

**Aastha Parivaar – Federation of sex workers in Maharashtra submission to  
Justice Verma Commission**

4 January 2013

We the members of Aastha Parivaar a federation of sex workers and as citizens of the country would like to suggest a few recommendations to improve criminal justice delivery system for women.

1. Make adequate laws and amend existing laws that recognize the inviolable right of all women including women in sex work, to say no to force and violence. This includes the law relating to marital rape.
2. Complaints of Sexual assault and violence faced by sex workers are not registered by the police under the pretext, that they ‘indulge in immoral activities and have little cause to object’. Guidelines should be issued to the law enforcement to treat all complaints of sexual assault with due seriousness and to take follow up action within a prescribed time period.
3. Guidelines should include directives to the police to immediately register cases of sexual assault and violence irrespective of occupation (Sex work) and Gender(male, female, transgender) of the complainant / victim. Complainants / victims should be treated sensitively while their statements are recorded.
4. Sexual assaults during police raids or forced sex by police during arrests and detention, should be considered as aggravated sexual assault and appropriate and timely action should be taken against police officers.
5. Ensure that cases of sexual assault and violence are investigated in a professional manner by trained police officials and wherever possible involve agencies such as the State and National Commission for Women.
6. Constitute a sexual assault State / District task force comprising of civil society representatives working on violence against women, police, state or district commission for women that monitors response to complaints, filing cases, filing charge sheets and its presentation in court in a timely manner.
7. Review existing Juvenile laws and develop guidelines to handle cases of juveniles accused of committing sexual assault. Reduce the age bar of 18 years for ‘juveniles’

accused of sexual assault and enable them to be tried under the existing criminal laws of the land.

8. All police personnel including officers and constabulary should undergo compulsory induction and in service training programs to handle cases, investigations related to sexual assault and violence against women. These programs should have the participation of organisations working on violence against women.