be headed by an

officer of suitable orientation as DG (safety and internal security). He can have regional and district units under his jurisdiction. District unit will have eminent layers, doctors, NGOs, social activists, and government officials. This unit can be headed by a suitable officer of WCD/police/justice department as district organizer. As predominant role of this unit will be affirmative action at district and below, this should specially have both male and female community liaison officers, youth involvement officers and children liaison officers. Target group for community liaison officers for affirmative action would be community. Accordingly they will participate in gram sabha/ward sabha meetings. Similarly youth involvement officers and child liaison officers can target their respective groups in schools colleges, universities and places for sensitization of these stakeholders.

Most often it has been the experience that the state does not provide adequate quality services to the victims of domestic and sexual violence in time at appropriate levels. Therefore, in order to meet the victimological needs, a separate committee at block and district level be put in place in order to provide immediate relief and long term rehabilitation of victims. This committee can be given the mandate of pooling resources from government, NGOs, corporate and other agencies and use them for relief and rehabilitation of victims.

In order to provide easy access to victims, a similar unit should be put in place at block level too under a block organizer. Members of this committee can be broad based as in the case of district committee. However, this committee needs to be effectively integrated with institutions at village level to serve any effective purpose. As an out of box thinking, it is proposed here that existing institutions of village defense societies, urban defense societies, 'kotwars' and 'Patels' etc may be involved and converged with block committees. By adopting this model we may not only be improving the access for women to seek remedy or justice but also be able to strengthen internal security as it will ensure effective convergence between the security apparatus and other organs of state.

Conclusion

The strategies suggested in this paper are only illustrative and not exhaustive and this can be very clearly brought out only after consultations with general community, the different work agencies, and after analyzing their programs and objectives.

Ensuring a gender perspective in the design and implementation of different types of social protection policies and programmes can enhance effectiveness and efficiency and improve social protection outcomes for both women and men. Partner governments and donors agencies like UNICEF, DFID can help ensure appropriate social protection responses to the differential risks and vulnerabilities specially faced by women in Indian society.

Above mentioned policy action may have a progressive impact so far as the reduction in the level and incidence of domestic and sexual violence against women is concerned. Twelfth Plan period provides us an opportunity and resources to make a paradigm shift in our traditional approach so as to make some tangible impact in these very significant social issues. It is, therefore, high time that action plans are developed across all critical areas including prevention and early intervention, protection, safety and justice, provisioning of services and support including rehabilitation, building capacity and data collection and research. In fact it shall be worthwhile to fund continuously research and development on such important social issues as certain percentage of GDP as we do in science and technology. This will ensure women and their children affected by domestic and sexual violence get best possible response in the short and long term. The changed approach may ensure that these responses are earmarked in the priorities of agencies meant for tackling these issues.

The top down approach in Planning and Implementation has led to formulation of schemes without assessment of the need of the women. Thus the interests of particular gender in these programmes have also declined. Stakeholders would, therefore, need to be actively involved in the formulation and planning of all schemes. Policies and practices need to be modified to allow optimal performance in twelfth five year plan from the most productive group in the society. This would facilitate not only better planning but also better monitoring of the gender related programmes.

If the government does not address the issue, it stands to suppress the enormous potential of women and girls. When they feel safe, when they are empowered, women and girls can be game-changers. The real driving force behind stronger economies

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