

Legal Responses to Domestic Violence During COVID-19 Pandemic

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57. TEXTS
KF--COMMON LAW NATIONS
Civil procedure
Pleadings and motions

KF 8840 G
to
KF 8840 H

The Beginning

Legislation across the globe to contain the pandemic:
Emergency Orders, Emergency Acts, Disaster Management Acts

Restrictive measures introduced, designation of essential services

Lockdowns, Work from Home policies

UNITED
NATIONS

*“Member states urged to
combat surge in domestic
violence affecting women
and girls”.*
April 6, 2020

Jurisdictions Covered

Brazil

Canada

Jamaica

Kenya

South Africa

United Kingdom

United States

Brazil

Statistics

March – April 2020

- 22% increase in femicide

- 27% increase in calls to VAW helpline

Existing legislation

Federal Law 11.340/2006 (Lei Maria da Penha)

Feminicide Law 13.103/2015

Legal response during COVID-19

[LAW NO. 14,022, OF JULY 7, 2020](#)

Online reporting of domestic violence, remote court services

Canada

Statistics

Decrease in the number of homicides committed by spouses

March – June 2020

- Calls to police rose by 12%

April – September 2020

- Calls to Canada's Assaulted Women's Helpline rose by over 50%

Existing legislation

Criminal Code provisions

Various Family Law legislation in the provinces and territories

Legal response during COVID-19

Ongoing debates on amendments to the Criminal Code ([Bill S-205](#) & [Bill C-233](#))

No specific legislative action.

Funding was disbursed to charities, numbers were monitored.

Canada Revenue Agency introduced some waivers for those applying for CCB on its website

Jamaica

Statistics
Unavailable

Existing legislation
- [Domestic Violence Act](#)

Legal response during COVID-19
- Debate on expanding definition of domestic violence to include psychological, emotional and sexual

Kenya

Statistics

April 2020

Sexual offences (rape) increased by 35.8% of criminal matters

Existing legislation

Protection Against Domestic Violence Act, 2015

Legal response during COVID-19

Access to virtual hearings in courts

Law Society of Kenya v Hillary Mutyyambai [2020] eKLR

<http://kenyalaw.org/caselaw/cases/view/193192/#>

South Africa

Statistics

First week of Level 5 Lockdown

37% increase on weekly average of complaints to South African Police Services

Existing legislation: [Domestic Violence Act, 1998](#)

Legal response during COVID-19

[Disaster Management Act, 2002 Amendment of regulations issued in terms of Section 27\(2\)](#)

United Kingdom

Statistics

April – June 2020

65% increase in calls to National Domestic Abuse Helpline

April – June 2020

8.1% increase in abuse from current partners

Mid March - May 2020

12% increase in number of domestic abuse cases referred to victim support

Existing legislation

- Pieces of addressing domestic violence can be found in selected acts and regulations.

Legal response during COVID-19

[Domestic Abuse Act 2021](#) (Came into force on April 29, 2021)

United States

Statistics

1,330 domestic violence related cases call per day nationally

8.1% increase in domestic violence incidents

Existing legislation

Violence Against Women Act 1994 (Federal law)

38 states including the District of Columbia all have codes defining domestic violence

Legal response during COVID-19

No specific legal response



THANK YOU!

Further Reading

- Clarke, Bridget Gender based violence and COVID-19
https://www.lexisnexis.co.za/_data/assets/pdf_file/0005/820373/L_N_ROL_CAFE_White_Paper_20201202.pdf
- [Monitoring COVID-19 in Latin America and the Caribbean](#)
- [COVID-19 and Ending Violence Against Women and Girls](#)
- [Violence against women, its causes and consequences](#)