

Awareness Session on SGBV Legal Reporting Procedure and GBV at workplace
for Youth Club Leaders of BOSCO

06.05.2016

On 6 May 2016, SLIC presented a session on “SGBV legal reporting procedure and GBV at workplace for Youth Club Leaders” at BOSCO, Bodella. The session was organised by BOSOC and had invited SLIC to take a session on the topic as stated above.

There were 46 BOSCO youth leader (31 boys and 15 girls) participants who attended the session. Refugees from different nationalities such as Burmese, Rohingya, both Ethnic and Hindu-Sikh Afghans and from African countries were present. SLIC was represented by Belover and focus was emphasised on as under:

1. KIND OF OFFENCES

- Cognizable and non-cognizable
- Bailable and Non-Bailable

2. STAGES OF A CASE

- Stages from case registration to final judgement/sentence.

3. OFFENCE AGAINST WOMAN

- Outraging the Modesty of a Woman (U/s 354 IPC)
 - Embracing a woman
 - Stripping/removing the clothes of a woman
 - Kissing a woman
 - Touching/playing in inappropriate parts
- Insulting the Modesty of Woman (U/s 509 IPC)
 - Writing letters making indecent overtures
 - Making obscene gestures
 - Exhibiting pornographic materials
 - Entering the private apartment of a woman and making obscene gestures

4. LEGAL PROCEDURE INCASE OF VIOLENCE AGAINST WOMEN

- Registering a complaint
- Statement by police/Medical examination/164 statement etc
- Court trail
- Privacy of a victim
- Compensation



5. Protection of women from DOMESTIC VIOLENCE

That a married woman is a victim of domestic violence if :

- She is subjected to cruelty , Physical cruelty, Mental cruelty
- Likely to cause her to commit suicide, or
- Likely to cause grave injury to her whether physical or mental, or
- With a view to forcing her or any of her relatives to meet any demand for property or valuable security, or because of failure by her or any of her relatives to meet any such demand
- Perpetrated by her husband, or in-laws

Complaint Mechanism: A complaint can be made to the Magistrate, can be assisted by a Protection Officer (assigned by Magistrate) or to police or state NGO. Different kinds of protection order could be given by the Magistrate against the offender including monetary relief and child custody.

6. THE PROTECTION OF CHILDREN FROM SEXUAL OFFENCES ACT, 2012

- A Child is any person below the age of 18 years
- It lists all forms of sexual assault, including touching and non touching behaviours/gestures
- When a person comes to know that a sexual offence against a child has been committed or has apprehension that such an offence is likely to be committed, such person shall register a complaint in this regard with the local police or special Juvenile police unit.
- Complaint may be given in writing or orally.

Reporting

- On receipt of such complaint, F.I.R. will be registered and a copy will be given to the complainant.
- The Act provides for **mandatory reporting of sexual offences.**
- This casts a legal duty upon a person who has knowledge that a child has been sexually abused to report the offence
- If he fails to do so, he may be punished with six months imprisonment and/ or a fine.

Role of Child Welfare Committee

- The police officer receiving a complaint of a sexual offence against a child has the duty to report the matter to the CWC within 24 hours. Within three days thereafter the CWC has the power to pass orders removing the child from the custody of its family, including its extended family, and be placed in a care home.

7. THE SEXUAL HARASSMENT OF WOMEN AT WORKPLACE (Prevention, Prohibition and Redressal)

- To provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment.”

- To ensure that women are protected against sexual harassment at all the work places, be it in public or private.
- To contribute to realisation of right to gender equality, life and liberty and equality in working conditions everywhere.
- To create a sense of security at the workplace to improve women's participation in work, resulting in their economic empowerment and inclusive growth.
- The legal provision covers students in schools and colleges as well as patients in hospitals, employers and local authorities.

Nature of Sexual Harassment

- Sexual harassment includes any one or more of the following unwelcome acts or behavior:
 - Physical contact or advances
 - A demand or request for sexual favours
 - Making sexually coloured remarks
 - Showing pornography
 - Any other unwelcome physical, verbal or non-verbal conduct of sexual nature

Complaint Mechanism:

An appropriate complaint mechanism should be created in the employer's organisation for redress of the complaint made by the victim. There should be a Complaints Committee, a special counsellor or other support service for redressal purpose. Such Complaints Committee should involve a third party, either NGO or other body who is familiar with the issue of sexual harassment.

General information on emergency numbers was also disseminated to the participants as under:

Emergency numbers : Delhi Police : 100 (General), Missing Person : 1094, Women at Distress: 1091, Anti-Obscene Cell/Anti-Stalking: 1096, Ambulance : 102 , Fire Tender: 101 and Senior Citizen: 1291