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**United Nations Division for the Advancement of Women
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**Expert Group Meeting on good practices in legislation
to address harmful practices against women**

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**LEGAL APPROACHES, REFORMS, DIFFERENT AREAS OF LAWS,
ASSESSMENT OF THE EFFECTIVENESS OF PARTICULAR
LEGAL FRAMEWORK/PROVISIONS, LESSON LEARNED, GOOD
PRACTICES & HIGHLIGHTED PROMISING PRACTICES IN
BANGLADESH**

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* *The views expressed in this paper are those of the author and do not necessarily represent those of the United Nations.*

Introduction

I will start by analyzing a case story:

"Eighteen-year old Fahmida Islam Mishu was physically and mentally battered by her father and did not get any support from her mother who was also dominated by her husband. Her mobility was controlled and finally when she was forced to get married without her consent, compelled her to take the decision to meet her elder sister who is studying in Cyprus now. Mishu left her home in Chittagong and came to Dhaka. One day, Bangladesh National Woman Lawyers' Association (BNWLA) received a call from Fatima [Fahmida's sister] who informed them that her sister, Fahmida, is being forcefully held in Banani Road by some people pretending to be her relative. BNWLA team immediately intervened and when went there saw that she was crying. There was a Police Sergeant present there at that moment and she was even beaten up by those relatives in front of that officer. The BNWLA team rescued her by filing a GD in the Gulshan Police Station (GD no. 395, dt.04/02/2009) and brought her to the BNWLA shelter home upon Mishu's request."

Currently she is living under comprehensive shelter support in the Shelter Home of BNWLA where she is safe and is receiving psychosocial treatment. She has applied for asylum in Switzerland and her application is under process. BNWLA is helping her to process her paperwork.

Points to be followed: What we get from this incident is that:

- She was deprived of her **fundamental rights** of Right to Freedom of Choice, Right to Mobility and Right to Education.
- Here we see the harmful practice of **forced marriage**, which is still prevalent in our society.
- It is apparent that Mishu along with her two sisters and their mother were victims of **domestic violence**, the practice for which there is no specific law available as yet.
- The girl did not get protection from the law enforcement authority; there is also a lack of **victim and witness protection protocol** in our country.
- The good practice here is that the girl got comprehensive package (protection, shelter and psychological support, joyful education) from an N.G.O.

It has been clearly understood from the above story that gender disparity in the form of harmful practices against women persists by a visible degree in Bangladesh. And it is evident that, laws and policies alone cannot address the violence against women issues. NGOs and civil societies participations are also needed to diminish these practices in collaboration with the government.

Recently BNWLA had signed a Memorandum Of Understanding (MOU) with Bangladesh Police under Police Reform Project (supported by Ministry of Home Affairs & UNDP Bangladesh) along with nine others NGOs to deliver support services at Victim Support Center (country's first victim support center operated by government & UNDP)----, which considered as a replicable good practice of GO-NGO partnership in the arena of victim care and support.

Legal and Institutional Framework

Bangladesh's commitments to promoting women's rights devolve from its ratification of several international treaties, the Constitution and national laws:

Constitutional commitments: The Constitution is the supreme source of law, taking precedence over domestic and international law. The Constitution explicitly guarantees sexual equality in

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Article 28(2), which affirms that women shall have equal rights with men in all spheres of the State and Public life. The fundamental rights are also enshrined in Articles 10, 11, 19, 21, 27, 28, 29, 31, 32.

Statutory framework: The legal system is based in part on English common law. Bangladesh seceded from Pakistan in December 1971. The British-era legislation applied in Pakistan after 1947 and post-partition legislation enacted in Pakistan continued to form the basis of Bangladeshi personal status laws, but legal developments since 1972 have been distinct. In Bangladesh none of changes has been brought about in Hindu Law after 1947 regarding sharing of parental property or the property of husband unlike India where extensive changes i.e. Hindu Marriage Act 1955, Hindu Succession Act 1956 and Hindu Minority and Guardianship Act 1956 have been brought about in the Law to eliminate disparity in the right of men and women in matters of succession and inheritance.

The personal laws or family laws of the country have been formulated in line with religion and each religion has its own personal laws. Country's Constitution also allows these matters to be guided by personal laws of each religion. The government has also enacted few special laws. The Judiciary is responsible for interpretation of laws and judgments and the law enforcing agencies are responsible for enforcing the provisions of laws.

Legal Framework of Bangladesh

- The penal Code of 1860
- Criminal Court of Procedure (CrPC) 1898
- Evidence Act 1872
- The Muslim Family Law Ordinance 1961
- The Muslim Marriage and Divorce Registration Act 1974
- The Family Court Ordinance 1989
- The Child Marriage Restraint Act 1929
- The Children's Act of 1974
- Dowry Prohibition Act 1980
- Civil Procedure Code
- Acid Control Act 2002
- Acid Crime Prevention Act 2002
- The Majority Act
- The Women and Children Repression Prevention Act 1995, 2000 as amended in 2003

International commitments: Since it participated in the World Conference on Women, held in Mexico in 1975, Bangladesh has expressed solidarity with worldwide movement for women's advancement. In 1984 it ratified the Convention on Elimination of all forms of Discrimination Against Women (CEDAW), albeit with Bangladesh to be one of the top ten countries to ratify the Optional Protocol on CEDAW. In 1993, the Vienna Declaration and the Program of Action of World Conference on Human Rights. Bangladesh signed the In 1995, Bangladesh signed the Beijing Platform for Action (PFA) without reservations at the Fourth World Conference on Women. The GoB has since made concerted efforts toward progress in PFA's 12 critical areas of concern. Participation in the UN's Periodic Special Sessions to follow-up on the PFA, such as Beijing +5 in 2000 and Beijing +10 in 2005 have enabled GoB to continue and revitalize its efforts towards these ends. The Government has also endorsed CRC, CRPD.

Legal Reform - Background & Reasons

Though guaranteed by the Constitution the poorer section of the society does not have access to justice easily as poverty has a negative impact in the way of access to justice. There are many

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laws specially promulgated for protecting women, but the ability of women whether rich or poor to gain access to justice remains at risk, because most often their counterparts are men. In addition, women remain under-represented, often because they have been unsuccessful in obtaining legal aid assistance and they do not have sufficient financial resources to retain a lawyer privately. Therefore confidence in the legal system is lost. Several legal reform committees and commissions have been formed since the independence of Bangladesh in 1971.

Background and reasons of reforms of Women and Children Repression Prevention Act 2000

The Women and Children Repression Prevention Act 2000 had been originated based on the gaps of Dowry Prohibition Act 1980, The cruelty to Women Ordinance 1983, Women and Children Repression Prevention Act 1995 and was passed in response to the escalating problem of violence against women and children in the 1990's. Although the law contains very harsh punishments, experience with the law indicates that provisions cannot effectively deter offenders or ensure their prosecution due to various loopholes. First, there are some inherent problems with the law as far as definitions and clarity. Second, because the punishments are so severe, for example the death penalty for dowry related violence, which either victims do not wish to file cases or women are too eager to file wrongful suits. Third although strict punishments have been included in the law, law enforcement has not been improved to enforce the law. The law was brought about by Parliament after a series of dialogues with NGO's, human rights organization, feminist groups and other stakeholders. As violent crimes against women became more frequent and regular, the public began to demand government intervention, and as a result parliament was pushed to action and passed the law in 2000. However, the law was further amended in 2003 for including the provisions of sexual abuse , dowry & others .

Background and reasons of reforms of Acid Control Act and Acid Crime Prevention Act 2002

A writ Petition (No. 3655/2000) was filed with the High Court Division of the Supreme Court hearing upon which the Court directed upon the respondents (the government) to take necessary steps to control over importing, selling and distribution of acid in open market for preventing easy availability of acid and checking the spree of acid attacks on women. The *learned judges issued the Rule Nisi* on 13th August 2000 against the Government of Bangladesh represented by the secretary to the Ministry of Law, Justice and Parliamentary Affairs. The Court also issues necessary directives upon the government to ensure special provisions for treatment of acid survivors in the society. An inter-ministerial and the Ministry of Commerce, Ministry of Law, Justice and Parliamentary Affairs followed the High Court ruling to oversee the import and distribution of acid to the country decided to impose restriction on selling of eleven kinds of acid in open market. Also, the Ministry of Law, Justice and Parliamentary Affairs, after considering the High Court ruling, initiated to draft two distinct laws aiming at controlling the selling and distribution of acid and acid related crimes. The law was passed finally passed by the Parliament in 2002.

Other reasons of legal reform

(i) Access to legal Information And Social Justice Issues

Most people find it daunting and intimidating experience to go to court. It is therefore imperative that general people is educated on the legal avenues that are available to them when they are faced with litigations. The court procedure should be made simple and straightforward so that legal representation is not always needed.

Access to Justice is obstructed by the social problems like poverty, literacy, local dialect, etc. Being a member of the fair sex adds to the problem. These issues are dealt within the concept

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of welfare state to assure that people who lack resources or other capacities to protect their legal rights and to solve their law related problems have access to the justice system. .

(ii) Legal Aid and Cost Services

Access to the court mostly depends upon the financial well being of a litigant. There are laws to provide for the poor litigants but the procedure is so complicated that it is often difficult for the poor litigants to access court and thus access justice. Women would greatly benefit from the provisions of legal aid if it were administered efficiently. Different Bar Associations and some non-governmental organizations are paying legal aid to protect the human rights of the litigant public. Whereas the procedure of obtaining legal aid through non-governmental organizations is smooth, it is difficult to obtain legal aid through different Bar Associations due to a complicated procedure laid out in the Legal Aid Act.

The barriers to access to justice may be aspects of the justice system itself, e.g. complexity and cost of the system itself. The cost to be borne for the legal processes, access to legal information, and the existing services and are often unaffordable to the very poor and women.

iii) Absence of victim and witness protection protocol

A country like Bangladesh where the perpetrators represent the most influential portion of the society and who are economically, politically, and with arms are very much organized, the question of victim and witness's protection is very much pertinent. Every year thousands of cases lose merit because of victim and witnesses insecurity. Beside ensuring victim and witness's physical safety there are some other rights whose presence is needed in the law and legal system for the sake of disposal of a suit.

Victim and witness should have the right to be treated with dignity and respect, right to be protected from intimidation and harm, right to privacy and counseling, right to be informed concerning the criminal justice process, right to receive all schedule changes regarding the case, right to be informed on sentencing, imprisonment and/or release of offenders, right to compensation in certain circumstances, right to prompt and timely disposition of the case, right to get emergency shelter, right to be informed of social service agencies for addition assistance

(iv) Resource and support for existing services

There are institutions for the litigant public, which may be out of his/her reach due to long distance, lack of awareness of the service or simply from fear or illiteracy. Police stations and courts may be non-existent in remote areas. Quasi-judicial mechanism may also be non accessible. When one needs to apply for legal aid the litigant might find financial constraint or other kind of fear to approach the District Court. These services must be made available to the public through local welfare or community services.

New Initiatives taken by Government to reform legal system:

- **Enacting speedy tribunal:** the government under its legal reform programme has enacted Speedy Trial Tribunal Act, 2002 and formed six speedy trial tribunals for early settlement of certain cases.
- ◆ **Legal and Judicial Capacity Building:** In the age old Civil Justice System earlier the case management processes had been excruciatingly slow, costly and time consuming. Acknowledging the necessity, the Government of Bangladesh took a project known as Legal and Judicial Capacity Building Project. Under the project a good number of Reform Experts and Consultants are working in the Supreme Court and five Pilot Districts. It is desirable that the pilot projects should be replicated in districts also.
- **Introducing Alternative Dispute Resolution (ADR):** The government introduced Alternative Dispute Resolution (ADR) in judicial system to ensure justice by amending the Code of Civil Procedure, 1908. ADR introduced earlier in Family Courts of 15

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districts as pilot project has been proved successful and envisaging introducing the same to other districts.

- **Mediation:** The Code of Civil Procedure (Amendment) Act, 2003 has introduced mediation of civil disputes. *Shalish* the institution of customary law introduced in Family Courts Ordinance in section 10 and 16, as conciliation is the noteworthy example of judicial mediation. Along with the formal justice system informal justice system exists in Bangladesh in form of extra-judicial mediation, conciliation, arbitration, *shalish* and the like. The advent of community mediation services has facilitated changes in the mindset and codes of conduct of justice providers at local levels. The success in this context is also manifest by a considerable reduction in child marriages and dowry demands. (Khair, 2006).
 - **The Legal Aid Services Act, 2000:** It provides for giving legal aid to poor people to institute or defend cases in courts. A statutory body called National Legal Aid Services Board has been established and there is a National Board of Director consisting of 19 members. Particular vulnerable groups like poor women, victims of acid violence automatically become entitled to legal aid under the scheme. NGOs like BNWLA, BLAST, Madaripur legal aid also provide legal aid especially to women disputants.
 - **Separation of Judiciary :** In Bangladesh the judiciary was separated from the executive body on 1st November 2007. The separation of Judiciary from the executive is to shaping our legal and institutional structure towards ensuring justice.
- **Case Precedence:** At present the highest judiciary of Bangladesh is gender sensitized which are reflected in their judgments. Following are some of those guiding principles:

Issue	Name of the Case	Highlights
Sexual Harassments of women and girls at work place, educational institutes & other public places	1. Salma Ali, ED of BNWLA Vs. the Government of Bangladesh and others. (15 th May 2009)	The High Court (HC) 14th May 2009 issued a set of guidelines defining sexual misdemeanours to prevent any kind of physical, mental or sexual harassment of women, girls and children at their workplaces, educational institutions and other public places including roads across the country. The HC directed the government to make a law on the basis of the guidelines, and ruled that the guidelines will be treated as a law until the law is made.
Trafficking and commercial sexual exploitation	1. BSHER, BNWLA and others Vs. Government of Bangladesh and others.	* Establishing the right of sex workers to an occupation and residence. * Guidelines on the rehabilitation of sex workers.

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	2. Mr. Abdul Gafur Vs. Secretary, Ministry of Foreign Affairs govt. of Bangladesh, Secretary Ministry of Home Affairs Govt. of Bangladesh.	* Recognizing repatriation as a fundamental right. *Emphasizing the state's responsibility in ensuring repatriation.
Sexual assault and rape	1. Al Amin Vs. State 2. Abdus Sobhan Biswas Vs State	* Established that the absence of a charge of rape in the FIR is not an evidence that it was added later for embellishment. * Unless it is proved otherwise, the statement of the prosecutor has to be believed.
Domestic violence	1.The State Vs. Md. Shafiqul Islam alias Rafique and another 2. Munir Hossain Vs. State	* Emphasized the strong suspicion against the husband in case the wife died of assault in her husband's house. * Expanded the definition of dowry to include demands made after marriage.
Enactment of special laws	1.Kamruzzaman Vs. The State 2. Managing Director, Rupali Bank Ltd. And others Vs. Tofazzal Hossain and others	* Special law provides for stricter punishment and in case of general law and special law, the provisions of the special law shall prevail.

Different areas of law including provisions in civil, criminal and Emigration law

Laws relating to civil matters:

Laws relating to civil matters affect women in civil disputes. There are specific laws, which make differential treatment to women, which may or may not be favorable to them. The laws that affect women the most are the Child Marriage Restraint Act of 1984 (amendment); the Muslim Family Laws Ordinance of 1961; the Muslim Marriage and Divorce Registration Act of 1974 and 1975 and the Family Court Ordinance of 1985 and 1989 (amended), the Hindu laws and The Christian Marriage Act, 1872.

The Child Marriage Restraint Act 1984 (amended) sets a marriageable age limit for both female and male. The age is 18 years for female and 21 years for male. Marriage below such age is punishable for the guardians of the parties concerned. The age limits not only ensure safe birth of a child from a mature physique, but it also ensures the right of a child to education, play and free time.

Muslim Family Laws Ordinance of 1961 provides some restricted facilities for women. The husband must give notice of *talaq* to the wife through proper channel for breakdown of a marriage. He must take permission of the wife before a second marriage. Polygamy is curtailed

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by this Ordinance. This law is available to Muslims only, though polygamy is a concern for other communities also.

The Family Court Ordinance of 1985 and 1989 (amended) is the forum for application of all the family laws including those stated above. The litigants are mostly women who come with their rights to this court of law and are mostly awarded positively. There is often domestic violence leading to family dispute but such a circumstance is beyond the jurisdiction of a family court.

The Civil Procedure Code of 1908, as amended by CPC (Amendment) Act, 1999 deals with the matters of civil nature. Some specific sections of the Code include exemption of certain women from personal appearance (Section 132). In section 56 of Civil Procedure Code, Prohibition of arrest or detention of women in execution of decree for money is also in favor of woman.

The Birth and Death Registration Act 2004: This act is being used to prevent early marriage, reduces trafficking, ensure that all children are enrolled in school at the right age, protect underage children from working and ensure special treatment for children in juvenile justice system. Moreover, this act has simplified the voter ID process.

Labor law of 2006: In 2006 the Government of Bangladesh has enacted a law to establish a Labor Welfare Foundation to promote and ensure the welfare of labors of formal and informal sector under the Bangladesh Labor Welfare Foundation Act 2006(Act No. XXV of 2006). This is a groundbreaking step in the legal history of Bangladesh.

Laws relating to criminal matters:

There are a series of laws that affect or protect women in criminal matters. Dowry Prohibition Act of 1980, Women and Children Repression Prevention Act 2000 (amended 2003), Acid Violence Act, 2000 read with the Penal Code 1860, Metropolitan Ordinances of four Metropolitan areas, for example, Dhaka, Chittagong, Khulna and Rajshahi and the Speedy Tribunal may be mentioned. Any one familiar with litigation and cases under these tough laws will surely be aware of the fact that the vast majority of cases filed under these laws have been false or for unknown motives. But even then after introduction of these laws, significant numbers of cases laws were found in the reported case.

Laws relating to Emigration and Citizenship:

Bangladesh had Emigration Ordinance 1992 and the Extradition Act 1974. Both of the Acts needs further revision/amendments. BNWLA alone and in liaison with the network members have lobbied for amendment of the Bangladesh Citizenship Act 1951 in 2007. As a result of the lobbying the cabinet on 11th February 2009 approved the Citizenship (Amendment) Act 2009 with a provision to award citizenship to children of any Bangladeshi woman married to a foreigner. As per the clause 5 of the 1951 Citizenship Act, only children of a Bangladeshi man married to a foreign woman was eligible to get citizenship of Bangladesh. Under the amended law now, children of a Bangladeshi woman married to a foreigner will be entitled to obtain Bangladeshi citizenship.

An assessment of the effectiveness of particular legal framework/ provisions

Effectiveness of The Women and Children Repression Prevention Act 2000

The Women and Children Repression Prevention Act 2000 came into force on 14th February 2000. After nine years of its operation, now it is time to stock, take and analyse how far the laws have been effective for minimizing offences against women and children. Pertinent to

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mention here that in 2003 there was an amendment enacted to this law. Like many other laws, this law is not also beyond criticism. The limitations of the law are as follows:

1. Definition of Trafficking: Though sections 5 and 6 of the Act deal with trafficking in women and children, surprisingly the Act didn't contain any definition of the offense. As a result demarcation line between trafficking and illegal migration can not be drawn and there fore many perpetrators of trafficking remained out of punishment.

Case Study -1 :

Incident details: Rina (not her real name) was abducted from her relative's home by Selim and held captive in a house where she was repeatedly raped and abused by her abductor. When her father came to know about his daughter's kidnapping he rushed to Dhaka and with the support of the community members forced the perpetrator to set Rina free. When Rina told her father about her ordeal he filed a case against Selim under Section 7/9(1)/30 of Women and Children Repression Prevention Act 2000 (Amendment 2003). The trial was held in Women and Children Repression Prevention Tribunal 2 where Selim was sentenced to fourteen years of rigorous punishment by Judge Monjurul Basit.

Remark: A camera trial was held because the victim did not want to give her testimony in the court in front of everyone. During the camera trial only the lawyers, the accused and the Judge were present. The provision for camera trial is specified in Section 20(6) of Women and Child Repression Prevention Act 2000 (Amendment 2003).

Source: Legal Cell, BNWLA

2. Crime Committed with burning substances: The terms " burning, dangerous and poisonous substances" were used in sub sections (2), (3) and (4) of section 4 of the Act but these " burning, dangerous and poisonous substances" were neither defined nor classified which ultimately created problems. In many cases, it found that a woman or children frequently reported in case of domestic worker, is burnt by hot water or hot utensils and because of the obscurity in the provisions of these sub-sections the perpetrator can not be punished as a result many cases remain unreported. Therefore initiatives should be taken to define and classify the substances to be included within " burning, dangerous and poisonous substances".

3. Inclusion of other form of violence: Though the Act was enacted in 2000 and was subsequently amended in 2003, many offences were not included in the law. As has been stated earlier, the offences like (a) murder or attempt to murder or physical injury by using burning substances (section-4) (b) trafficking in women and children for prostitutions (section-5 & 6) etc. But there are some other offences like domestic violence, eve teasing, forced marriage, suicide, and forced abortion, work place violence that were not yet included in this Act. So these offences should be included with clear definitions to protect women from these types of violence.

4. Strict Implementation of the Law: Often the Judges of the Women and Children Repression Prevention Tribunal are prone to the literal meaning of the law, which ultimately hampers the purpose and objective of enactment of the law.

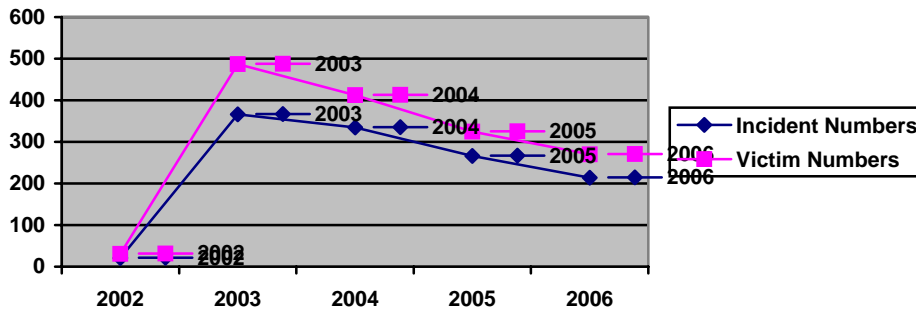
5. Inclusion of DNA in the Act test to prove the offence: In many cases the victims cannot prove the cases because of involvement of many factors. Hence, help of modern information technology and specific interventions can be taken to provide the victims better and effective relief. DNA can be incorporated to prove different offences under this Act.

Effectiveness of The Acid Crime Control 2002

Bangladesh has the highest worldwide incidence of acid violence. Acid burns constitute 9% of the total burn injuries in Bangladesh. According to Acid Survivor Foundation Bangladesh

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statistics 2006, 221 and 192 people were subjected to acid violence in 2006 and 2007 respectively.



It is evident from the above chart that in each year, the number of victims are higher than that of the number of incidents, which means that though the perpetrators targeted one but injured more people with acid. Though there are laws, but due to absence of proper enactment, this type of crime is increasing in Bangladesh day by day.

Case Study-2:

Incident details: Rina(not her real name) worked in a garments factory. Some miscreants from the area used to harass her with indecent proposals regularly on her way to work. As Rina showed no interest in any of their proposals the miscreants started harassing her even more. On the day of the incident Rina went to visit her former flat mate. The miscreants spotted her on the road; They again gave her some indecent proposals, which she refused to comply with, and threatened to commit suicide. The miscreants then grabbed her and threw acid on her face. The acid burnt her chin, lower part of her face, chest and elbows. The miscreants left her like this. Her previous flat mate took her to Dhaka Medical College (DMC) Hospital for treatment.

Remark: Rina filed a case against the perpetrators under Section 5 of the Acid Crime Control Act. The accused was sentenced to 14 years of rigorous imprisonment and was fined Taka 50,000 and another two years of rigorous imprisonment in case of default. And the victim was admitted to One- stop Crisis Centre (OCC) at DMC there she got comprehensive package through protection, psychological support and legal aid.

Source: Legal Cell, BNWLA.

Good Practices

Government approaches for women's protection and development

- The MOWCA has adopted the ' National Policy for Women's Advancement (NPWA) in 1997 (which was subsequently revised/changed) and in 2008 to promote the overall development activities for women according to the Beijing Platform for Action.
- PRSP-II sets out the goals to establish rights of women.
- Female quota in the public service (10% for gazette officers, 15% for other categories) has been introduced.
- The Government has increased the maternity leave to four months to assist the reproductive role of women.

One Stop Crisis Center (OCC)

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One Stop Crisis Center (OSCC) is an initiative of Bangladesh Government where a victim will receive multiple services (medical, legal, counseling and referral supports) at a time. In fact OSCC services helped victim to receive justice in time.

Monitoring cell in the Home Ministry:

A national coordination and monitoring committee has been formed & functioning under the Ministry of Home Affairs with the cooperation of GOs and NGOs. This committee exists at district level also.

Speedy Trial

Bangladesh government had set speedy trial for quick investigation and judgment of the cases.

National Task Force on Juvenile Delinquency

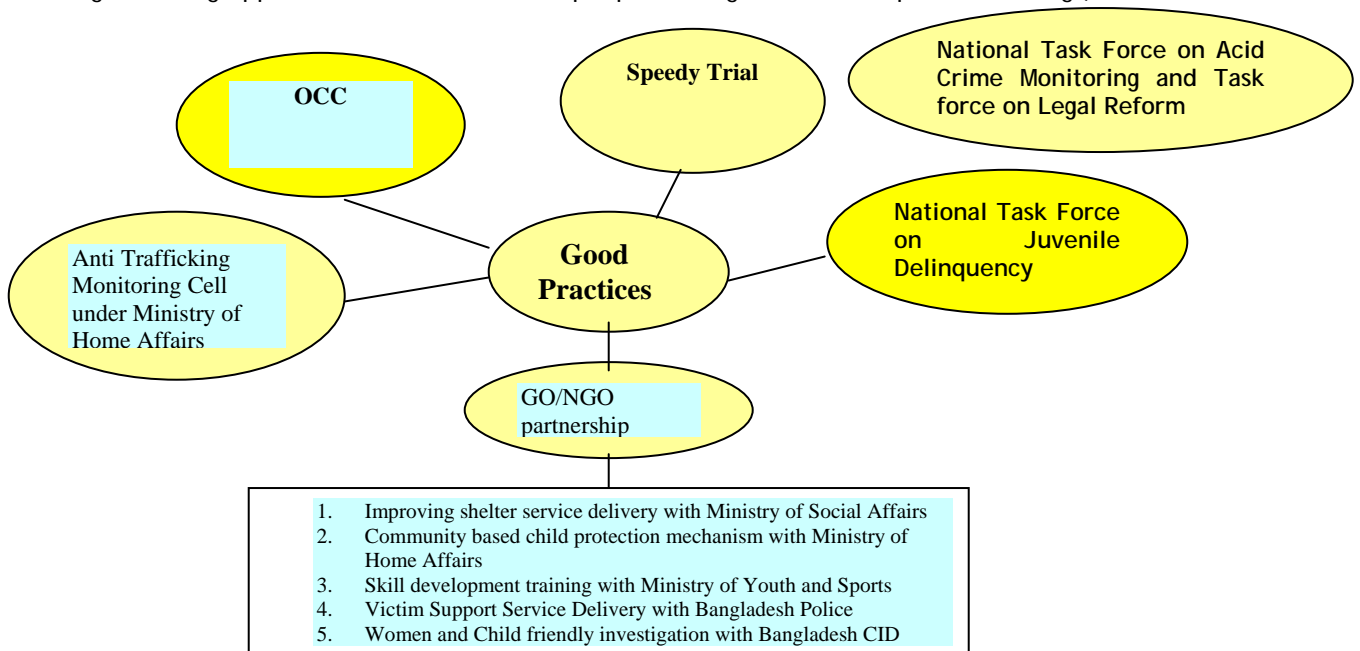
Under Prime Minister office, a task force on juvenile Delinquency formed to monitor the correction homes and to establish two Child Development Institute as model correction home for juvenile delinquency.

National Task Force on Acid Crime Monitoring and Task force on Legal Reform

Two individual Task force on Acid Crime Monitoring and on Legal Reform formed under the Ministry of Law, Justice and Parliamentary Affairs.

GO-NGO Partnership

Recently, different Ministries of Government of Bangladesh had formed partnership with different NGOs to improve their service delivery in different sectors (i.e. shelter home operation, victim support center operation, community based child protection mechanism building, creating opportunities for vulnerable people through skill development trainings).



Conclusion

The lack of state protection and absence of friendly justice delivery system have worsened the situation of people. The judicial administration does not have an effective system to ensure specially women's access to justice. The executive administration is infected with power politics. The procedure to get grant of legal aid is full of hurdles for a people. The society does not encourage poorer section of the society to institute a case. S/he must abide by the social norms and must agree to conditions imposed by mediation at local level. Social pressure and undue influence of local or political parties restrict access to justice.

Suggestions for future:

- 1. Need smooth implementation mechanism in expediting the initiative of government in relates to separation the Judiciary from the Executive*
- 2. Ensure strictest enforcement of laws*
- 3. Police attitude towards women need to be responsive and women friendly;*
- 4. Existing method of investigation of criminal cases need to be upgrade.*
- 5. Ensure proper and adequate medical facility*
- 6. Increase support services for women*
- 7. Intensify civil society activities*
- 8. Need to form an Independent Women Rights Commission.*

It can only be hoped that the legislature will take inspiration from this initial step of protecting people through law towards a long term objective of translating rhetoric into legislative and administrative reality through a combined process of legislative reform and organizational restructure aimed at ensuring that those who need to be protected from violence and abuse are provided such protection by law.