**Domestic violence**

BY SHARMEELA RASSOOL AND RIFFAT SARDAR 2021-04-08

WITH the enactment of the Domestic Violence against Women (Prevention and Protection) Act in Khyber Pakhtunkhwa in January 2021, all four provinces of Pakistan are now equipped with legislation that is instrumental for addressing domestic violence. The new law is a landmark one for the province, and a comprehensive piece of legislation that is expected to play a pivotal role in protecting women, and equipping the duty bearers to dispense justice more effectively and efficiently.

The law has devised effective reporting, gender-sensitive, survivor-centric, quality services and preventive strategies for transformative change in society. The enactment of this act negates the belief that domestic violence is a private matter of any household; it has now become the state`s responsibility to protect women f rom violence.

According to the Human Rights Commission of Pakistan, the most common forms of domestic abuse are shouting or yelling (76 per cent), slapping (52pc), threatening (49pc), pushing (47pc), punching (40pc) and kicking (40pc). According to a media report, `KP police data shows an increase in the number of domestic violence cases registered in 2019, especially in murder. In 2018, 180 women were murdered in their households in 2019, the figure rose to 217. Thirty-six women reported physical abuse at home in 2019, three times more than in 2018.

According to a report published in the Daily Mashriq, a local newspaper, in 2020, 5,515 women were brought to only five government-run shelter homes as survivors of gender-based violence including domestic violence.

In the period of the Covid-19 pandemic, data and reports from those on the front lines, have revealed that `all types of violence against women and girls, particularly domestic violence, has intensified`.

According to the Director of Bolo helpline (managed by the Social Welfare Women Empowerment Department, KP) during periods of lockdowns, from March 2020 to December 2020, the ratio of violence increased by 45pc in KP, when the reported cases were analysed.

Inthe backdrop oftheincreased cases of domestic violence, this Act will ensure timely efforts are put in place to strengthen prevention and protection measures for the survivors. The Act has enabled a standard legal definition of `child` at the provincial level which was not clear in the previous laws and the addition would be helpful in discouraging child marriages.

In addition, this Act substantiates the state`s commitment to the establishment ofwomen shelters in every district, thus responding to the need for protection of survivors of domestic violence in a timely manner. The government of Khyber Pakhtunkhwa operates seven shelters (in Abbottabad, Chitral, Peshawar, Mardan, Swat, Haripur and Kohat) for women who experience domestic abuse. Each of the shelters hosts 70 women, according to the Khyber Pakhtunkhwa Social Welfare Department data. The province`s population is estimated to be over 35.5 million.

The Act provides for the setting up of 12-member district protection committees that would include members from dif ferent government departments as well as civil society, with 33pc of the quorum consisting of female members. The committee would be responsible for raising awareness among women at the community level about their rights under the law in addition to keeping a record of complaints, petitions and court orders.The secretary of the district protection committee will be the chairperson of the district committee on the status ofwomen established under Section 8-e of the Khyber Pakhtunkhwa Commission on the Status of Women Act, 2016. But the formation and notification of these committees have been pending for years which would be a hur-dle in the way of implementation of this newly enacted legislation.

Now that this important piece of legislation has been passed, its ef fective implementation is vital. Further challenges are foreseen in terms of enforcement to make it trickle down and benefit the survivors of violence as the response mechanisms still require strengthening. Like other laws of the land, it could be complicated to draf t and approve the rules of business which are essential for implementation, and the notification of district committees on the status of women will also be required, as stipulated in the Act. It is now crucial for the government of KP to efficiently plan, budget and take practical steps for all essential services and response mechanisms for effective implementationof this significantlegislation. Sharmeela Rassool is serving as the country representative of UN Women Pakistan.

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