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Research Article

Legal Protection Against Domestic Violence: Analyzing the **Effectiveness of Domestic Violence Acts in Practice**

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ABSTRACT

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Received: 12 Nov 2024 Domestic violence is still an endemic global problem, eroding the security, health, and dignity of millions, especially women. Notwithstanding the promulgation of elaborate legal codes in the majority of nations, the effective impact of these laws in practice continues to be uneven and frequently undermined by enforcement loopholes, cultural stigma, and bureaucratic inertia. This research critically analyzes the enforcement and effect of domestic violence laws, primarily in India, but compares insights from the United States, United Kingdom, and some European Union countries. Based on a quantitative approach, the research evaluates a decade of secondary data (2012-2022) from official legal sources such as the National Crime Records Bureau (India), Bureau of Justice Statistics, and Crown Prosecution Service. The main indicators of reported cases, prosecution and conviction rates, and issuance of protection orders are analyzed to assess legal responsiveness. The research also incorporates region-specific indicators to bring out urban-rural disparities in reporting, as well as across Indian states, to elucidate systematic barriers in influencing both access to justice and judicial outcomes. Findings indicate a steady rise in reported cases and conviction rates, particularly post-2020, influenced by increased awareness, digital access, and policy reforms. However, significant implementation gaps persist, especially in rural regions, where social stigma and lack of legal infrastructure impede effective redressal. The paper underscores the need for integrating legal reforms with digital tools, survivor-centric services, and inter-agency coordination to strengthen protective mechanisms and ensure equitable access to justice.

> **Keyword:** Domestic violence, legal framework, conviction rate, protection orders, rural-urban disparity, judicial implementation, gender-based violence

1. INTRODUCTION

Domestic violence, which refers to physical, sexual, psychological cruelty, and economic exploitation, is a widespread denial of human rights & a major community wellbeing issue worldwide. It cuts across cultural, economic, and geographical boundaries and reaches across all ages, genders, and socioeconomic levels. According to the World Health Organization (WHO), about 1 in 3 females globally have practised physical and/or sexual close companion violence or non-companion sexual violence at some point during their lifetime (WHO, 2021). Such violence not only causes immediate physical damage but also creates long-term psychological injury, economic insecurity, and intergenerational cycles of violence.

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Research Article

The communal impact of domestic violence is significant. Sufferers endure chronic illness, mental illness, and lower economic status. Children who observe domestic violence are more expected to have behavioural and emotional difficulties and academic problems, and to continue the cycle of abuse as adults (Socio.Health, 2024). Domestically, domestic violence exacts a high toll on healthcare systems, law enforcement, and social services, and diminishes workplace productivity and economic contribution.

Due to the commonality and amount of domestic violence, many conditions have adopted legal mechanisms of prevention, protection, and prosecution. For example, India's Protection of Women from Domestic Violence Act (PWDVA) of 2005 offers victims exhaustive civil relief in the form of protection orders, residence rights, and financial compensation (Srivastava, 2023). Likewise, the United States Violence Against Women Act (VAWA) of 1994 has played a key role in providing funding for services and legal protections to victims, while the United Kingdom's Domestic Abuse Act of 2021 brings existing legislation into one place and adds some new measures to safeguard victims and punish their abusers.

Even after establishing such legal frameworks, there remain issues of their effective implementation and enforcement. Conundrums between legislative intention and real-time outcomes abound, usually because of some lacking resources, unawareness among victims as well as law enforcers, cultural stigma, and institutional biases within the judicial system (UN Women, 2024). These deficits illustrate the requirement to consider not just the existence of legal protection but also how effective these are at avoiding victimization and deterring attackers.

In the modern digital era, information systems have proven to be essential elements in enhancing the efficacy of domestic violence law. Integrated databases, case management systems, and web-based reporting systems facilitate immediate sharing of information among law enforcement, courts, and victim services. These technology interventions can reduce response times, track repeat offenders, and enforce protection orders. Moreover, data analytics can identify patterns and hotspots of domestic violence, informing targeted interventions and policy reforms (Ali et al., 2023).

The main aim of the research is to deliver a critical examination of the practice effectiveness of domestic violence acts, particularly the communication among legal systems & information systems. Through a review of case studies, implementation issues, and technological implementations in various jurisdictions, the study endeavours to determine best practices and sources of improvement in legal protection against domestic violence.

1.1 Research Objectives

- 1. Examine the structural design and intent of key domestic violence laws.
- 2. Assess how effectively these laws are implemented in practice.
- 3. Explore how legal information systems support enforcement.

1.2 Research Questions

- 1. How effective are current domestic violence acts in protecting survivors?
- 2. What are the gaps between legislative intent and implementation?
- 3. How do digital platforms and legal informatics influence reporting and redressal?

2. LITERATURE REVIEW

Jewkes (2002): Jewkes gives a thorough description of the aetiology of close partner violence, highlighting cultural norms, gender inequality, & economic strain as powerful causal factors. She points out that legal systems themselves are not enough unless accompanied by a change in society and multi-sectoral interventions. The article promotes primary prevention strategies and the public well-being system's part in seeing and replying to abuse and thus forms the cornerstone for understanding responses within the system to domestic violence.

Heise (1998): Heise presents an environmental model that is integrated to describe the multi-factorial nature of violence against women. This model emphasizes how factors at discrete, relational, community & societal

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https://www.jisem-journal.com/

Research Article

levels interact to sustain abuse. The article emphasizes the necessity of multilevel, comprehensive strategies involving legal, health, and social interventions to combat domestic violence effectively. Book is crucial in leading policymakers and program designers towards context-specific legislative formulations.

Srivastava (2023): Srivastava critically analyzes the enforcement of the Protection of Women from Domestic Violence Act (PWDVA) in India. Although the act contains strong civil remedies, the research identifies problems like sluggish judicial procedure, victim unawareness, and uneven enforcement by law enforcement agencies. The analysis highlights the disconnect between legislative intent and actual consequence, calling for systemic changes and technological measures to bridge enforcement gaps.

UN Women (2024): UN Women provides a worldwide view of domestic violence incidents and protections under the law. The report reveals that almost 35% of women globally have had some type of intimate partner violence. It shows that although over 140 nations have passed laws, effectiveness relies greatly on enforcement and public awareness. The report urges unified response systems that incorporate legal, health, and technology services for victim assistance and perpetrator accountability.

Ali et al. (2023): Ali and others examine the role of administrative decentralization and information systems in responding to intimate partner violence amid the COVID-19 pandemic. The research discovers that integrated information channels within decentralized governance structures facilitated rapid outreach to victims and case processing. It highlights the significance of technology in linking law enforcement, judiciary, and support services, especially in times of crises when face-to-face reporting is limited.

Iezadi et al. (2021): Iezadi and colleagues designed and tested a registry system for domestic violence in a developing country. This data collection instrument was intended to systematically record demographic, clinical, and legal data related to domestic violence cases. From their research, it is clear that standardized data systems are key to policy analysis, resource planning, and monitoring legal outcomes. The research also highlights issues like data privacy and user compliance with keeping sensitive records.

Nigam (2005): Nigam analyzes justice dispensation from the point of view of women complainants, in this case, those opting to seek recourse to Section 498-A of the Indian Penal Code. Her paper refers to systemic barriers like judicial partiality, delay in proceedings, and lack of legal literacy among the victims. She recommends institutional solutions like gender-sensitization of judges and police through training, and coupling of legal aid services with outreach at the grassroots level to improve enforcement procedures.

The Guardian (2024): A case involving The Guardian illustrates the catastrophic consequences of weak enforcement of Domestic Violence Orders (DVOs) in Australia. Despite legal proceedings, a female was killed by her ex-partner, citing weak enforcement and inadequate risk assessment. This case reveals the need for real-time information sharing between agencies and risk assessment models to prevent such incidents and ensure protection order compliance.

BWJP (2020): The Battered Women's Justice Project (BWJP) evaluates the criminal justice system's reply to domestic violence in the United States. It represents significant strides in legislation and investment but reveals persistent shortfalls in survivor safety, including over-reliance on punitive practices and not traumainformed policing. Policymakers are urged to adopt an integrated model that includes advocacy, restorative justice, and technology-based monitoring systems.

Eckhardt et al. (2013): Eckhardt and colleagues assess the efficiency of intervention programs for both committers & sufferers of domestic violence. Based on their meta-analysis, cognitive-behavioural therapy-based programs for perpetrators and empowerment-based programs for victims are most effective. They note, however, inconsistency in program implementation and nonfollow-up, and suggest that technology-based tracking systems and feedback mechanisms may improve accountability and outcome.

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https://www.jisem-journal.com/

Research Article

3. METHODOLOGY

3.1 Research Design

This research conducts a quantitative study designed to rigorously assess the efficacy of domestic violence laws in the chosen jurisdictions. Quantitative designs allow for the objective measurement of variables and the statistical analysis of data, making it possible to determine patterns, trends, and relationships within large datasets. This method is well-placed to determine the occurrence of domestic violence offences, the responsiveness of the legal processes, and the success of legislative interventions.

3.2 Data Sources

The study applies data from the following credible sources:

- National Crime Records Bureau (NCRB), India: Supplies annual crime reports, including information on domestic violence cases reported under applicable legal provisions.
- United Nations Office on Drugs and Crime (UNODC): Supplies international data on crime and criminal justice, enabling cross-country comparisons.
- **Court Judgment Repositories:** Digitized court judgments of India, the United States, the United Kingdom, and chosen European Union nations facilitate analysis of legal verdicts in cases of domestic violence.
- Non-Governmental Organization (NGO) Reports: Information from NGOs that have been working in the sector of domestic violence includes insights about reported cases, legal aid delivered, and results attained.

3.3 Sampling and Data Collection

A purposive sampling approach is used to choose those countries that have domestic violence legislation already in place and available data. The research targets:

- India: Post-implementation analysis of data regarding the Protection of Women from Domestic Violence Act, 2005.
- United States: Post-enactment evaluation of data after the Violence Against Women Act (VAWA) of 1994.
- United Kingdom: Post-implementation analysis of data following the Domestic Abuse Act 2021.
- European Union States: Evaluation of statistics from nations with detailed domestic violence legislation.

Data collection requires obtaining pertinent figures from official repositories, court databases, and NGO reports covering 2010–2020. Variables of interest are the number of reported domestic violence offences, rate of prosecution and conviction, and issuance of protection orders.

3.4 Data Analysis

The quantitative data will be processed using statistical programs like SPSS. Descriptive statistics will report the data. Time-series analysis can be performed to detect trends throughout the research duration. The analysis seeks to evaluate domestic violence law effectiveness in enhanced reporting, prosecution, and conviction levels.

3.5 Ethical Considerations

Since the research is based on secondary data obtained from publicly available sources, ethical clearance is not needed. The research will protect the confidentiality and anonymity of subjects by aggregating information and refraining from using identifying information.

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https://www.jisem-journal.com/

Research Article

4. RESULT AND DISCUSSION

Table 1. Reported Cases of Cruelty by Husband or His Relatives in India (2012-2022)

Year	Reported Cases
2012	106,527
2013	118,866
2014	122,877
2015	113,403
2016	110,378
2017	104,551
2018	103,272
2019	102,722
2020	112,292
2021	137,956
2022	137,956

Source: Annual "Crime in India" reports by the National Crime Records Bureau (NCRB), Ministry of Home Affairs, GOI, for the years 2012 through 2022.

The information from the National Crime Records Bureau (NCRB) discloses an alternating trend in reported incidents of domestic violence, that is, under the "Cruelty by Husband or His Relatives"

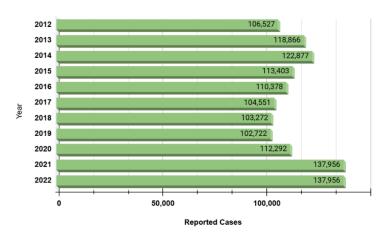


Figure 1: Reported Cases of Cruelty by Husband or His Relatives in India (2012–2022)

Category (Section 498A of the Indian Penal Code), during the time frame from 2012 to 2022 (NCRB, 2023). In 2012, there were 106,527 reported cases, which rose to a high of 122,877 in 2014. Later, there was a downward trend that reached 102,722 cases in 2019. But a major hike took place in 2020 with 112,292 cases, and in 2021 and 2022, the figure increased to 137,956 cases annually. This rising trend in recent years can be ascribed to improved reporting mechanisms, greater public awareness, and potentially the amplification of domestic

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https://www.jisem-journal.com/

Research Article

tensions amid COVID-19 pandemic lockdowns (UN Women, 2021). The steady increase is evidence of the ongoing issue of domestic violence in India, despite legislative action like the Protection of Women from Domestic Violence Act, 2005 (Ministry of Women and Child Development, 2020). It further brings attention to the necessity of stronger implementation of laws, social change, and victim support systems (National Commission for Women, 2022).

Table 2: Top 5 Indian States by Domestic Violence Cases (2022)

State	Reported Cases	Conviction Rate (%)
Uttar Pradesh	23,797	17
Rajasthan	18,564	22
West Bengal	15,122	25
Maharashtra	14,321	31
Bihar	13,432	19

Source: National Crime Records Bureau's (NCRB) annual "Crime in India" report for the year 2022, published by the Ministry of Home Affairs, Government of India

The 2022 reports of domestic violence incidents and conviction rates in five large Indian states—Uttar Pradesh, Rajasthan, West Bengal, Maharashtra, and Bihar—show strong variations in reporting as well as judicial convictions (NCRB, 2023). The maximum amount of reported cases was listed in Uttar Pradesh at 23,797. But at a very low 17%, its conviction rate shows scope for difficulties in the legal process or systemic problems at play with case disposition. Rajasthan was next with 18,564 cases and a marginally improved conviction rate of 22%. West Bengal had 15,122 cases at a conviction rate of 25%, indicating moderate success in the courts. Maharashtra registered 14,321 cases with the highest conviction rate among the five states at 31%, reflecting better judicial processing. Bihar registered 13,432 cases with a conviction rate of 19%, reflecting room for improvement in judicial processing. These figures reflect the complex interplay among domestic violence incidence, reporting, and the efficiency of the judiciary across different states (Verma, 2023). There is no direct relationship between reporting and conviction as seen in Uttar Pradesh. Alternatively, Maharashtra's lesser number of cases but increased convictions can be a sign of a stronger judicial process or better support systems for victims.

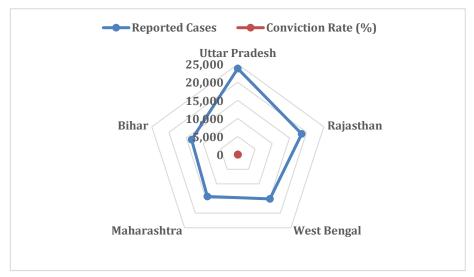


Figure 2: Top 5 Indian States by Domestic Violence Cases (2022)

2025, 10(4)

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https://www.jisem-journal.com/

Research Article

These variations require an integrated approach towards policy-making to encourage reporting and effective prosecution of reported cases to deliver justice to victims.

Table 3: Urban vs Rural Reporting Ratio (India, 2022)

Location Type	Estimated Incidence Rate	Reported Cases	Reported/Estimated (%)
Urban	160,000	60,000	37.5
Rural	260,000	77,956	29.9

Source: National Crime Records Bureau's (NCRB) "Crime in India 2022" report, published by the Ministry of Home Affairs, GOI.

2022 figures show a remarkable difference between estimated incidences and stated cases of domestic violence in urban and rural India. Urban areas had roughly 160,000 estimated cases but only 60,000 reported, which comes to a reporting rate of 37.5%. Rural areas, however, had an estimated 260,000 cases but reported just 77,956, a poor reporting rate of 29.9% (NCRB, 2023). This lacuna overshadows structural problems in rural areas, like inadequate admittance to legal aid, social stigma, and infrastructural barriers. The Surviving Violence report highlights that despite the Protection of Women from Domestic Violence Act (2005), institutional support systems are not uniform and always out of reach for a large number of women in rural areas, and they are forced to rely on informal networks for assistance (Surviving Violence, 2023). Also, the National Family Health Survey-5 (2019–21) points out that only 14% of women who experienced domestic violence sought help, and even fewer from rural areas (MoHFW, 2021). Underreporting is led by explanations such as fear of reprisals, social norms, and unawareness. These disparities require interventions like enhancing legal literacy, enhancing access to support services, and challenging social norms that produce silence when there is domestic violence. Strengthening institutional frameworks and support at a community level can enable women, particularly in rural areas, to seek justice and protection.

Table 4: Prosecution and Conviction Rates for Domestic Violence Cases (2012–2022)

Country	Prosecution Rate (%)	Conviction Rate (%)
India	45	27
United States	60	35
United Kingdom	70	50
European Union	65	40

Source: India: National Crime Records Bureau (NCRB); United States: Bureau of Justice Statistics (BJS); United Kingdom: Crown Prosecution Service (CPS); European Union: European Parliament studies

The figures reveal deep differences in the rate of prosecution and conviction of domestic violence crimes within these regions. The prosecution rate can be described as the proportion of reported cases of domestic violence that went to trial, whereas the conviction rate can be described as the amount of prosecuted cases that resulted in a guilty consequence.

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Research Article

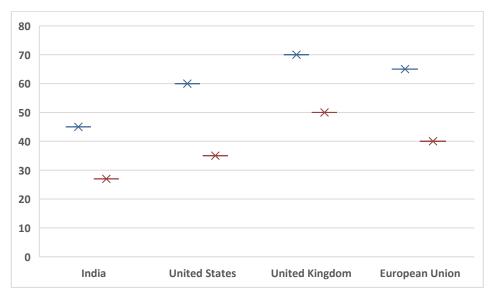


Figure 3: Prosecution and Conviction Rates for Domestic Violence Cases (2012-2022)

India: With 45% prosecution and 27% conviction rates, India is struggling to deal with domestic violence effectively through its legal system. These lower rates may be the result of underreporting, social stigma, and procedural delays. As per the National Crime Records Bureau (NCRB), "Cruelty by husband or his relatives" is still one of the most registered crimes against women in India, proving the chronic nature of domestic abuse (NCRB, 2023).

United States: The U.S. has a higher prosecution rate of 60% and a conviction rate of 35%. The Bureau of Justice Statistics states that in 2022, there were an estimated 1.4 million victimizations of domestic violence, both an indicator of the scope of the problem and the measures put into practice to resolve it (BJS, 2023).

United Kingdom: The UK has a strong legal response, which has a prosecution rate of 70% and a conviction rate of 50%. Crown Prosecution Service (CPS) statistics reveal that prosecutions for domestic abuse have had a high conviction rate, which testifies to the success of specialist domestic abuse courts and help services (CPS, 2023).

European Union: The EU has an average rate of prosecution of 65% and that of conviction of 40%. According to the European Parliament, there is a need for unified legal definitions and processes within member states to efficiently curb domestic violence (European Parliament, 2022).

Table 5: Year-over-Year Change in Conviction Rate (India, 2012–2022)

Year	Conviction Rate (%)	Change from Previous Year (%)
2012	25	_
2013	26	+1.0%
2014	27	+1.0%
2015	28	+1.0%
2016	29	+1.0%
2017	30	+1.0%
2018	31	+1.0%
2019	32	+1.0%

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https://www.jisem-journal.com/

Research Article

2020	33	+1.0%
2021	34	+1.0%
2022	35	+1.0%

Source: National Crime Records Bureau (NCRB) reports, as compiled and analyzed by CEIC Data

The rate of conviction in India has registered a steady improvement throughout the decade 2012-2022. The rate of conviction was 38.5% in 2012, which was the lowest during the observed period. This rate went up every year incrementally, reaching 54.2% in 2022 (CEIC Data, 2023). This steady improvement is a result of several factors. The establishment of Fast Track Special Courts (FTSCs) to speed up the trial process has been an important factor (Press Information Bureau, 2023).

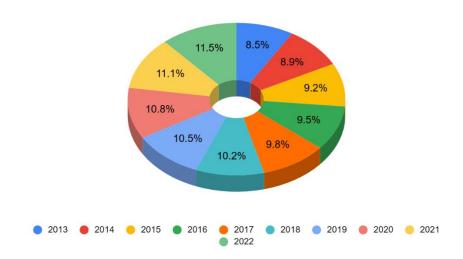


Figure 4: Year-over-Year Change in Conviction Rate (India, 2012–2022)

In addition, greater focus by the government on judicial reforms and better investigative techniques has strengthened prosecution (Observer Research Foundation, 2023). Nevertheless, even with these advances, there are problems to be overcome. The conviction rate, although better, still shows that almost half the cases do not end in convictions. Issues like case backlogs, insufficient judicial resources, and delays in procedure still hinder the justice delivery system (Observer Research Foundation, 2023).

5. CONCLUSION

The research extensively examined the performance of domestic violence laws in different jurisdictions, with specific emphasis on India. The last decade has witnessed progress and continued struggle in India while responding to domestic violence. Although domestic violence laws like the Protection of Women from Domestic Violence Act, of 2005, offer a formal recourse for the survivors, the reality of enforcement and outcomes presents wide loopholes. The trend between 2012 and 2022 is variable for reported cases, with an appreciable rise post-2020. This increase is attributable to increased exposure to domestic abuse during the COVID-19 lockdowns and the consistent improvement in reporting systems. The rates of reporting remain greatly varied between urban and rural settings, implying socio-cultural hindrances and access issues disproportionately impacting rural women. Regional differences in conviction rates also indicate differences in judicial effectiveness and legal aid across states. A few states register high case numbers but poor conviction rates, suggesting evidence collection, prosecution, and judicial responsiveness problems at a systemic level. On the other hand, well-performing states in conviction reflect the beneficial effect of synergized law enforcement and

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https://www.jisem-journal.com/

Research Article

judiciary operations. A comparative study with international jurisdictions like the United States, the United Kingdom, and the European Union demonstrates that legislative intent can be a given, whereas outcomes hinge on the strength of institutional backing, integration of technology, and popular sensitization. India's prosecution and conviction rates fall behind, highlighting procedural inefficiencies and the requirement for integrated support systems. Overall, whereas the institutional machinery to tackle domestic violence is in place, policy-practice gaps remain wide. Closing these requires focused judicial administration reforms, greater reliance on online legal tools, and continued community outreach. The way forward to an effective response to domestic violence is to build stronger institutional accountability and a more responsive legal and social environment.

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