

INTERIM RELIEF FUND FOR CHILDREN AND WOMEN VICTIMS OF SEX CRIMES AND GENDER BASED VIOLENCE

The reported cases of crimes against women & children in the State as per records of Kerala Police are showing a steady and ever increasing trend. The total number of crimes against women has peaked during 2017 at 14254 cases as compared to 9381 in 2007. Among the different types of crimes, molestation (4029 cases in the year 2016 and 4498 cases in the year 2017) are reportedly higher than others. Similarly crimes against children have peaked in 2017 at 3478 cases compared to 549 in 2008. These involve highest number of rape cases (1101) followed by other crimes. During the month of June 2018 alone 589 Rape cases have been registered under POCSO Act in Kerala. In addition to the sex crimes, acid attacks & other gender based violence are also on the increase.

Many of these victims suffer from multiple injuries and require sustained medical care and along term corrective measures to overcome the mental & emotional trauma. Also some of these victims suffer from long-term irreversible damages such as AIDS/HIV etc. The acid attack victims especially have to go through a very long drawn and painful process of physical as well as psychological healing to come to terms with their life. The needs of each of these types of victims vary, but the psychological and emotional trauma they are all subjected to are of the highest order which needs gentle and long term care. As strenuous as it can be on the care giver, the financial strain on the family, is also something that has to be taken care off to ensure that the victim gets the best physical and emotional care and support.

It is observed that at present there is no mechanism to ensure any relief to each and every such victim of sex crime and gender based violence. Very often compensation is meted out by Government based on the publicity received in the case and on the basis of public outcry. Realizing the need to provide some sort of support of financial support to all victims of sex crimes and highly heinous gender based violence, the State Government have announced the setting up of a corpus fund of Rs. 300 Lakh for providing interim relief to such victims in the state budget of 2018-2019.

A corpus fund Rs.300 Lakh will be created by Government and maintained by the Department of Women & Child Development for release to victims of sex crimes, domestic violence, acid attacks & heinous gender based violence. This amount will be released

irrespective of the Victim Compensation Fund or any other compensation given under legal provisions.

Targeted Beneficiaries

1. **Victims of sex crimes**
2. **Acid attack victims**
 - Women & minor victims of acid attack – of any age group
3. **Victims of domestic violence**
4. **Victims of heinous gender based violence**

Procedure for assessment of violence and granting of relief

1. Whenever a grievous case of sex crime, acid attack, domestic violence, heinous gender based violence, is reported or brought to notice, either by individuals/organizations or reported through media, the District Child Protection Officer (in case of child)/Women Protection Officer (in case of women) will record the case in a register. This can be done suo moto by the officers concerned or on representation made by the victim/victim's family or relatives/social worker/local self government functionary or any ordinary citizen.
2. When the case is recorded suo moto, the DCPO/WPO will report the matter to the concerned police station & ensure that an FIR/DIR is registered.
3. When the matter is brought to notice of DCPO/WPO it is the responsibility of the officers to file a complaint in the concerned police station and obtain an FIR.
4. **The DCPO/WPO will along with lady counselors, women police officers/ Programme Officers of Nirbhaya cell shall visit the victim/family of victim within 24 hours of reporting of the crime On site assessment will include socio-economic assessment of the victim's family, extent of physical injuries sustained by victim, need for hospitalization, damage to life & livelihood of the person due to the crime, threat etc.**
5. In case the victim is a minor, the amount will be released to the parents/ guardians/**fit person decided by the CWC of the victim.**
6. Minor victim is an orphaned minor without any parent or legal guardian the interim relief shall be disbursed to Bank Account of the child, opened under the guardianship

of the Superintendent, Child Care Institutions where the child is lodged or in absence thereof DDO/SDM as the case may be.

7. The recommendation report of the victim should include the bank account details and IFSC Code of beneficiary.
8. The recommended quantum of interim relief shall be dispersed within 5 days of receipt directly to the beneficiary account in the case of adult victim and to the joint bank account of minor and guardian in the case of child survivors.
9. A detailed preliminary assessment report along with copy of FIR/DIR and the recommendation of the quantum of relief shall be submitted to DCPO/WPO within 48 hours of the crime to the Director of Women & Child and State co-ordinator, Nirbhaya Cell.
10. The fund can be released directly to the Hospital too, in case of acid attack victim or grievously injured victim where medical support is of utmost importance in saving the life of the victim. A decision regarding this will be taken based on a detailed report of the DCPO/WPO.
11. The matter will be informed by the concerned officers by e-mail or sms to the Director of Women & Child and State Co-ordinator, Nirbhaya Cell.
12. After reviewing the report shall be giving a recommendation to the State Co-ordinator in consultation to the Director of Women & Child Development for financial and non-financial relief.
13. The non-financial relief recommendations shall include any medical, legal help, police protection or support mechanism required for the victim/victim's family.
14. The Director of Women & Child Development will initiate action to release the required fund to the victim/victim's family/guardian. The fund will be released within a maximum of 120 hours/5 days of the receipt of the report.
15. In case of death of the victim, either by suicide or murder or unintentional death by any means, nearest kith and kin of the victim will be granted the interim relief amount for meeting medical expenses/hospital/funeral charges etc.
16. The atrocities against the victims such as rape/gang rape/molestation/sexual assault etc should be referred to the One Stop Centre.

Schedule applicable to children and women victims of violence

Sl. No	Particulars of loss or injury	Minimum Limit	Upper Limit
1	Sexual assault of minors registered under the pocso act <ul style="list-style-type: none">• Aggravated penetrative sexual assault• Penetrative sexual assault• Sexual assault• Aggravated sexual assault	Rs.50,000/-	Rs.1,00,000/-
2	Rape/Gang Rape/unnatural sexual offenses	Rs.50,000/-	Rs.1,00,000/-
3	Loss of life	Rs.50,000/-	Rs.1,00,000/-
4	Grievous physical injury or any mental injury due to domestic violence	Rs. 25,000/-	Rs.50,000/-
5	Women & Children rescued from trafficking	Rs.25,000/-	Rs.50,000/-
6	Victims of acid attack	Rs.1,00,000/-	Rs.2,00,000/-
7	In case of pregnancy on account of rape (in addition to 1&2 above)	Rs.50,000/-	Rs.1,00,000/-
8	Loss of any limb or part of body	Rs.50,000/-	Rs.1,00,000/-
9	Loss of Foetus ie, Miscarriage as a result of assault or loss of fertility	Rs.50,000/-	Rs.1,00,000/-
10	Victims of burning	Rs.50,000/-	Rs.1,00,000/-

This relief will be released irrespective of the Victim Compensation Fund or any other compensation given to Victims/family of victims under legal provisions.