

State of the State MAHARASHTRA
MULTI-AGENCY RESPONSE TO
VIOLENCE AGAINST WOMEN
Feminist Social Work within the Police System

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Dedicated to the women of Maharashtra

— the brave, the violated, the survivors, those who have mustered courage to speak out, social workers, psychologists, police officials, university faculty and families — each and everyone who has helped create these Special Cells, supported and sustained them and contributed to reducing violence against women.

Preface

Violence Against Women first came to be viewed as a serious social problem in the early 1970s, in part because of the emergence of the Women's Movement in India and the world over. It is one of the most widespread human rights abuses, affecting on an average one in three women and girls worldwide. It is endemic to all communities and in its various forms cuts across caste, class, race, age, religious and national boundaries.

According to the United Nations Declaration, violence against women includes 'any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or private life (United Nations, 1993)'.

The most common type of violence against women worldwide is 'domestic violence' or the physical, emotional and/or sexual abuse of women by their intimate partners or ex-partners (Lori L Heise et al, 1999). There are other forms of violence, such as dowry harassment and violation of women's right to inherit property which are linked to traditional or customary practices and are limited to specific regions and communities, especially in the Asian context.

It is only now, through the sustained activism by women's organisations, that violence against women, including domestic violence, is starting to receive

substantial attention nationally and internationally. As domestic violence becomes increasingly recognised by state and non-state actors and discussed today, important questions are being raised concerning its magnitude in different settings, and its causes, consequences and related risk factors and in response to this, strategies to eliminate violence against women are being developed.

In order for survivors/victims to get the best support possible, their rights, needs and safety must be placed at the forefront of all interventions. This means offering protection and support when women at risk need it most, treating them with respect and sensitivity, and empowering them to make informed decisions that best reflect their interests. There is a need to have multi-or inter-agency coordinated measures and to implement them by way of effective cooperation among all relevant actors playing a role in preventing and combating violence against women and domestic violence.

Likewise, there is increasing recognition of the need for better data on the effectiveness of different interventions. In India, access to justice is one of the foremost issues for women, as it often translates into consistent improvement in services available to them.

Due to the limitations of service-based data, accurate figures on the prevalence of domestic violence/ violence against women must be obtained through putting together information from women who approach services and are asked directly about their experiences of violence. This data is used to obtain important insights into some of the consequences of violence and risk

factors associated with violence and in the long term, to monitor trends and to explore the impact of different interventions. On the other hand, more in-depth qualitative case studies provide a means for obtaining greater insights into the settings and contexts in which violence occurs, the dynamics of abuse, and to better understand how women, children and communities are affected by this violence. Likewise, documenting, studying and theorising, working with and engaging violent men in the process to end VAW, can provide important insights into the causes of violence, help in developing strategies to respond to and work with men and assess the impact of different forms of intervention.

This book will focus on one such strategy, the Special Cell for Women in Police Stations, developed to respond to VAW in the context of Maharashtra. Since its beginning as one Special Cell at the Police Commissioner's Office, over the years the project expanded to more police stations, first within the city, and then across the State as a grants-in-aid programme of the Government of Maharashtra. The Special Cell programme has now evolved as a national movement.

Introduction to the Special Cell for Women

The Special Cell for Women and Children (also referred to as the Special Cell or the Cell, or Special Cells) began as a strategic collaboration between the Police System and the Tata Institute of Social Sciences, Mumbai (TISS), to provide a multi-agency coordinated response to violence against women and children.

The first Special Cell was set up on 2nd July 1984 at the Office of the Commissioner of Police, Mumbai (then Bombay), with the purpose of working for social justice and equality in the context of gender relations, particularly on the issue of violence against women and children. Since its inception, the Special Cells have expanded both within Mumbai, and to the districts of Maharashtra State. Beginning with referrals from the police, and gradually building and growing to expand services and establish its practice; today there are 144 Special Cells for Women and Children sanctioned in Maharashtra, along with Special Cells for Women in 14 States across the country. All the Special Cells for Women and Children are located within the police system. *The Special Cells work with a clear understanding that violence against women is a crime, against both the survivor and society, and it is a crime against the state. It is, therefore, the responsibility of the state to prevent and counter this crime.*

The premise of the Special Cell at its inception was deceptively simple: social workers would sit in a police station, and offer support to women

survivors of violence who approached the police system, with whatever services they may need – emotional support and counselling, legal advice, referral and linkages, support in filing a police complaint, information on how the criminal justice system works, or advocating on their behalf with families and support systems. The dearth of such services – at the interface of the state and the justice system with an explicitly pro-woman approach – made this intervention deeply relevant and unique.

Since then, the practice of the Special Cell has strengthened and grown, to consolidate and build upon the foundations of feminist social work praxis, and advocate for the expansion of supportive State-based services for women survivors of violence. The focus of the Special Cells in its current form remains in keeping with its roots – asking a woman survivor ‘what she wants’ and through feminist social casework, ensuring her right to make her own choices and live a violence-free life.

This book seeks to document the journey of the Special Cells for Women & Children in Maharashtra State, following the first major period of its expansion from 2002 onwards; and, as mentioned above, focus specifically on the growth and consolidation of feminist social work practice at the Special Cells over these years. It will explore monitoring data, case studies, testimonials from clients and stakeholders, and narratives from social workers, to build a holistic picture of the work of the Cell, its impact on violence against women, and challenges faced by survivors and stakeholders.

women takes on a gruesome nature, which includes female infanticide, wife battering, harassment for dowry and dowry deaths, sexual harassment at the work place, rape, child sexual abuse and other such crimes. The family, the state and the community play an important role in the perpetuation of violence against women by either actively perpetuating it, or by passively ignoring it.

Interface with the Police

One of the most unique features of the approach is its location within the police system. Location within the police system is a deliberate and strategic intervention, which serves a number of important functions. The police is the first formal state agency that most women experiencing domestic violence are likely to approach, as it is the mandate of the police to protect citizens from violence. Police services are meant to be constantly accessible to all citizens, due to the spread of police stations and their 24-hour mandate. Therefore, women in crisis situations who have sought help from non-state agencies but not found support that ends the violence itself, turn to the police to seek help for stopping the violence in their lives.

However, the services available with the police are often not adequate to answer a violated woman's needs. The training that police personnel undergo is not oriented to help them understand the requirements of the survivors of violence, nor does it provide them the specific skills required to help these women come out of abusive situations. More often than not, most police

personnel have a patriarchal mindset, a product of their training and social conditioning that prompts them to encourage women to compromise and adjust to the violent situation in the interest of protecting the unity and sanctity of the family. In a patriarchal system, the family is sacrosanct. For the understaffed and overworked police force, therefore, violence against women (VAW) becomes a low priority issue.

Thus in 1984, there was a felt need to create a space within the criminal justice system where women experiencing violence could have access to social services provided by trained social workers. Women require support in navigating the criminal justice system and advocating for their right to a violence-free life. The state has a responsibility to address violence against women, and the Special Cells' goal is to support the woman survivor, as well as urge the state to take ownership and responsibility for the delivery of women's rights. The result of this need was the establishment of Special Cells directly within police stations, with the belief that harnessing the strengths of the police system, along with the skills of trained social workers at the Special Cells, will enable a coordinated, multi-agency response to the issue of violence against women.

The Mission Statement for the Special Cells¹ emphasises that the collaboration of the Special Cell and the police system enables the needs of the violated woman to be addressed holistically in the following ways:

- The police system addresses the legal aspects, and the Special Cell works with the psycho-socio-legal aspects of violence.

- The police system addresses the problem in the here-and-now, while the Special Cell engages in problem-solving by taking into account the context and history of the violated woman.
- The police system accepts the woman's context of violence as a reality and uses state power to contain the violence and to protect the woman. The work of the Special Cells is focused on bringing about a change in the violated woman's position and situation, with the aim of empowering her to protect herself and her rights.

The Special Cell believes that the state bears the responsibility for preventing violence against women. The location of the Special Cells within the police system underlines this belief. The social workers in the Special Cells can constructively use the legitimised and sanctioned power and authority of the police to push for an end to violence against women at the individual and societal level. At the same time, the Special Cell can seek civil remedies for potentially socio-legal cases, such as restoration of rights to property and access to the marital home. The Special Cell links the police system with women's organisations and other social service groups, thereby enhancing a coordinated response to the violated woman's needs.

Working from within the police system and in police spaces has helped the Special Cells' social workers to understand the police's structure, day-to-day functioning, environment, procedures, rules and limitations. This understanding helps them to effectively harness the scope of existing laws,

rules and regulations, and to create spaces that are safe and valuable for women survivors. Constant interactions between the social workers and the police help in identifying areas that need to be strengthened or changed in order to facilitate a more sensitive response by the police to VAW. In 2003, at an international conference on Women and Police in Brazil, the Maharashtra police acknowledged the value of such system-based responses by describing the Special Cell as the ‘Police’s Felt Need’, – validating the rationale for locating the Special Cell in the police system (Dave 2015).

Though the Special Cell is located within the police, it is not a part of the police force force. The Special Cell workers function with a clear understanding that the Cell is not an alternative or substitute to the police and police services; and functions autonomously from within, but in partnership with, the police.

The methods, values and principles of the Cell are distinctly different from the values of the police. The relationship of the Special Cell with the police is thus built on a shared interest and a commitment to responding to violence against women. Institutional grounding – of the Special Cells for Women & Children in Maharashtra – within the Tata Institute of Social Sciences, has been crucial to maintaining this position of autonomy from, as well as location within, the police; and this has also enabled the Special Cell to contribute to, and draw from, the latest academic discourse. The Special Cell thus finds itself at the intersections of the system, academia, as well as the women’s movements globally.

Structure, Values and Approach

Applying a survivor-centric and human rights-based approach in supporting women is not only necessary in order to fulfill international and constitutional state obligations, but is first and foremost necessary to make sure that victims seeking help feel truly supported by the Special Cell interventions. When receiving protection and support, women should not in any way feel disrespected, patronised, judged or pressured. Hence, the values of social work and feminist practice, along with harnessing state authority for the violated women are all very crucial.

Every Special Cell unit located in a police station, or office of the Superintendent of Police (SP), consists of two trained social workers with post-graduate degrees in Social Work, who provide services and support to women clients. The social workers may be women, or man-woman teams. The monitoring, supervision and handholding of the Cells is the responsibility of the Special Cell coordinators, each of whom is responsible for administering ten Cells.

The police provides other infrastructure for the Special Cells, such as furniture, telephone, and vehicles, apart from providing space within the police location for the Cell. This ensures the police too have an active commitment and stake in the programme.