



A Study on Domestic Violence and Law: Comparison for the Protections in Bangladesh and UK

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ABSTRACT

Being in a patriarchal society, powerlessness and vulnerability is associated with women's lives where they are dominated and subjugated by the men. In Bangladesh, women face various forms of violence, ranging from wife abuse to rape, dowry killings, acid throwing, sexual harassment, and sexual slavery through trafficking in women (Zaman, 1999), among which domestic violence is widely prevalent both in urban and rural areas as an everyday matter of women's lives. Deeply rooted subordinate positions of women allow men to dominate and control not only their families and resources (Schuler et al., 1998 stated in Hossain, 2007) but also lives of women. Consequently, societal norms and traditional values associated with gender roles and supremacy within households and society tend to trigger, dictate and provoke domestic violence against women in Bangladesh (Koenig et al., 2003). "to reduce the costs of domestic violence and in fact to eliminate it from our society, both the civil society and the government have to play their due roles. The civil society organisations have to identify and put forward the best possible agenda to eliminate the *mastans* from the bed rooms. And it is possible with the commitment and cooperation from the government and civil society that can make people aware of the adverse effects of domestic violence upon the family and society". Statistics from various sources show that figures on wife abuse are notorious for under-representing the problem.5 Nevertheless, researcher found in fieldwork that *when* women do report the abuse, the statistics may be lost because the official fails to record the incident or records it in a way is meaningless for research purposes. Although criminal statistics could be a major source of comprehensive data on violence against women in home, they frequently fail to indicate the sex of the victim and of the assailant and rarely record the relationship between the two. In these circumstances, it is impossible to distinguish wife assault from any other assault and thus for official statistical purposes, wife abuse becomes invisible. Nevertheless, despite the fact that the problem of quantification of this offence can never be accurate, it must be acknowledged that violence is part of the dynamics of many family situations. The research that does exist, which stems mainly from the developed Commonwealth, indicates that women are murdered, sexually assaulted, threatened and humiliated within their own homes by men to whom they have committed themselves and that 'this is not uncommon or unusual behaviour'. Finally Both Uk and Bangladesh Violence are same and follow more and more recommendations protection women and children from violence.

Keywords: *Violence, Domestic Violence Against women, Intimate Partner, Legal Framework*

INTRODUCTION

Violence against women (VAW), materialization of a historic unequal power relation between sexes, is a form of discrimination and mistreatment of women which results in physical, psychological, and socioeconomic costs to women and society as well. Termed as a global epidemic, VAW is as much fatal as any serious diseases or accidents that causes deaths of women of reproductive ages (World Bank, 1993); and is one of the most disgraceful expressions of human rights violation across the world. WHO multi-country study (10 countries including Bangladesh) demonstrates that most of the women in the study areas experience physical and sexual spousal violence in their lifetime, ranged from 15% to 71% (WHO, 2005). In Bangladesh, VAW is a very common practice which denies women's equal opportunity, security, self-esteem, and dignity in the family and in the society as a whole.

Being in a patriarchal society, powerlessness and vulnerability is associated with women's lives where they are dominated and subjugated by the men. In Bangladesh, women face various forms of violence, ranging from wife abuse to rape, dowry killings, acid throwing, sexual harassment, and sexual slavery through trafficking in women (Zaman, 1999), among which domestic violence is widely prevalent both in urban and rural areas as an everyday matter of women's lives. Deeply rooted subordinate positions of women allow men to dominate and control not only their families and resources (Schuler et al., 1998 stated in Hossain, 2007) but also lives of women. Consequently, societal norms and traditional values associated with gender roles and supremacy within households and society tend to trigger, dictate and provoke domestic violence against women in Bangladesh (Koenig et al., 2003).

UN Secretary-General (Annan, 1999) in a video conference on violence against women stated that this violence knows no boundaries of geography, culture or wealth and as long as it continues, we cannot claim to be making real progress towards equality, development and peace in the world. Thus, it is highly appreciable to adopt effective strategies for the prevention of violence which involve public awareness campaigns and community-based networks to combat violence and support victims. However, Bangladesh Government has recently passed the Domestic Violence (Prevention and Protection) Act of 2010 for the protection of women and children from family violence and discrimination. However, we observe that in spite of having many legal protections of women in the society, this form of violence is still continuing and in some cases are increasing day-by-day as evidenced by the recent magnitude of eve teasing and acid abuse. In this context, our aim in this article is to disclose the socio-economic factors and effects of the domestic violence occurring in the community of Bangladesh and to look for national and international legal protection for the victims; and finally, some interventions are recommended to be taken in compliance with national and international legal instruments.

DOMESTIC VIOLENCE: DEFINITION AND FORMS

Domestic violence is purposeful, and is commonly used as a form of control, the assertion of one member above the others. However, this violence grows out of inequality within marriage and reinforces male dominance and female subordination within the home and outside it (Yllo, 2005). Various researchers, advocates, and theorists who have studied and worked with women subjected to abuse have catalogued many types of abuses as domestic violence. Domestic violence is defined as a pattern of behavior in a relationship by which the batterer attempts to control his victim through a variety of tactics. These tactics may include fear and intimidation, any kind of abuse, destruction of property and pets, isolation and imprisonment, economic abuse, and rigid expectations of sex roles (Postmus, 2000 cited in Johnson, 2008).

UNICEF (2008) includes different forms of abuse and exploitation in defining domestic violence perpetrated by intimate partners and other family members- "*Physical abuse* such as slapping, beating, arm twisting, stabbing, strangling, burning, choking, kicking, threats with an object or weapon, and murder. It also includes traditional practices harmful to women such as female genital mutilation in African society or honor killings as well as *sexual abuse* such as coerced sex through threats, intimidation or physical force, forcing unwanted sexual acts or forcing sex with others. *Psychological abuse* which includes behaviour that is intended to intimidate and persecute, and takes the form of threats of abandonment or abuse, confinement to the home, surveillance, threats to take away custody of the children, destruction of objects, isolation, verbal aggression and constant humiliation. *Economic abuse* includes acts such as the denial of funds, refusal to contribute financially, denial of food and basic needs, and controlling access to health care, employment, etc". (ibid, 2008) However, in a recent study (Centre for Policy Dialogue, 2009) it has been observed that mainly four types of domestic violence, i.e. physical, psychological, economic and sexual abuse and violence are prevalent throughout Bangladesh. Most of the victims (93%) reported in the study that they had experienced physical violence; only 13 per cent reported of having experience of sexual violence, 91 per cent victims reported economic violence and 84 per cent reported psychological violence committed by their husbands.

METHODOLOGY

Domestic violence, as used in this report, is 'any violence between current and former partners in an intimate relationship, wherever the violence occurs. The violence may include physical, sexual, emotional and financial abuse. Domestic violence occurs across society regardless of age, gender, race, sexuality, wealth and geography'. Although both men and women report experiencing abuse in intimate relationships,

domestic violence is highly gendered. The pattern of abusive and controlling behaviour that is repeated and harmful is overwhelmingly perpetrated by males against females. Indeed the greatest risk factor for experiencing domestic violence is being female.

Peoples living with domestic violence, in this report, refers to children and young people who currently live or have lived in a household where there is domestic violence between adults and finally comparism the violence and law between Bangladesh and UK.

Services and interventions include the range of universal, preventative, targeted, specialist and therapeutic services and interventions in the voluntary and statutory sectors that aim to meet the diverse needs of people specially women and children living with domestic violence.

Women's and Children's Needs

These embrace the whole *continuum of needs*, including protection from exposure to domestic violence in the first place, access to advice and information, different levels of support in the family or through specialist services, multi-agency assessment for children living in high-risk domestic violence situations, risk management, and therapeutic responses. Research methodology refers to the techniques and procedures that are adopted to carry out a study. This chapter presents the methodology of the present study. Sampling, instrumentation, subjects, the data collection procedures, the list of school and college for investigation, and the data analysis methods are discussed in this chapter. The conclusion and a works cited list are also presented here.

Sampling

A sample is a subject chosen from a population for investigation. The way samples are selected is called sampling. The present study has followed random sampling while selecting the respondents. In random sampling all populations have same chance to be selected in a study. Morris suggests that the advantage of random sampling is that it is easy to apply when a big population is involved (17). Robert opines that random sampling is inexpensive and less troublesome (103). Agresti suggests that sample must be large to give a good representation (23). Two types of samples are used for the present study: women and children

Study Area

The field workers were from six specific area of Dhaka city (lowest administrative unit) with a population of nearly 140,000. Like other parts of Bangladesh, the area is characterized by subsistence economy with dominance of agricultural activities by traditional means. Nearly 40% of the household heads are engaged in agricultural activities as day-laborers, 25% in farming for themselves, 20% in small trades, 10% in low-paid jobs, and 5% in self-employment. Female employment has been very rare in the locality.

The study site was one of the most conservative areas in terms of religion and openness to modern ideas, is also backward in terms of modern education. Nearly, half of the males and two-thirds of the females, aged over six years, had never been to school; only 7% of the male and 2% of the female population had more than 10 years of schooling. Ninety-one percent of the populations are Muslims, while the remainders are either Hindus or Buddhists.

Women's are in Domestic Violence

To analyze this research Women's are main victim of violence and prime category of this research so they are included as a main sample in this research.

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However, in a recent study (Centre for Policy Dialogue, 2009) it has been observed that mainly four types of domestic violence, i.e. physical, psychological, economic and sexual abuse and violence are prevalent throughout Bangladesh. Most of the victims (93%) reported in the study that they had experienced physical violence; only 13 per cent reported of having experience of sexual violence, 91 per cent victims reported economic violence and 84 per cent reported psychological violence committed by their husbands.

Children are in Domestic Violence

For the present study, 500 children both from UK and Bangladesh, their view are collected through questionnaire. All children who live with domestic violence are at risk of having poor outcomes and for some the consequences can be lifelong. The impact can include a range of physical, emotional and behavioral consequences low birth weight, low self-esteem, depression, post-traumatic stress reactions, aggression, running away from home and risk-taking behaviour in adolescence. Different children and young people, even those living in the same family, may be affected in different ways or to a lesser or greater extent. While the impact on some children may be significant, substantial numbers of maltreated children show no apparent adverse consequences in adulthood. Research suggests that the adverse consequences for children decline if they are safe and free from fear of further violence. Having a good, emotionally supportive relationship with an adult caregiver, most often the mother contributes significantly to their ability to overcome the consequences of living with domestic violence. Providing support for the mother, rather than undermining her, is generally seen to be effective child protection¹⁷.

Methods of Data Collection and Analysis

Data for this study were collected during the third week of December 2013 from 19 key informants who had been working for ICDDR, B: Centre for Health and Population Research as field workers for a long time. Of the 19 field workers, six were male and 13 were female. They were in their twenties, permanent resident of the study villages, and had at least twelfth grade of schooling. Their main responsibilities have been to provide health education to the villagers, to promote primary healthcare, including immunization, to organize villagers to take collective actions for the improvement of health, and to assist the ICDDR, B medical doctors in providing health services. To collect data on DVAW, the field workers were first asked to list 10 households, excluding their own, in the immediate surroundings of their own. They were then asked to list the ever-married women of these households. Subsequently, they were informed about the purpose of the listing. The questionnaire on DVAW was then explained to them, and they were asked to fill up one questionnaire for each ever-married woman. The process resulted in obtaining information about 190 wives (information about physical violence against one woman was not known) and 178 husbands. The number of men was less than women because there were 12 widows in the list.

The questionnaire included information on age, education, and occupation of women and husbands, and women's membership of *samities* (societies, formed by governmental and non-governmental organizations for providing micro-credit services). Information on violence, as the field workers actually witnessed or heard of in their lifetime, included verbal abuse (using demeaning and abusive words) and beating the women by their husbands and/or other family members. Reasons for verbal abuse and beating as perceived by the field workers and background information on the women and their husbands were also provided by the field workers. Data were subsequently coded and entered into computer for analysis. Occupation of husband was coded into three categories: with day laborers, boatmen, rickshaw drivers, and the like as low-earning; farmers, village doctors, mechanics, and small businessmen as middle-earning; and rich businessmen, regular job-holders, and teachers as high-earning groups. Relationship between wife battering and other independent variables was determined by cross-tabular analysis. Net effects of the independent variables on wife battering were assessed using logistic regression analysis (forward stepwise) with dichotomous dependent variable. Independent variables were dummy-coded in logistic regression analysis.

FINDINGS OF THE STUDY

Background characteristics of men and women

The age of women and men included in the reporting by the field workers ranged from 17 to 70 and 21 to 75 years respectively. The mean age of women and men was 33 (with a standard deviation of 9.6) and 42 (with standard deviation of 10.9) years respectively. Of the women, 63.0% had received no schooling, 21.1% had one to five year(s), and 15.9% had six or more years of schooling. Nearly one-third of the women were members of organizations that give micro-credit. Of the men, 53.0% had received no schooling, 21.9% had one to five year(s), and 25.7% six or more years of schooling. 92.6% of the women were housewives, 5.3% were either day-labourers or maids, 1.6% were self-employed, 0.5% (1 woman) was in a salaried job. Of the total women, 177 were married, one separated, and 12 widowed at the time of collecting the information. Twelve of the total women had one co-wife, and one had two co-wives at the time of data collection. The major occupational categories for men were day-labourer (37.2%), followed by farming (28.2%), self-employment (18.2%), and salaried job (13.8%). 33.7% of the women were members of NGO groups.

Type and Intensity of Violence

Verbal Abuse

It was revealed from the key informants that 66.8% of the women were verbally abused by their husbands and 23.7% by other family members. In verbal abuse, demeaning words were used against both women and their parents. In 70.9% of the cases, husbands abused their wives verbally using abusive words against only them and in 17.9% of the cases, the words used were against only their parents. For some women (6.8% of the total 190), verbal abuse was a daily matter, and for many (37.8%), it was occasional. For 16.8% of the women, it happened infrequently. 37.9% of the women faced verbal abuse by husbands and 11.6% by other family members even during pregnancy.

Physical violence

50.8% of the women were battered by husbands and 2.1% by other family members. A small proportion (5.2%) of the women who were battered by husbands were also battered by other family members. Hitting was mostly done by hand (85.4%), followed by *stick/lati* (63.5%), and leg (kicking, 51.0%) alone or in combination. The female key informants reported 20% higher battering than male key informants. For half of the women, the timing of physical violence did not follow any pattern; for one-fourth of the women, it was at night, and for another 15%, it was either in the morning or around noon.

Nearly half (47.9%) of the women who were subject to physical hitting by husbands were injured, and for 78.3% of the cases, it was necessary to consult a healthcare provider. 57.1% of the women who were beaten by family members other than husbands sustained injury, and for nearly half of the cases, a healthcare.

Table 1: Percentage of women battered by husbands

Independent variable	No. of respondents*	% battered by husbands	Remarks
Characteristics of women	189	50.8	-
Age (years)			$x^2=10.08$
<30	65	60.0	$p=.018$
30-39	77	51.9	
40-49	33	45.5	
50+	14	14.3	
Education in years of schooling			$x^2=.49$
0	119	49.6	$p=.78$
1-5	40	50.0	
6+	30	56.7	
NGO membership			$x^2=6.81$
Yes	64	64.1	$p=.009$
No	125	44.0	
Characteristics of husbands			$x^2=10.20$
<30	20	80.0	$p=.017$
30-39	55	54.5	
40-49	54	53.7	

50+	54	38.9	
Education in years of schooling			$\chi^2=2.80$
0	97	53.6	$p=.246$
1-5	40	60.0	
6+	47	42.6	
Occupational category			$\chi^2=1.51$
Low earning	81	56.8	$p=.47$
Middle earning	61	52.5	
High earning	38	44.7	
* Total number for some variables may vary due to missing information			

Provider was consulted. Battering during pregnancy by husbands (20%) and other family members (2.6%) was 50.8% of the women were battered by husbands and also reported. 13.7% of the women were reported to have 2.1% by other family members. A small proportion been throttled by husbands and 2.1% by family members (5.2%) of the women who were battered by husbands other than husbands.

Reasons for Verbal and Physical Abuses

As many as 68 reasons for husbands verbally abusing wives were mentioned by the key informants. Among them, the most frequently-mentioned reasons included the wife questioning the husband in day-to-day matters (29.1%), followed by failure of the wife to perform household work satisfactorily (17.6%), economic hardship of the family (11.5%), failure of the wife to take proper care of the children (10.0%), not conforming to veil or other expected behaviour (5.5%), inability to bring money from natal home (3.0%), not taking good care of in-laws and relatives (2.0%), and husband's frustrations in relation to his various activities (2.0%). The rest of the reasons included supporting natal home, failure to produce children, over-producing children, dark complexion of children, revenge for family-feud between husband's and natal family, and suspected sexual relation with others.

The key informants mentioned 53 reasons for husbands to hit their wives. The patterns were quite close to those for verbal abuse. The most frequently-mentioned reasons included questioning husband (29.9%), followed by failure to perform household work satisfactorily (18.8%), economic problems (9.4%), poor childcare (5.1%), stealing (3.4%), and refusal to bring dowry from natal home (2.6%). The other reasons were also similar to those for verbal abuse.

Role of the family members and neighbors

In 23.9% of the cases, the family members, excepting those taking part in the violence, directly took a of the cases, the neighbors took a mediating role and appealed to the husband not to abuse verbally or hit the wife. Children sometimes cry (16.7%) when witnessing verbal and physical abuses by the husband. In 12.3% of the violence cases, children kept quiet. Grown up children normally took the mothers' side, and at times, confronted the fathers to protest the violence.

The neighbors, in 25.0% of the cases, advised the husband not to abuse verbally or beat the wife. In 30.8% of the cases, they remained indifferent, and in 5% of the cases, they were not sympathetic to the women. In 36% of the cases, the neighbors' took initiatives to stop the verbal abuse or beating. The neighbors arranged arbitration to mitigate the problem in 43.2% of the cases.

Reasons for women to tolerate violence

Fifty reasons for women to live with the violence were mentioned by the key informants. Of them, the most frequently-mentioned reasons included consideration of the suffering of children if they chose to leave (32.1%), followed by having no place to go (12.7%), and the social stigma associated with a broken marriage (12.2%).

DISCUSSION

The study used information on neighbors' given by key informants living next to them. Thus, the reliability of such information can always be questioned. In the absence of any comparable data, it is hard to make any firm comment on the quality of reporting. However, given the informal nature of rural society and the extent of interaction among neighbors', it is very unlikely that the information provided by the key informants would suffer from reporting problems. The fact that female key informants reported a higher incidence than

males indicated that females are better informed than males. The figures on occupational distribution and educational level as collected through the key informants in this study compared well with figures derived from earlier studies.

The study revealed a widespread prevalence of domestic violence against women in the study area. The prevalence was higher for verbal abuse than beating. Both the figures are higher than figures reported in most other studies (7,8). One of the reasons for higher figures in this study could be that the data were collected from key informants in contrast to interviewing the individuals as is commonly done in other studies. It is understandable that reporting by the victims of domestic violence may always suffer from under-reporting for the sensitivity of the topic and social position of women (13). The finding that DVAW is higher among women who are members of micro-credit-giving organizations is also consistent with the findings from another study in other parts of rural Bangladesh (14).

As to the reasons for violence, one can see some clustering. Some of them are attributed to failure on the part of wife to perform her duties, such as household work and childcare. Another cluster of reasons centered on inter-personal relationships, either not getting along with other family members, loyalty to the natal home, or suspected relations with a man other than the husband. Questioning of the husband by the wife also emerged as a separate entity. The husband's frustration with his sphere of social and economic life was also a separate dimension in the reasons for violence. Issues, such as dark complexion of children, too many or no children were also attributed to the woman's failure to fulfill the husband's expectations, and at times, triggered violence against women. The reasons for violence as revealed in this study are somewhat similar to the reasons revealed through another study in Bangladesh (3, 6, 15) and somewhat different from those found in a study in the USA (16). These differences are perhaps a reflection of the cultural and social variation, in terms of women's position and role in the society, across various nations.

The findings that wife-beating is more common among young couples may not be due to the recent increase in the level but may be due to changes in the life-stage, such as having had grown up children and old age. The reason behind the higher rate of physical violence against the beneficiaries of micro-credit programme is believed to be due to the tension that comes with a woman suddenly becoming worthy of credit and responsible for money, which is in conflict with men's role in society (8). However, it was observed that the level of DVAW decreases as the length of association of women with micro-credit programmes increases (14). Other variables, such as education and occupation, did show a negative relationship with DVAW; however, the relationship was not statistically significant perhaps because of the small sample size in this study.

If one takes the reasons cited by the key informants at their face value and examines them carefully, one can hardly find reasons serious enough to result in violence against women. Why then does violence take place? How much of it is due to the innate nature of men, and how much of it is due to the social context and relative position of women compared to men in the society? Exploration of the first inquiry is somewhat complex, and a study like the present one is unable to address issues relating to this. One of the contextual explanations can be that DVAW has always been present in this society. Any person, man or woman, growing up in this society, has seen violence against women as a common phenomenon and has taken it for granted. Thus, for men, it is not any deviation from the norm, and for women, it is the kind of behaviour they get from husbands and in-laws. If one also examines the reasons cited by the informants for women to live with violence against them, the most important factors are 'having a situation to go nowhere', 'consideration of children's future', and 'shame'. The first reason reflects the overall economic and social dependence of women on men, and the concern for children is also somewhat related to the economic and social dependence. To consider leaving the husband in the face of violence as a matter of shame is a cultural factor. In a broken relationship, the woman is the first to be blamed, and the consequences also impact upon female siblings of the woman in terms of their marriage prospects. Thus, there is interplay of economic and cultural factors in perpetuating violence against women in this community and perhaps in any society (17).

Let us now examine whether there is anything in the family or in the society that discourages violence against women. The recent legal provisions of up-to-death penalty for violence against women in Bangladesh are one of the most significant measures to discourage DVAW. However, the accessibility of legal services to women, especially for rural women from poor economic backgrounds, is questionable.

Legal services are city-based and not hassle- or cost-free. The impression one gets from the discussion with villagers about DVAW is a mixed one. DVAW is neither condoned, nor it is completely condemned. The feeling is that, at times, one needs to resort to violence to control one's wife let alone considering it as a violation of human rights. The deterrent provided by legal provisions is somewhat limited to extreme forms of violence or killing. Thus, the law *per se* is unlikely to have a major impact on the reduction of DVAW in the near future. Then what can be done to reduce the incidence of DVAW? If fear of consequences can be of help, then fear of what? Obviously, the fear associated with the judicial punitive measures has limitations—for this to have effect, one needs to lodge a complaint, pursue the legal battle, and then prove that it was a case of violence against women. None of these can easily be done. Thus, something intermediate has to be found, preferably not counting much on external help. One of the ways could be to raise awareness among community members/family members that VAW is an extreme violation of women's human rights, is a criminal offense under the law, and also has serious psychological consequences for both women and children. This can be presented as a crisis in our man-woman relationship; the objective of family life is happiness, and DVAW is a barrier to happiness, not only impacting the life of husband and wife but also for coming generations, as it also sets the ground for unhappiness for them. Such an approach has the advantage of targeting the whole community, both men and women, without labeling any particular man or couple for intervention. It is, in effect, a strategy to raise fear, fear of a different kind, about the consequences of DVAW. Since all men involved in DVAW may not be indifferent about the incidence, and in fact, there is evidence that some men regret afterwards and seek help to change their behaviour (16).

To conclude, the problem of DVAW can be viewed as a rock formed by centuries of sedimentation, with a very hard nucleus and relatively less harder surroundings. Interventions based on creating fear may only be able to act on the surroundings. The nucleus of DVAW, the product of complex power relationship between men and women, may remain until society discovers effective ways to reconcile the underlying factors triggering tensions between men and women.

To keep the interests of domestic violence women and children are the centre of this research, the analysis was structured around the categories of rights set out under the United Nations Convention of the Rights of the victim of women and children, namely:

- protection from harm
- non-discriminatory equal treatment
- support in overcoming harm
- the prevention of violence
- participation in decisions affecting children's wellbeing.

The findings are summarized under these categories in subsections 4.1–4.5 below. We highlight three main findings overall:

1. There are *significant gaps in services* addressing the needs of children, women and young people living with domestic violence in London.
2. Some of the most vulnerable children and young people are the least likely to be able to access help when they need it. There should be a stronger emphasis on *equality of access* to help for children and young people, regardless of their ethnicity, age, gender, disability or parental immigration status.
3. Children are rarely given opportunities *to express their own views*, and some professionals are reluctant to talk directly with children and young people and to involve them in decisions which affect them.

Equal Access and Treatment in Services

The research explored whether children living with domestic violence in black, Asian, minority ethnic or refugee (BAMER) families or in families where there were additional difficulties as a result of disability, mental health or drug and alcohol problems, had equal access to services.

A mixed picture emerged on the needs of children in BAMER families. Professionals interviewed had seen improvements, including the setting up of the Forced Marriage Unit in the Home Office and the Sojourner Project, which supports funded emergency accommodation for women who enter the UK on spousal visas and are subsequently abused by partners. Specialist BAMER drop-in and domestic violence outreach services for women and children, mostly run by the voluntary sector, had knowledge and understanding of

the community and were helping socially-isolated families to access both universal and more targeted services. On the other hand, evidence from interviews and questionnaires indicated limited and variable access to services, poor translation services and a lack of advocacy and specialist BAMER services. A lack of resources to support children whose mothers had no recourse to public funds was also reported. As pre-school age children are only able to access services via their mothers, it is important that those services are accessible to all mothers, including those who do not have English as their first language. Furthermore, we found few services for families living with disabilities and domestic violence. Basic information on domestic violence was often not available in an accessible format for mothers with hearing, sight and learning difficulties.

Support in Overcoming Harm

It was not possible to create a comprehensive map of services working with children and young people living with domestic violence in London owing to the continuously changing political and financial landscape. Findings from this research suggest that only a small number of children and young people participate in determining needs arising from domestic violence. Our documentary analysis showed that in planning crime, domestic violence and/or children's services, six boroughs had consulted young people specifically about domestic violence and one intended to, a further six had consulted young people generally about services for children, and domestic violence was raised as an issue in three cases. In the documentation from 19 boroughs, no specific reference was made to consulting children. While this does not necessarily mean that such consultation does not take place, information from our interviews with commissioners supports this interpretation. It is difficult to see how services can meet needs effectively if those needs have not first been assessed.

It was evident from the documentary research, questionnaire survey and interviews that access to support was limited by location, focus and capacity. Of the 192 survey responses, 143 (76 per cent) identified gaps in domestic violence services for children, the most frequently mentioned were counselling, group work and school-based prevention activities. Mothers reported difficulties in securing timely access to children's services, in particular to Child and Adolescent Mental Health Services (CAMHS). Services were found to have developed organically, with some areas having none while others were relatively well covered. Gaps existed in the middle range level of support (i.e. between universal services and the acute specialist mental health services provided by CAMHS). Professionals also identified a gap in services for young people who had grown up living with domestic violence and were now abusive in their own relationships. Violence from older boys towards their mothers was a particular concern²⁷. Addressing these gaps has been hindered by funding difficulties, with interviewees reporting innovative services being run for a pilot period and subsequently closed due to a lack of sustainable funding. In these circumstances, it proved difficult for agencies to produce evidence of what means of support were effective. However, the questionnaire survey did find that of the 36 per cent of domestic violence services evaluated, 56 per cent were provided by the voluntary sector.

There is clearly a need for better understanding among professionals and commissioners about what 'work with children affected by domestic violence' means. There has been a tendency to focus on non-evaluated 'therapy' and group work. Conversely, meeting basic developmental needs – such as access to safe play spaces, having fun, getting into school, making friends, maintaining safe contact with the wider family and the community and having stability – seems to have received less attention. Poor funding for children's workers in refuge services has deprived children of essential advocacy services and therefore access to other resources.

CONCLUSION AND RECOMMENDATIONS

Domestic violence in Bangladesh is a major concern of development interventions as well as in human rights perspectives. The paper confirms that since DVAW impediments women's well being and over all development, i.e. it has direct consequences for women's health-physical, mental, sexual and reproductive as well as economic costs, and afterwards adverse effects on psychological development of children. A coordinated effort for practical and efficient interventions need to be made to eliminate this problem where men's supremacy over women needs to be challenged. To eradicate violence against women and help women to achieve lives of equality and dignity, it is necessary to provide them adequate redress and support from the stakeholders. In this regard this socio-legal analysis suggests a comprehensive intervention where

protective and preventive measures would be devised to address the problem which will help in changing the patriarchal mindset and behaviour against wife or women.

In Bangladesh most of the women experience domestic violence at the hands of an intimate partner or family member in her lifetime. Acid burning, dowry deaths are not very uncommon in this context. To combat against this violation, the present law should be well implemented. However, despite the deployment of strong laws to deal with the problem, DVAW is increasing. Social awareness raising efforts need to be introduced. Educational programs should focus on patriarchal social norms that perpetuate DV. Increased research on DV can also contribute in addressing the problem identifying crucial factors of interventions. Rehman Sobhan opined that, “to reduce the costs of domestic violence and in fact to eliminate it from our society, both the civil society and the government have to play their due roles. The civil society organizations have to identify and put forward the best possible agenda to eliminate the *mastans* from the bed rooms. And it is possible with the commitment and cooperation from the government and civil society that can make people aware of the adverse effects of domestic violence upon the family and society” (Centre for Policy Dialogue, 2009).

Simultaneously, media has a prominent role to play in preventing the violence. Electronic and print media both need to cover both extreme and general cases and present it in an objective manner. It appears finally from the findings that higher educational efforts and priority to empowerment of the women, along with the proper implementation of the women sensitive legislation are more likely to contribute to protect women from domestic violence in the family. Otherwise it is hardly possible to ensure women’s independence in society and to give them equal power within families.

Eloquent oratory for empowerment of women-folk has been in the making for a long time. Torment upon women by men has been focused as an undeniable truth. Women have been inconsolably struggling for achieving a breath of survival from such tortures. Various kinds of torture which usually take place in the domestic sphere upon women by men has been defined as domestic violence.

Observing the menacing condition of women in Bangladesh, Law Commission came forward to take up the issue of Domestic Violence in its 2-year work plan of 2004-2005. It undertook an extensive research work on the subject and consulted many stakeholders who are greatly involved in such an aspect. It received opinions on domestic violence from the Judges of the Nari-O-Shishu Nirjatan Adalats, District Judges, District Magistrates, and Family Courts, women organizations, NGO-activists, academics and members of the civil society, all of whom suggested a pragmatic solution of the problems by way of legislation. Case materials of different jurisdictions were also amply consulted by the commission on the subject

Of late, there has been manifestation of domestic violence as a serious social problem around the globe inclusive of Bangladesh. Research has shown that oppression of women by men exists in all societies, classes, cultures, social status and ethnic background from time immemorial. Domestic violence is primarily concerned with married couples in the domestic sphere which may be extended to couples who are cohabiting or living together in the modern societies. Domestic violence also encircles mothers, sisters, young girls, female servants and women as victims living within the families.

Murder, bodily torture, sexual assault, psychological injury and mental humiliation of women within homes by their husbands or other members of the family got profusely published in our National Dailies highlighting the existence of domestic violence in Bangladesh.

Such victims are countless in the economically disadvantaged classes. The cause of such violence springs from illegal demand of dowry, trifling family dispute and intervention in the arbitrary acts of the abusers which usually results in physical injury and assault, ranging from bruising to death.

Research study manifests that abuse of wife by the husband in a family makes the children victims to domestic violence with seriousness of injury at times. Children coming from homes affected by domestic violence usually display behavioral problem, social incompetence and imbalance of mind and such children are also found to repeat the similar maltreatment like their fathers or ancestors.

Research study reveals that domestic violence against women results in the causing of physical assault, sexual coercion, humiliation and mental torture. The scenario of Bangladesh shows that domestic violence usually arises from denial of food, perverse sexual acts, locking of females in rooms, non-access of child to its mother, inflicting physical hurt, disconnecting females from normal social association, abuse of children in front of mothers, denial of child's paternity, threat of divorce for nonpayment of dowry etc. The commission during research found that various reasons are responsible for aggravation of domestic violence. Hesitation in disclosure of maltreatment of husbands for public censure, feeling of inviting dishonor to the family by revealing secrecy, fear of further torture in future for leaking out privacy, idea of non-correction of conduct of the husbands despite intervention by elderly peoples etc. are the main reasons for increase of domestic violence in Bangladesh.

Many women organizations of Bangladesh urged for security, safety, protection and respectful treatment towards woman by holding several meetings and seminars for the purpose of preventing domestic violence. Women leaders around the world are also working unitedly for women empowerment in order to resist male violence upon them. Rapid progress has been achieved in U.K. and U.S.A resulting in the enactment of some laws on domestic violence. Some commonwealth countries also made laws on domestic violence. Women organizations in Bangladesh urged for an appropriate legislation for preventing male violence upon females. Research study of different countries focused uniformity with some problems existing in Bangladesh. Public opinion seems to have been mobilized with regard to the making of a new legislation on domestic violence. The complexity of domestic violence requires multiple strategy compatible with the conditions and resources of our country.

In view of the above wounded sentiments of our women who are hardening from tolerance to resistance, Law Commission thinks it justifiable to work out a legal remedy for dealing with the problems of domestic violence. The Commission thinks that the women should have an easy access to the ordinary courts for such violence. The Commission has been able to discover a pragmatic legislation for domestic violence by drawing upon the experiences of other countries of the globe.

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