To

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Principal Secretary
Department of Women and Child Development
Government of Karnataka

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Subject: Submission to the Committee on a 10-point action plan to address Violence against Women, constituted by the Government of Karnataka in January 2017

1 Background – What the data tells us

1.1   Violence against Women is a national pandemic, with the latest data from the National Crime Records Bureau indicating that crimes against women, within the household and outside, have doubled in the past two decades[1].

1.2   Karnataka and its capital Bengaluru fare quite poorly, with the state having the fifth highest incidence of molestation cases among all states, and its capital city occupying the third spot in a recent national level index of street sexual harassment[2].

1.3   The state is also a hotbed of human trafficking – it is the only state in Southern India where the rate of trafficking of women and children is on the rise[3].

1.4   Most worryingly, women who have been subject to violence find it extremely difficult to obtain justice. Karnataka has one of the lowest rates for conviction for crimes against women. Of the 4,302 cases that went to the court (5,112 FIRs were registered) in 2015, a mere 69 ended in conviction[4].

1.5   The move by the Government of Karnataka to set up a Committee to develop a 10-point action plan to address Violence Against Women is laudable for its timeliness. IT for Change is a Bengaluru-based organisation that has been working at the intersections of women's rights, social justice and digital technologies in governance systems for over a decade[5]. From our policy research and field practice, we bring a set of suggestions to the Committee on critical short term and long term measures that can inform the development of the action plan. Given the nature of gender based discrimination and oppression, measures will need to be implemented across social institutions, engaging women and men. Measures to address deeper social norms attitudes need to be a mix of short and

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1   http://www.indiaspend.com/cover-story/crimes-against-women-reported-every-two-minutes-84240
2   http://timesofindia.indiatimes.com/city/bengaluru/NCRB-Bengaluru-3rd-among-cities-in-molestation-cases/articleshow/54373165.cms
3   http://timesofindia.indiatimes.com/city/bengaluru/Trafficking-of-kids-workers-women-thrives-in-Bengaluru/articleshow/48827371.cms
4   http://www.thehindu.com/news/cities/bangalore/Sexual-assault-In-Karnataka-don%E2%80%99t-expect-conviction/article17000472.ece
5   http://www.itforchange.net/

longer terms strategies, also including preventive work. Along with systemic change in legal-policy frameworks, programmatic through local, area-specific approaches must be encouraged.

1.6   Suggestions here are mainly restricted to how policy and programming to eliminate Violence against Women needs to take cognizance of the new realities of the digital context (both in terms of taking advantage of the technological opportunity for creative programming, and tackling new challenges such as emerging forms of technology-mediated violence).

2 Short term measures - Strengthening Law Enforcement and Policing

2.1   Capacity building of law enforcement officers, including officials of the Cyber Crime Cell, Karnataka, is necessary for sensitive handling of investigation of cases pertaining to online violence against women. Police officers must recognise that online violence is not trivial. They must also be aware of the new amendments to the IPC and specific provisions of the IT Act that can be invoked in these cases. As the Karnataka Legislature Committee on Prevention of Violence and Sexual Abuse of Women and Children (V.S. Ugrappa Committee 2015) highlighted, knowledge updation of law enforcement officers on the changes to the IPC, especially recent amendments to the sections on sexual violence, is the need of the hour[6].

2.2   The scope of helplines currently being run by Santwana centres of the state must be expanded, so that they can perform the function of 24 x 7 distress helplines at the *taluk* level. Such distress helplines can be effective, only when they are backstopped by a network of crisis intervention centres and open shelters for women, (as indicated in the draft action plan shared at the first meeting of the present Committee on 9 January 2017). The funding for this entire exercise can be sought from the Nirbhaya Fund, which is underutilised by state governments[7]. CSR funding can also be invited for one stop crisis centres.

2.3   The government of Kerala has successfully used the Nirbhaya Fund to set up an effective response mechanism to instances of GBV, by selection of women community volunteers who respond to distress calls and also undertake sensitisation programmes in the community. This scheme has been piloted in Kochi corporation[8]. The government of Karnataka can build on this model, and initiate an expansion of the Santwana Centres to the taluk level and recruit a cadre of women community volunteers who will act as Anti-VAW squads at the taluk level, to immediately take cognizance of such incidents and help victims

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6   http://www.thehindu.com/news/cities/bangalore/theres-huge-ignorance-of-law-on-crimes-against-women-panel/article8047379.ece

7   See http://www.governancenow.com/news/regular-story/all-you-need-know-the-nirbhaya-fund In April 2015, the government made the women and child development ministry (WCD) the nodal agency for the Nirbhaya Fund in place of the Home Ministry, which utilised only one percent of the funds. The Nirbhaya Fund now has a total amount of Rs 3,000 crore. Earlier in 2014-15 and 2015-16, Rs 1,000 crore each was allocated to the Rs 1,000 crore initial corpus. The home ministry, however, had sanctioned schemes worth just Rs 200 crore.

8   See http://keralapolice.org/kerala-police/innovative-initiatives/nirbhaya

reach the centres. Each Santwana Centre can have a GBV helpline associated with it, and community volunteers can be tasked with leading emergency rescue operations in response to distress calls, with the support of the district police. The Social Action Committees initiated by the Government of Andhra Pradesh under its SERP programme comprise a good model that can be adopted in this regard and is documente for its creative use of IVR services[9].

2.4   Wherever possible, the technological opportunity must be used to smoothen women's access to law enforcement mechanisms. The recommendation of the Justice Verma Committee on facilitating online FIR filing must be implemented. Further, integrated online portal that enables citizen-filing of complaints to their respective district police complaints authorities, and ongoing tracking of complaint status by citizens and the state police complaints authority, must be established. Such a portal should have a dashboard on the website that displays aggregate statistics about complaints resolution in each district.

2.5   As part of its proactive disclosure obligations under the Right to Information Act, the Karnataka State Department must publish on its website, up-to-date,   district-wise statistics on crime records with clearly disaggregated data 'crimes against women'. It is also important to report cybercrime separately, and specifically a section on technology-mediated violence against women.

2.6   When expanding CCTV surveillance in Bengaluru under the Mega City Modernisation Project, the decision on the 'vantage points' for installation of cameras should be taken in consultation with citizens and not unilaterally by the police. Further, as *Jagori*, the women's rights organisation who steered the Safe City Plan for Delhi, points out, CCTV surveillance must be backed by a comprehensive set of guidelines incorporated into third party contracts, about re-use and retention of footage, with clearly specified time and purpose limitations. This becomes especially important as India lacks a comprehensive data protection legislation and camera footage can be misused to undermine women's rights.

2.7   In 2014, the Commissioner of Police, Bengaluru, issued a set of guidelines to owners of PG accommodation directing them to obtain a trade license from the BBMP, maintain details of the occupants, appoint a security guard, and install CCTV cameras at the entrance[10]. We recommend that these guidelines be strictly implemented, except for the provision on private CCTV cameras by owners, as such unregulated monitoring may pose privacy risks to women occupants. Community volunteers may be enlisted in each zone, to conduct periodic safety audits of PG accommodations. The findings of these audits can be shared on a portal set up for this purpose that will serve as a guide to new entrants to the city who are hunting for accommodation.

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9   See IVR Reporting System for Gender Based Violence (GBV) of the Society for Elimination of Rural Poverty (SERP), Government of Andhra Pradesh, India at http://egov4women.unescapsdd.org/report/annex-ii-case-study-synopsis

10   http://www.deccanchronicle.com/141127/nation-current-affairs/article/paying-guest-owners-should-install-cctvs-bengaluru-police

2.8   *Vanitha Sahayavani*[11] helpline in Bengaluru must be expanded by setting up branches in every zone – to respond to rescue calls efficiently and effectively. Timing must also be extended so that it truly becomes a 24 x 7 helpline for women in distress.

3 Short term measures - Urban planning and transportation

3.1   Independent research highlights the connections between poor street lighting, lack of public transport services and high incidence of street-level harassment and assaults on women. A public database that acts as a *"collective eye on the city"* by enabling collective identification of areas that are 'high-risk' can become a starting point for collective deliberation on women's safety, by law enforcement officials, BBMP and BMTC. The benefits of GIS can be harnessed to build a crowd-sourced mapping platform (piloted in a few cities and then taken to scale) to generate a GIS map of instances of street harassment and sexual assaults in public spaces, roads/streets that lack public transport connectivity and locations without street lighting. The platform will be based SMS and mobile phone reports sent by citizens. Harassmap Mumbai[12] is a similar experience, which can be studied for this purpose. A non-governmental organisation (with some funding from the Department of Women and Child Development) can be entrusted with the development and maintenance of this platform and interfacing with the public authorities. We would recommend a yearly meeting of these agencies with citizen groups and the NGO maintaining this platform, to facilitate the framing of a cohesive strategy.

3.2   All buses, autos, tempos and other public transport vehicles plying in the city must be required to have clearly marked, operational panic buttons with GPS tracking. Periodic safety audits must be conducted on public transport vehicles to check the efficacy of this system.

4 Short term measures - Urban planning and transportation

4.1   In 2015, CBSE issued a circular[13] requiring that teachers, management and all employees of institutions need to be made aware about the provisions of the POSCO Act, some of which cast a duty on them to report instance of child abuse. The guidelines also requires that teachers in general to be trained to attend to adolescent (gender) related issues, conduct of adolescent education programmes and special activities that promote gender equality and sensitivity. The Department Women and Child Development should build on the spirit of the guidelines, and take appropriate action, to ensure that across Karnataka, teachers emerge as 'front-line' champions of the zero tolerance to violence agenda. Also, in select schools across the state, pilot programmes that effectively use ICTs

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11 http://www.bcp.gov.in/Vanita_Sahaya_Vani.aspx

12   https://akshara.crowdmap.com/main

13 http://www.dnaindia.com/india/report-cbse-directs-schools-to-strictly-implement-pocso-act-protecting-minors-from-sexual-abuse-2070285

challenge gender stereotyping and masculinities can be rolled out through creative strategies such as photo-voice, digital story telling, a blogging 'safe space' etc. for both boys and girls. A resource portal with an online course can be built to enable teachers to recognise and address cases of gender-based violence.

4.2   Penalties must be levied on school managements that fail to comply with the safety checklist suggested in the Karnataka State Child Protection Policy 2016. Provisions for installation of CCTV cameras and GPS facility in school   buses that were weeded out due to opposition by private school managements need to be restored.

5   Long-term measures

5.1   The report of the Karnataka Legislature Committee on Prevention of Violence and Sexual Abuse of Women and Children (V.S. Ugrappa Committee 2015) must be made public, and a dialogue initiated on the Committee's key recommendations.

5.2   A comprehensive legal framework to effectively address technology-mediated violence[14] is needed, as the National Commission for Women highlighted in its 2014 consultation on "Ways and Means to Safeguard Women from Cyber Crimes in India". This is a crucial issue to be addressed, especially as the Information Technology Act as it stands now, is not gender sensitive. The Commission's recommendation on deputing more women officers and women judges to deal with cases of cyber crimes, and enabling *mahila* courts to deal with cyber crimes against women, must be taken up at the state level.

5.3   Dalit women and girls are especially at the risk of being subject to violence. As a 2016 report by the organisations Sisters for Change and Karnataka Dalit Mahila Vedike (KDMV) highlight, of total rapes reported in the State, it is estimated that 90% of rapes are against Dalit or Adivasi women, or women from other oppressed communities. The Social Welfare Department therefore should draw up an Action Plan for Karnataka State to improve implementation of the Prevention of Atrocities Act and conviction rates in cases of violence against Dalit women and girls. The Karnataka State Public Prosecutor's office should establish exclusive Special Courts in atrocity prone areas across Karnataka as a matter of urgency in response to the evidence in this report of high levels of violence against Dalit women.

5.4   Gender-based violence, as is well recognised, is systemic in nature and is rooted in the larger societal structures of marginalisation of women from social, political and economic domains. Therefore, continuing support to *sanghas* and federations at the block level formed under pathbreaking 'education for empowerment' programmes such as *Mahila Samakhya* to is very important. At the block level, centres for women's rights could be set up by the Department of Women and Child Development, in partnership with local grassroots

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14 https://www.apc.org/en/system/files/HRC%2029%20VAW%20a%20briefing%20paper_FINAL_June%202015.pdf

organisations. Such centres could be staffed by a team of women to undertake information outreach, rights-counselling and support for women in distress. Staff could be trained in effectively using digital technologies, including mobile-based IVR systems, generation of video content, etc. to trigger a local dialogue on gender issues. Most importantly, such centres could also serve as one-stop-shops where women are facilitated in accessing public information and filing entitlements.