**Red Dot Foundation’s Public Interest Litigation in the Supreme Court listing**

**Domestic Violence Services as Essential and subsequent judgement**

**Mumbai, August 3, 2020:**

Red Dot Foundation (RDF) is a not for profit organisation, working in the field of women and child safety, gender equality and safe spaces through its flagship initiative of Safecity.in. RDF filed a Public Interest Litigation in the Supreme Court seeking remedies for victims of domestic violence and sexual abuse who are locked in with their abusers during this unprecedented corona virus (‘COVID19’) situation. Ms. N. S. Nappinai, Adv Supreme Court represented RDF in the hearing and upon hearing her submissions, the Supreme Court passed an order giving liberty to RDF to approach concerned authorities with appropriate representation bringing to the notice of the authorities some of the cases based on which the appropriate guidelines could be issued by the authorities.

Pursuant to the order passed therein, RDF has submitted a representation to The Ministry of Home Affairs, The Ministry of Women and Child Development, The National Commission for Women and The National Commission for Protection of Child Rights for urgent action in framing effective guidelines to combat domestic violence and sexual abuse.

Shelter homes are not accepting victims due to lack of COVID19 testing and the Mumbai Suburban one stop crisis home is listed as a Female Beggars home which is not acceptable to anyone. Victims who ventured out of their homes during COVID19 were asked to go back home by the police at road nakabandhis. One victim who made it to a police station with great difficulty leaving her two children with her abusive husband, who throttled her neck and almost killed her, was sent back with just a ‘NC complaint’ being registered. In yet another incident the jurisdiction police station itself was COVID hit and hence the victim could not go there to register her complaint.

Ms. Nappinai submitted before the Hon'ble Supreme Court on the travails of domestic violence survivors not just during COVID but also in normal situations and sought remedies raised in the Petition including for online reporting of domestic violence, easy availability of e-passes and alternate arrangements to shelter homes.

ElsaMarie DSilva, Founder and CEO of Red Dot Foundation highlights, “Till a vaccine is found, we will continue to go through phases of lockdown as and when there are spikes in cases. It is important that there are remedial measures available to all victims of sexual and domestic violence in a safe, inclusive and efficient way.”

Harish Iyer, LGBTQ+ activist and co-Founder of The Jimme Foundation says, “There is an increase in the number of cases of violence on members of the Queer community. In many cases, our homes, which are supposed to be safe places, are also places where violence breeds. There are also cases where Queer individuals face violence from our partners. There is a need for timely intervention. The word "domestic" should be interpreted broadly to include family of birth and family of choice.”

Trina Talukdar, Co-Founder, Kranti says, “Sex workers and their children have been victims of domestic abuse, and especially more during the lockdown where they have no way to escape the violence. They haven't had any safety, protective services or legal recourse towards the perpetrator. I believe it's critical for emergency services to respond to domestic violence distress calls to be classified as essential services, so that sex workers and their children can get immediate support when they face domestic violence.”

RDF also acknowledges the various Government and State initiatives and some of the proactive guidelines and orders passed by various High Courts to help victims of domestic violence. However, from RDF’s personal experience and that which they have gathered through interactions with victims they note that victims continue to be deprived of remedies and suffer in silence. This was further aggravated during COVID19 where there has been a tremendous increase in domestic violence.

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