

WHY THIS BOOKLET?

*Seize the day, **but** only till 7pm!*

*Enjoy the party, **but** never lose sight of your drink!*

*Live free, **but** stay careful!*

*Go crazy, **but** stay within your boundaries!*

*Travel the world, **but** leave out the shady places!*

We have all bumped into these 'but's' all too often.

Have you ever wondered what it must be like to get rid of these binding insecurities? Imagine being able to stare back at nasty onlookers, catch the night breeze in your hair, spread open your arms and cruise through your life at your own terms. Isn't the very thought so empowering and freeing?

It's time to embrace **YOU!** It's time to be a Durga!

Each one of us has a Durga locked up inside of us. Let's break her free.

This booklet is a compilation of everything that a woman/girl needs to know on legal framework and POSCO guidelines to be a Durga and to be in control over her safety!

HOW DO YOU TAKE CONTROL OVER YOUR SAFETY AND USE THIS BOOKLET TO HELP YOU?

For this booklet to be of use to you, it is important to know how to use it. This booklet broadly deals with four topics:

First, the booklet gives you various sections under IPC that you can take recourse to, for the purpose of tackling various situations of harassment. That is a Ready Reckoner!

Second, the booklet gives you the essence of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act which provides protection against sexual harassment of women at workplace and helps in the prevention and redressal of complaints of sexual harassment.

Third, the booklet also tells you about the Protection of Children from Sexual Offences (POCSO) Act which provides a legal framework for the protection of children from offences of sexual assault, sexual harassment and pornography, while safeguarding the interest of the children at every stage of the judicial process.

Fourth, the last few pages of the booklet are about being a Durga yourself in various situations: cabs, while you are out drinking, as active bystanders and so on. There are several situations where you can address harassment yourself if you know how to address behaviour better.

The booklet also gives you information as to whom you can contact if you're in need of legal aid.

INTRODUCTION

Durga, a citizen sector organisation, has been working over the last 7 years to help women and girls address sexual harassment in public spaces. Born as a direct result of the December 2012 incident in the national capital, Durga is our way of expressing that women's safety is not just women's problem and that we all have an equal role in ensuring it.

This booklet is aimed at equipping women and girls to help themselves take some quick steps when they face harassment and also to help them decipher the legal provisions in such instances. This booklet provides the following information:

- **Legal guidance:** Legal guidance in the form of sections that one can refer to while taking action against various forms of sexual crimes and offences. Reporting will reduce crime. Understanding reporting will increase reporting in itself.
- **Takeaways of a typical workshop:** We conduct regular workshops on how one can address sexual harassment effectively by understanding behaviour upfront. These workshops are theatre driven and are available online and offline. The takeaways of a typical workshop are shared here.
- **Tips to being an active bystander:** Bystanders can actually play an important role in women safety. In today's times we often see that bystanders remain mute. Several situations of harassment can be effectively addressed when another voice stands with us. We often do nothing because we don't know what to do. We have shared some basic things one can do as an Active Bystander through our #RealHero tips.

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**A READY RECKONER TO LEGAL PROVISIONS IN THE IPC
AVAILABLE FOR WOMEN TO ADDRESS SEXUAL HARASSMENT AND OTHER
FORMS OF VIOLENCE**

Sexual harassment can be any unwelcome physical contact and advances, demands or requests for sexual favours, making sexually coloured remarks, showing pornography or any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

There are multiple laws drafted by the Indian judiciary to help women access justice for violence, harassment, and oppression under the Indian Penal Code (IPC). The IPC is the set of laws that criminalizes many actions of an individual. Some sections are exclusively drafted to help women fight sexual assault and sexual harassment.

This section of the booklet is a ready reckoner for the most essential of these legal provisions.

SECTION 354 - OUTRAGING THE MODESTY OF A WOMAN

Whoever assaults or uses criminal force on a woman, intending to outrage or knowing it to be likely that he will thereby outrage her modesty, shall be punished with imprisonment of either description for a term which shall not be less than one year but which may extend to five years, and shall also be liable to pay a fine



This section is a very broad section that covers a wide range of inappropriate behaviour. For example, the act of pulling a woman, removing her saree, coupled with a request for sex would be an outrage to the modesty of a woman. If something is committed with the knowledge that a woman's modesty is likely to be outraged, it is sufficient to constitute the offence.

What does '*outraging the modesty of a woman*' mean?

The courts have held that the essence of a woman's modesty is her sex. Mere knowledge that an act will lead to the outrage of a woman's modesty is enough for the accused to be punished, even if the accused did not have the intention to do so. [*Raju Pandurang Mahale v. State of Maharashtra*]

Often, when an act does not meet the technical elements of rape, the offending act is prosecuted under this section. This is evident from how the provision has been used.

ILLUSTRATIONS:

Some acts which have been held to be punishable by the courts under this section are:

- Pulling undergarments, gagging the mouth of the victim and forcing her to sit with the intention of committing rape is enough to 'outrage the modesty of a woman'. The victim does not have to be an adult, but can also be a minor girl child;
- Even mere holding of the hand of the victim when there is an intention to outrage the modesty of a woman is punishable;

- Tearing the blouse of a woman and using force on her with the intention of outraging the modesty of a woman is punishable;
- Forcing the victim to undress, making the victims handle the organs of the accused, especially when the victim is unaware of the true context and meaning of the action, like with minor girls, may not constitute rape, but most certainly falls within the ambit of this section;
- When the medical evidence does not establish the offence of rape or even when there is an absence of injury, the act can still attract the provisions of S. 354 – like when a victim is chased, into a vehicle and has her breasts and private parts fondled;
- Even knowledge that an act would outrage the modesty of a woman, without the intention to do so is sufficient to attract this provision. Holding a woman by the waist, forcefully laying her on the cot and mounting her;
- Fondling the breast of the victim with ill intention and then touching her private parts is an outrage of modesty, beyond mere physical contact with sexual overture.
- ‘Woman’ in this provision has also been interpreted by courts to include ‘girls’ so it is not necessary for the aggrieved to be an adult woman but also a child.

SECTION 354A

A man committing any of the following acts

- i. Physical contact and advances involving unwelcome and explicit sexual overtures; or*
- ii. A demand or request for sexual favours; or*
- iii. Showing pornography against the will of a woman; or*
- iv. Making sexually coloured remarks,*

Section 354A has wide implications and has been amended multiple times to stay current with the times. It has four clauses.

354A(i) Deals with untoward and ill-intentioned contact with/by the perpetrator insinuating/suggesting a sexual advance, the contact must not be accidental and must have a guilty intention to it, the physical contact must be sexual in nature such as contact with the posterior of a woman or breasts of the woman with the perpetrator having full knowledge of his actions. The perpetrator can be convicted under section 354A(i).

354A(ii) Deals with a demand or request made by the perpetrator to the woman for sexual favours. This subsection is very straight-forward in its explanation. If a man approaches a woman with such a demand or request he can be convicted under section 354A(ii).

354A(iii) Deals with obscene acts such as showing a woman pornographic videos or imagery against her will or by force. Here the part *against her will* is very important as that is the crux of the subsection, consensual acts will naturally not be a question. If a man is guilty of showing a woman pornographic videos or imagery against her will or by force he will be convicted under this section.



354A(iv) Deals with comments or remarks made to a woman that are sexual in nature. These comments are made to the woman in public spots, these remarks are generally mentioning the woman's body parts or clothing and are demeaning her. Subsection (ii) and (iv) are similar and can be coupled together to get a conviction.

PUNISHMENTS

Any man who commits any of the above offences shall be punished with rigorous imprisonment for a term which may extend to three years, or with fine, or with both.

The difference between S.354 and S.354A comes down to the nature of the offending act. When the modesty of a woman is outraged or is likely to be outraged, along with assault or criminal force, Section 354 IPC would be attracted. When there is mainly physical contact with advances involving unwelcome and explicit sexual overtures without criminal force, the act comes under Section 354A IPC. There may be cases of overlap, but in such cases, the accused will be punished for Section 354 IPC as it is more serious in nature with more severe punishment.

ILLUSTRATIONS:

Some acts which have been held to be punishable by the courts under this section are:

- Asking women or girls to sleep with the accused and touch his private parts;
- Showing a girl or woman naked obscene pictures of male and female on cell phone – showing pornographic images with sexual intent and subsequently touching the breast;
- Patting the back of a girl and hand, asking her to give a kiss and take a selfie with him;
- Disclosing love to a woman, holding hands and embracing her without her consent;
- Making sexual remarks and usage of words that insinuate untoward sexual advances, even indirect, would come under this provision.

SECTION 354B

Any man who assaults or uses criminal force to any woman or abets such act with the intention of disrobing or compelling her to be naked, shall be punished with imprisonment of either description for a term which shall not be less than three years but which may extend to seven years, and shall also be liable to fine.

This subsection deals with the act in which a woman either in public or private is made to remove her clothes so that she is naked or may be naked.

The perpetrator, in this case, uses force so that it either disrobes or tears a piece of cloth as to make the woman vulnerable to people around or in general makes her uncomfortable.

As the act of disrobing is an act on the woman's modesty, the punishment given to the perpetrator if convicted would be imprisonment of either description for a term which shall not be less than three years but which may extend to seven years.

ILLUSTRATIONS:

Some acts which have been held to be punishable by the courts under this section are:

- Pulling the clothes of women with the intention of disrobing them in any place such as public vehicles, in the street, at a public place;
- Forcing a woman (even if that woman is in a relationship with the man) to take her clothes off in a private room to be naked against her wishes;
- Assaulting a woman and taking her clothes off in the process;
- Asking a woman to remove her clothes as a return to a favour.

SECTION 354C - VOYEURISM

Any man who watches, or captures the image of a woman engaging in a private act in circumstances where she would usually have the expectation of not being observed either by the perpetrator or by any other person at the behest of the perpetrator or disseminates such image shall be punished on first conviction with imprisonment of either description for a term which shall not be less than one year, but which may extend to three years, and shall also be liable to fine, and be punished on a second or subsequent conviction, with imprisonment of either description for a term which shall not be less than three years, but which may extend to seven years, and shall also be liable to fine.

Explanations:

- i. For the purpose of this section, “private act” includes an act of watching carried out in a place which, in the circumstances, would reasonably be expected to provide privacy and where the victim’s genitals, posterior or breasts are exposed or covered only in underwear; or the victim is using a lavatory; or the victim is doing a sexual act that is not of a kind ordinarily done in public.*
- ii. Where the victim consents to the capture of the images or any act, but not to their dissemination to third persons and where such image or act is disseminated, such dissemination shall be considered an offence under this section.*

Example: A man observing or recording a woman using the toilet, or in the trial room of a clothes shop, or having a bath, or recording sexual acts without the woman’s consent and spreading the same or uploading it on a pornographic site without her consent. If the woman consented to being recorded, but not to the recording being circulated, then the man can still be punished for voyeurism.



A person of either sex can also be punished for the act of voyeurism under **Section 66E of the IT Act**, which punishes persons for intentionally capturing, publishing, or transmitting images of private areas of persons, without their consent.

ILLUSTRATIONS:

Some acts of voyeurism which have been punished by the courts are listed below-

- Taking a girl to an unknown house, forcing her to remove her clothes and then taking photographs with a cell phone;
- Causing a woman to be intoxicated, taking nude photographs of her and posting them on social media;
- Disrobing a girl, sexually assaulting her and taking a video of it;
- Peeping inside a lavatory occupied by a woman;
- Shifting the position of a CCTV camera in a clothes shop and pointing it towards the shop's trial rooms.

SECTION 354D - STALKING

(1) Any man who—

- i. follows a woman and contacts, or attempts to contact such woman to foster personal interaction repeatedly despite a clear indication of disinterest by such woman; or*
- ii. monitors the use by a woman of the internet, email or any other form of electronic communication, commits the offence of stalking;*

Provided that such conduct shall not amount to stalking if the man who pursued it proves that—

- i. it was pursued for the purpose of preventing or detecting crime and the man accused of stalking had been entrusted with the responsibility of prevention and detection of crime by the State; or*
- ii. it was pursued under any law or to comply with any condition or requirement imposed by any person under any law; or*
- iii. in the particular circumstances such conduct was reasonable and justified.*

(2) Whoever commits the offence of stalking shall be punished on first conviction with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine; and be punished on a second or subsequent conviction, with imprisonment of either description for a term which may extend to five years, and shall also be liable to fine.

Stalking is a pattern of behaviour by any man who repeatedly follows a woman, contacts, or attempts to contact her, either online or in person, despite her clearly indicating that she does not want the attention. This can take place in the form of harassing telephone calls, online communications, writing letters etc., or it can also happen on an online platform when a man monitors and harasses a woman on the internet, email, or any other form of electronic communication.



The section makes an exception if a person is carrying out such acts as part of their legal duty to do so – such as in order to prevent crime, or if law mandates it.

Example: X is a police officer tracking down a drugs shipment, and has been monitoring emails received by Y, a woman. This would be covered by the exception.

ILLUSTRATIONS:

Some examples of acts which have been punished by the courts under this section include:

- Harassing a woman at her work place, pressurising her to make friends with him and visiting her house;
- Following a girl returning from coaching in the afternoon, holding her arm and continuing to follow her;
- Instances of chasing after a girl, forcing her to stop her at an isolated place and then inflicting criminal force on her, including pouring of acid;
- Following a girl and sneaking up on her with the intention of taking her pictures without her consent;
- Spending time outside a woman's home with the intention watching or staring at her.

CYBERSTALKING

While there are no specific provisions to deal with cyberstalking – the using of the internet or any electronic device to stalk someone, offences can be registered under the **IT Act**. Section 66D punishes a person for impersonating another using a computer; Section 72 punishes a person for breaching confidentiality and privacy; Section 67 punishes a person for publishing or transmitting obscene material in an electronic form; Section 67A punishes a person for publishing or transmitting material containing sexually explicit acts, in an electronic form.

Example: Transmission of obscene letters, vulgar emails, publishing materials which denigrate the character of the victim, creation of a fake Facebook Account in the name of the victim, would make a person liable for offences under Section 354A, for sexual harassment, 354D for online stalking under the Indian Penal Code, 1860, Section 66-C for identity theft, Section 66-D for Impersonation and Section 67 and 67A for transmitting obscene and sexually explicit material online.

A cybercrime can be reported to the cybercrime units of any city irrespective of the place where the crime was committed.

ILLUSTRATIONS:

Some examples of acts which have been punished by the courts under this section include:

- Sending emails, WhatsApp messages/videos/images, or messages on social networking websites such as Facebook that have vulgar contents such as nude pictures or soliciting such pictures without the women's consent;

- Posting pictures of a woman in such online platforms without the woman's consent;
- Constantly sending and pestering messages to obtain a response from the woman or enticing unsolicited sexual advances through online platforms.
- Creating a fake account of a woman and sending and receiving messages, pictures and videos through it, posting images and videos without the woman's consent.
- Threatening a woman through online platforms.

WHERE TO REPORT

Cyber Cells: Cyber Cells have been established to provide redressal to the victims of cybercrime. If you do not have a cyber cell at your place of residence, then you can file an F.I.R in a local police station. You can also approach the commissioner or the judicial magistrate of your city, if by any reason you are unable to file an F.I.R. Any police station is bound to register an F.I.R., irrespective of its jurisdiction.

Online Grievance Redressal: Women who do not want to come out in the open can file a complaint against stalking at the National Commission for Women. The Commission takes up the matter with the police and expedites the investigation. In cases of serious offences, the commission can set up an inquiry committee to probe into the matter and conduct spot inquiry, collect evidence, and examine witnesses, summon accused and police records, etc to further the investigation.

Report to the websites: Most of the social media websites where users make their accounts provide a reporting mechanism. These websites are obliged under the IT (Intermediary Guidelines) Rules, 2011 to act within 36 hours to disable information related to offending content. The intermediary shall have to preserve such information and associated records for at least ninety days for investigation purposes. The affected person can bring to the knowledge of the intermediary, any offending content which is hosted, stored, or published on his computer system, in writing or through email signed with electronic signature.

Report to CERT: The Information Technology Amendment Act 2008 has designated the Indian Computer Emergency Response Team (CERT-IN) as the national nodal agency for tackling the issues occurring in tow with computer security threats. They issue guidelines on the procedure, prevention, reporting, and response to cyber incidents, among other functions.

**SECTION 509 - WORD, GESTURE OR ACT INTENDED TO INSULT THE MODESTY OF A
WOMAN**

Whoever, intending to insult the modesty of any woman, utters any words, makes any sound or gesture, or exhibits any object, intending that such word or sound shall be heard, or that such gesture or object shall be seen, by such woman, or intrudes upon the privacy of such woman.

This section is closely related to S.354 but covers acts such as eve teasing and hooting in public.

Eve teasing could be acts such as singing obscene songs, making vulgar sounds or gestures, exhibiting one's private parts or obscene pictures hoping that such words, gestures, objects shall be seen or heard by the woman or might intrude upon her privacy. One common example of this could be a man shouting vulgar words when someone walks down a road. Other instances like slapping the posterior of a woman in front of many other people affronts the dignity of the woman and so was held to be a gesture punishable under this section.



It is crucial to culpability under this section that the object be the insult of the modesty of a woman, and not mere insult to a woman not specific to her modesty.

While in the past only spoken and physical gestures, and not words in written form, were seen as punishable under this provision, court have increasingly been amenable to considering written forms of communication as culpable under this provision as well.

All such acts are punishable under Section 509 of the IPC. Earlier the punishment for a conviction under Section 509 was one year of imprisonment but since the amendment in 2013, it has been increased to **three years**.

THE SEXUAL HARASSMENT OF WOMEN AT WORKPLACE (PREVENTION, PROTECTION AND REDRESSAL) ACT, 2013

Every woman by law has the right to prevention, protection and redressal against sexual harassment at the workplace.

WHERE TO REPORT?

If you have been subject to sexual harassment at the workplace, you are protected by Section 509 of the Indian Penal Code, as well as the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

According to this act, every workplace is required to have an Internal Complaints Committee (ICC) at all administrative units or offices. If you work in a smaller workplace, or if your grievance is against your employer, there will be a Local Complaints Committee (LCC) at the district level.

If you feel you have been subject to sexual harassment in your workplace, you may choose to file a complaint to the ICC or LCC. The complaint must be sent in writing within three months from the date of the incident. The complaint can also be filed by a legal heir, if the woman is unable to do so.

WHAT HAPPENS IF YOUR WORKPLACE DOESN'T HAVE AN ICC?

Every employer is duty-bound to ensure that the workplace is a safe environment, provide facilities for ICC complaints and inquiries, and provide assistance to a woman filing a complaint under the IPC. A workplace which does not have an ICC can be punished with a ₹50,000 fine.

WHAT HAPPENS IF YOU FILE A COMPLAINT?

Once you have filed the complaint, *if you wish to*, you can request the ICC to take steps to settle the matter between you and the respondent through conciliation. If, for any reason, you do not wish to go through a conciliation, the ICC or LCC will make an inquiry into the complaint.

WHAT HAPPENS IN A CONCILIATION?

In this process, you have the option to reach a settlement with the respondent, where they will have to fulfil certain conditions that you have both agreed upon. Such a settlement cannot be of a monetary nature.

If you do agree to a conciliation, the settlement will have to be recorded and copies of the same must be forwarded to you, the respondent and the employer or District Officer. If any condition of the

settlement is not complied with you may inform the ICC or LCC, and they must look into the matter, and if necessary, a police complaint can be filed.

WHAT HAPPENS IN AN INQUIRY?

The ICC or LCC is required to handle the procedure of an inquiry into the matter. During the inquiry, both parties are given a chance to be heard, and both parties must get a copy of the findings. As the complainant, you have the right to be not cross-examined, or come into contact with your harasser. Any questions the harasser wishes to ask you must be through a written questionnaire. When the inquiry is going on, you can write a written request to the ICC or LCC to be transferred to another office or workplace, be given up to three months leave, or any other relief that you feel you might require.

Once the inquiry is completed a report of the inquiry must be made available to you, the other party, and the employer or the District Officer within a period of ten days.

WHAT HAPPENS AFTER AN INQUIRY BY THE ICC OR LCC?

If no allegation has been proved, no action will be taken. However, you have the right to appeal to a court or tribunal within ninety days.

If the allegation has been proved, then recommendations will be made by the ICC or LCC to take action against misconduct, and deduct a sum from the wages of the respondent to be paid to you as compensation.

All of these proceedings will remain confidential, and cannot be made public.

PROTECTION OF CHILDREN FROM SEXUAL OFFENCES (POCSO)

At least three out of four of the world's children – 1.7 billion – have experienced interpersonal violence, cruelty or abuse in their daily lives regardless of whether they lived in rich or poor countries (Ending Violence In Childhood Global Report 2017). Based on approximate estimate, 20 percent of girls and 5 to 10 percent of boys are victims of sexual abuse.

The issue of Child Sexual Abuse is widespread across India, impacting children of all ages and genders. Half of the country's children face some form of sexual abuse, with 21% having faced severe sexual abuse. Boys account for around 53% and girls for 47% of all children reporting abuse. (Child Abuse Report, Women and Child Development India, 2007).

Despite its high prevalence, violence against children is often hidden, unseen or under-reported. It is not widely acknowledged or understood. In a country where sexuality is a taboo, the vocabulary to communicate around sexuality and sexual abuse is non-existent. Caregivers often do not have the knowledge or comfort to support children either by being watchful or by talking to them and hand-holding them in the case of abuse. In such a context, the onus is on the education system to provide children with the essential life skills to identify unsafe touches and situations and seek help. However, the education system makes little effort to address it. There is also limited acceptance that CSA can affect the mental health of the child and can continue to affect the person's life during adulthood if not healed. This restricts initialization and adherence to therapy and counselling. What compounds the problem is that only a few NGOs are actively working in this space in a focused manner. There is also negligible country-specific research, expertise or resources available to guide practice.

The Protection of Children from Sexual Offences (POCSO) Act 2012 was formulated in order to effectively address sexual abuse and sexual exploitation of children through legal provisions. POCSO received the President's assent on 19 June 2012 and was notified in the Gazette of India on 20 June 2012.

THE OBJECTIVES OF THE POCSO ACT ARE:

- To protect children from the offences of
 - Sexual assault;
 - Sexual harassment;
 - Pornography.
- To establish Special Courts for speedy trial of such offences.

THE IMPORTANT FEATURES OF THE ACT ARE:

- Defines a child as anyone below the age of 18,
- Is a gender neutral law, wherein the law takes cognizance of sexual crimes committed against both girls and boys under the age of 18 years,
- Addresses a wide range of sexual offences which includes anything from complete and partial penetration, non-penetrative sexual assault, stalking of a child, showing children pornography, using the child for pornography and exhibitionism. The law protects children from both contact and non-contact sexual abuse,
- Places the burden of proof on the accused and ensures punishment for all perpetrators irrespective of age and gender,
- Does not recognize consensual sexual acts among children or between a child and an adult,
- Prosecutes any person (including a child) for engaging in a sexual act with a child irrespective of whether the latter consented to it,
- Provides for more severe punishment, when the sexual offence is committed by a person in a position of trust or authority,
- Introduces child friendly measures and defines the role of the Police as a child protector,
- Pronounces the importance of Mandatory Reporting of sexual offences.

THE 11 POCSO GUIDELINES

1. RIGHT TO LIFE AND SURVIVAL

The child has a right to life, survival, be shielded from hardship, abuse or neglect, physical, psychological, mental and emotional abuse.

2. RIGHT TO BE TREATED WITH DIGNITY AND COMPASSION

Child victims should be treated with care and sensitivity, taking into account their personal situation, immediate needs, age, gender, disability and maturity and physical, mental and moral integrity.

3. RIGHT TO SPECIAL PREVENTIVE MEASURES

Professionals should develop and implement comprehensive and specially tailored strategies and interventions which should take into account the nature of the victimization, including victimization related to abuse in the home, sexual exploitation, abuse in institutional settings and trafficking.

4. RIGHT TO BE HEARD AND TO EXPRESS VIEWS AND CONCERNS

It should be ensured that child victims and witnesses are enabled to express freely and in their own manner their views and concerns regarding their involvement in the justice process safety in relation to the accused, the manner of testimony and the conclusions of the process.

5. RIGHT TO BE PROTECTED FROM HARDSHIP DURING THE JUSTICE PROCESS

The judicial process is a very stressful one for the child. Any stress should be minimized.

6. THE BEST INTERESTS OF THE CHILD

Right to have best interests given consideration. Protecting the child's best interests means enhancing a child's capacity to contribute to that process.

7. RIGHT TO BE PROTECTED FROM DISCRIMINATION

The justice process to the child, witnesses and families should be sensitive to child's age, wishes, understanding, gender, sexual orientation, ethnic, cultural, religious, linguistic, social background, caste, socio-economic condition.

8. RIGHT TO BE INFORMED

The child must receive the required assistance to address their needs and enable them to participate effectively at all stages of the justice process.

9. RIGHT TO EFFECTIVE ASSISTANCE

Services such as financial, legal, counselling, health, social and educational services, physical and psychological recovery services and other services necessary for the child's reintegration should be provided.

10. RIGHT TO PRIVACY

The child's privacy and identity must be protected at all stages of the pre-trial and trial process. Safety of the child should be primary. And avoiding intense shame and humiliation is just as important.

11. RIGHT TO SAFETY

Appropriate measures should be taken to minimise risks for child victims by authorities and they must be protected during and after the justice process.

WHAT ARE THE STEPS INVOLVED IN REPORTING A CRIME?

Experiencing any sort of sexual harassment is in itself a very traumatising experience. On top of that, most of us do not know how to report the crime. Here are the two important steps involved in going to the police station and filing a case.

1. The first step is to identify the police station closest to you. The ideal police station to approach would be the one closest to where the incident of sexual harassment took place.
If you have been raped, then the first step of action would be to immediately go to a hospital. There, a doctor would examine you and collect evidence, wherein he/she is legally bound to report the crime.
2. Once you have identified and reached the police station, you can file a complaint and register an FIR. The FIR is generally a description in the nature of a complaint that is reduced into writing to get the police start investigation. Once an FIR is filed, a copy of the FIR must be given to the person filing it.

WHAT TO DO IF THE POLICE OFFICER REFUSES TO REGISTER AN FIR?

If an officer in charge of police station refuses to record the FIR, then the affected person may send this information to Superintendent of Police. If the SP is satisfied that this information discloses the commission of an offence, he may either investigate the matter himself or direct another police officer subordinate to him to do the same. Remember, nobody can stop you from reporting a crime!

HOW CAN YOU TAKE CONTROL OF YOUR SAFETY?

Have you ever thought of understanding behaviour and addressing harassment in simple subtle ways, without having to learn karate and martial arts? Well, Durga workshops are for you! Here are some takeaways.

A Durga Workshop equips you to unleash your inherent strength to counter untoward encounters and replace “Can I?” to “I can fend for myself!”

Read on to understand the nuances of self-defense and stand up for yourself. See your self-confidence soar and learn how to spread your wings and extend your ability to help not just yourself, but even others in crisis! Cruise through helplessness, grappling fear to emerge fiercely like a Durga!

Do your bit by taking safety in your own hands and learn in your own terms. Here’s some of the Takeaways from the Durga workshop!

UNDERSTANDING HARASSMENT AND SEXUAL HARASSMENT

This workshop walks you through subtleties of harassment and sheds light on sexual harassment and non-sexual harassment. This understanding will thus let you identify and take the necessary steps, if you are put in an uncomfortable situation or a spot at any point of life.

AWARENESS, JUDGEMENT AND RESPONSE – TECHNIQUES AND NUANCES

A Durga workshop advocates safety, spreads awareness and helps you make sound judgements and respond appropriately using various techniques at the time of need.

CONFIDENCE – HOW TO SHOW IT

This workshop teaches you to build on your strengths and also teaches you to flaunt your confidence and keep adversities at bay.

CLAIM BACK YOUR SPACE – THROUGH INSTANCES

Durga Workshop tells you how to keep calm and claim your space through real instances.

BYSTANDER INTERVENTION

The role of a bystander has been the game changer in many situations which in turn means many lives saved. This workshop helps you understand how you can raise an alarm and involve a bystander to help you. It also arms you with the necessary knowledge and skills to be an active bystander and help someone else in grave danger.

WATCHING OUT FOR EARLY SIGNALS OF HARASSMENT

Ignorance is not bliss, especially during times like today. A Durga Workshop prepares you to spot the signs of harassment quite early and equips you to nip danger in the nascent stage.

EQUITY IN RELATIONSHIPS

Durga Workshop gives you an insight to what a balanced relationship looks like which will further help you assess your position and lead a life free of bigotry and ask for help when needed.

COMMUNITY IS CRITICAL

At Durga, we understand the role of a community in one's life, so this workshop delves into how you as an individual can contribute to the wellbeing of a community and make a difference. You are also introduced to the Durga Community and how we stand together!

QUICK PHYSICAL SELF DEFENCE

The show stealer of the workshop is a quick walkthrough of self-defense techniques that will come in handy to combat physical threats.

HOW TO BE A REAL HERO?

WHO IS A REAL HERO?

A #Realhero is an active bystander. When you see a woman in distress, you have a role to play. You must recognize that any harassment can be deterred with intervention. Move close to the situation to show you are around.

HOW CAN ONE BE A REAL HERO?

1. Intervene Directly

When you encounter a situation where a woman is being harassed, the first step is to do a quick audit of the situation and step in to intervene. You can directly intervene by asking if the woman needs help or you can intervene indirectly by asking for the time, or directions to a place. In either case, the perpetrator knows that there are others around who may block his advances and who may get involved in the situation.

2. Intervene Indirectly

If direct intervention is difficult for you, you can always do this indirectly by bringing in more people into the scene. When you call out to people for help normally always come to the location. More people looking at the scene of harassment is deterrence in itself.

3. Take the woman away from the situation

This depends on how confident you are. There are times when you can just walk in and take the woman in distress to a safer place. You can explain to her while you take her away.

4. Call for help - even if it's a taxi

Always make sure you can get her help, even if this means collecting more people or just having your phone handy for her to make a call. It can also mean you can get a safe transport for her.

GETTING ACCESS TO LEGAL AID

If for some reason you require any legal aid or advice, you can contact a Legal Aid Clinic near you.

For those in Bangalore, the Legal Services Clinic of the National Law School of India University, Nagarbhavi offers free legal aid for women in need. They also have a team of pro-bono lawyers who shall represent those who need legal representation. The clinic is open to everybody between 4 to 6 PM on all working days (Monday to Saturday). You can contact the Legal Services Clinic using the information given below.

Address: Legal Services Clinic,
National Law School of India University,
Nagarbhavi, Bangalore 560072
Phone: +91 73586 73214
Email: lsc@nls.ac.in, lsc.nlsiu@gmail.com