

The impact of COVID-19 pandemic on domestic violence victim's access to justice in Rio de Janeiro

O impacto da pandemia de Covid-19 no acesso à justiça de mulheres em situação de violência doméstica no Rio de Janeiro

Lívia de Meira Lima Paiva¹, Adriana Ramos de Mello^{2,3}

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ABSTRACT This article presents barriers faced by the victims of domestic violence on accessing justice during the COVID-19 Pandemic. Periodic meetings of representatives from the institutions that make up the justice system were coded by the grounded theory and the situational analysis methodology. Coding made possible mapping the barriers to access to justice that are not visible in quantitative research that uses the databases of official bodies as a source, since the cases exposed in the meetings and systematized in the research refer to women who did not obtain access to justice for several reasons. As a result, it was observed that the articulation of two or more markers of gender, race, age, existence of physical disability or digital exclusion were crucial to mitigate access to justice in a period of health emergency, social isolation, food insecurity, unemployment and the resulting increase in tension in homes. There was a lack of a gender perspective in public policies during the health emergency. Institutional responses to obstacles proposed by them on the health emergency can be useful to expand access to justice in ordinary periods.

KEYWORDS Violence against women. Domestic violence. Access to justice. Pandemic. COVID-19.

RESUMO O presente artigo apresenta barreiras no acesso à justiça enfrentadas pelas mulheres em situação de violência doméstica e familiar durante a pandemia de Covid-19. A metodologia da Grounded Theory, associada à Análise Situacional, possibilitou o mapeamento dos entraves mediante revisão das atas dos encontros periódicos de representantes de instituições que compõem a Rede de Enfrentamento à Violência contra a Mulher do Estado do Rio de Janeiro. A codificação permitiu o mapeamento de entraves no acesso à justiça que não são visíveis nas pesquisas quantitativas que utilizam como fonte as bases de dados de órgãos oficiais, já que os casos expostos nas reuniões e sistematizados na pesquisa se referem a mulheres que não conseguiram acesso à justiça por diversos motivos. Como resultado, observou-se que a articulação de marcadores de gênero, raça, idade, existência de deficiência física ou exclusão digital foi determinante para mitigar o acesso à justiça em um período de emergência sanitária, isolamento social, insegurança alimentar, desemprego e consequente aumento da tensão nos lares. Verificou-se a ausência de perspectiva de gênero nas políticas públicas durante a emergência sanitária. Respostas institucionais aos obstáculos decorrentes da emergência sanitária podem ser úteis para ampliar o acesso à justiça em períodos ordinários.

PALAVRAS-CHAVE Violência contra a mulher. Violência doméstica. Acesso à justiça. Pandemia. Covid-19.

¹Instituto Federal do Rio de Janeiro (IFRJ) campus Belford Roxo, Escola da Magistratura do Estado do Rio de Janeiro (Emerj) - Rio de Janeiro (RJ), Brasil. liviapaixa0@gmail.com

²Escola da Magistratura do Estado do Rio de Janeiro (Emerj) - Rio de Janeiro (RJ), Brasil.

³Escola Nacional de Formação e Aperfeiçoamento de Magistrados (Enfam) - Brasília (DF), Brasil.



Introduction

The first death due to complications resulting from contamination by Sars-Cov-2 in Brazil was that of Rosana Urbano, a maid and resident of São Paulo, according to the epidemiological bulletin of June 2020 from the Influenza Epidemiological Surveillance System (Sivep-Gripe) of the Ministry of Health¹. In Rio de Janeiro, the first recorded death was that of Cleonice Gonçalves, 63 years old, another maid, infected by her employer, a resident of Leblon, who had just arrived from Europe². Miguel, 9 years old, died after falling from the ninth floor of an apartment in Recife while he was with his mother, Mirtes, who worked as a maid³. He, like thousands of children, had in-school classes suspended, and his mother, like thousands of Brazilian mothers, found it difficult to manage her son's school situation with her own work. The deaths of Rosana, Cleonice and the boy Miguel are symbolic of the different impacts of the COVID-19 pandemic in a country with so many class, gender and racial inequities.

The confinement caused by the pandemic and measures to combat the new coronavirus have exacerbated the situation of domestic and family violence in several countries. The global tension experienced during this period is reflected in homes⁴⁻⁷ and increases domestic work, historically carried out by women and without any remuneration. Caring for children (who had in-person classes suspended), elderly people (who require special attention), the usual home care tasks, added to job instability and uncertainty regarding the future of the pandemic, meant that cases of domestic violence increased in many countries⁸.

Socioeconomic stratum, gender, stage of the life cycle, ethnic-racial condition, territory, disability or migration status are structuring axes of societies marked by a matrix of social inequality that, when affected by COVID-19

generate scenarios of multiple and simultaneous exclusion and discrimination that result in greater vulnerability when facing the health, social and economic effects of this disease⁹⁽⁶¹⁾.

The 2021 Regional Human Development report from the United Nations Development Program (UNDP) points to the worsening of socioeconomic inequalities in Latin America during the period of the COVID-19 pandemic, notably with the closure of companies and digital exclusion, which prevented people from working and studying at home and greatly affected the most vulnerable population¹⁰.

The articulation between social markers – such as low education, income, race, greater number of children – and the use of legal or illicit drugs has statistical relevance to indicate greater vulnerability of women to suffer physical violence, and have been described as risk factors for increased violence against women during the COVID-19 pandemic in Brazil¹¹⁻¹³.

The impacts of the pandemic were also felt in access to women's services. Institutions that make up the Network to Combat Violence against Women began to operate almost exclusively virtually, and routines were changed. In this context, representatives of the institutions of the Network to Combat Violence against Women held periodic meetings with the purpose of strengthening communication, reporting the main difficulties encountered in care routines, proposing improvement actions to facilitate access to the justice system and reference centers, as well as ensuring quick and effective service throughout the network.

In Rio de Janeiro, due to the increase in cases of domestic violence and the difficulty in accessing justice during the pandemic, the coordination of judicial policies to assist victims of domestic violence became the responsibility of the State Coordination for Women in Situations of Domestic Violence and Familiar which, in Rio de Janeiro, received the acronym 'COEM'.

Since the beginning of the health emergency due to COVID-19, COEM has promoted constant external coordination with the Network to Combat Violence against Women, made up of the Public Prosecutor's Office, Judicial Police, Military Police, Public Defender's Office, Reference Centers for Assistance to Woman (CRAM) of the State and Municipality of Rio de Janeiro and, eventually, secretariats linked to the municipal and state Executive Branches.

Created in 2017 through Executive Act No. 182/2017, COEM makes up the structure of the Court of Justice of the State of Rio de Janeiro (TJRJ) with competence to promote internal and external articulation of the Judiciary with other governmental and non-governmental bodies, to implement programs to combat domestic violence.

The State Coordinations were consolidated the following year when, in 2018, the National Council of Justice (CNJ), through Resolution No. 254, established the National Judicial Policy for Combating Violence Against Women, which made its presence in the organizational structure of all Courts of Justice in the country mandatory. The resolution marked a new way of acting for the Judiciary, more active, responsible not only for applying the law and responding to cases of domestic violence, but also as a prevention agent. The CNJ's stance inaugurated the adoption of a gender perspective within the scope of

judicial administration and consolidated nationally a preventive judicial approach that was already observed occasionally in some state Courts of Justice¹⁴. The centrality of this new form of action by the Judiciary was characterized by the integration of institutional action and the proactive bias, responsible not only for the sanction, but also for the prevention of violence against women.

This article summarizes part of the results of research carried out in 2022 by the Research Center on Gender, Race and Ethnicity of the School of Judiciary of the State of Rio de Janeiro regarding the impacts of the COVID-19 pandemic on access to justice. We considered that mapping the barriers to access to justice – that worsened, during the COVID-19 pandemic, the under-reporting of these types of crimes^{15,16} – can contribute to improving judicial provision. The systematization of barriers aims to assist the actions of the institutions that make up the justice system in developing strategies to combat violence against women that mitigate the obstacles to full access to justice.

Material and methods

This is an exploratory qualitative research with an exclusively documentary source, consisting of 76 minutes of the TJRJ COEM meetings, with public access, held in 2020 (*table 1*).

Table 1. Date and subjects of meeting minutes

Minute	Date	Subject
1	apr. 4th	Pandemic – Network to Combat Domestic and Family Violence
2	apr. 8th	Pandemic – Network to Combat Domestic and Family Violence
3	apr. 15th	Pandemic – Network to Combat Domestic and Family Violence
4	apr. 16th	Urgent Measures in the Domestic Violence Area
5	apr. 20th	Judicial Police – Occurrence record
6	apr. 29th	Pandemic – Network to Combat Domestic and Family Violence
7	may 6th	Pandemic – Network to Combat Domestic and Family Violence
8	may 13th	State and Municipal Secretariats
9	may 13th	Pandemic – Network to Combat Domestic and Family Violence
10	may 15th	TI PCERJ and DGTEC
11	may 15th	Criteria/flow for holding a virtual hearing
12	may 20th	State and Municipal Subsecretariats
13	may 20th	Pandemic – Network to Combat Domestic and Family Violence
14	may 27th	State and Municipal Secretariats
15	may 27th	Pandemic – Network to Combat Domestic and Family Violence
16	jun. 1st	CNJ “Red Signal” Campaign
17	jun. 2nd	CNJ “Red Signal” Campaign
18	jun. 2nd	Service flow 197 – PCERJ
19	jun. 3rd	Pandemic – Network to Combat Domestic and Family Violence
20	jun. 8th	Training of Police Delegates and Inspectors for the new 197 routine and campaigns and projects to combat domestic violence
21	jun. 10th	CNJ “Red Signal” Campaign – PMERJ
22	jun. 10th	CNJ “Red Signal” Campaign – Planning CRF-RJ
23	jun. 10th.	Pandemic – Network to Combat Domestic and Family Violence
24	jun. 17th	CNJ “Red Signal” Campaign – PMERJ
25	jun. 17th	Pandemic – Network to Combat Domestic and Family Violence
26	jun. 23rd	CNJ “Red Signal” Campaign – PMERJ
27	jun. 23rd	Pandemic – Network to Combat Domestic and Family Violence
28	jun. 26th	Strategic Project/ Normative Consolidation and Cejuvida
29	jul. 1st	CNJ “Red Signal” Campaign – PMERJ
30	jul. 1st	Pandemic – Network to Combat Domestic and Family Violence
31	jul. 7th	Actions to Support Women Victims at PCERJ
32	jul. 8th	Pandemic – Network to Combat Domestic and Family Violence
33	jul. 14th	CNJ “Red Signal” Campaign – Capital
34	jul. 15th	Pandemic – Network to Combat Domestic and Family Violence
35	jul. 20th	Training of criminal experts
36	jul. 20th	Presentation of the 197 routine Service Flow to adapt to Law 14,022/2020)
37	jul. 22nd	Pandemic – Network to Combat Domestic and Family Violence
38	jul. 27th	Maria da Penha Patrol Agreement and State Violet Project
39	jul. 29th.	Pandemic – Network to Combat Domestic and Family Violence
40	jul. 31st	Regularization of the Electronic Forwarding of Protective Measures and Presentation of the 197 Service Flow to adapt to Law No. 14,022/2020

Table 1. Date and subjects of meeting minutes

Minute	Date	Subject
41	jul. 31st	Maria da Penha Virtual Project
42	aug. 4th	Maria da Penha Virtual Project
43	aug. 5th	Pandemic - Network to Combat Domestic and Family Violence
44	aug. 11th	Training of criminal experts
45	aug. 12th	Pandemic - Network to Combat Domestic and Family Violence
46	aug. 13th	Training of GM-RIO and Comlurb
47	aug. 17th	Lilac Room - IML Nova Iguaçu
48	aug. 19th	CNJ "Red Signal" Campaign - parceria com Ascoferj
49	aug. 19th	Pandemic - Network to Combat Domestic and Family Violence
50	aug. 21st	Monitoring - 197 Flow
51	aug. 24th	Maria da Penha Virtual application
52	aug. 28th	Maria da Penha Virtual application
53	aug. 31st	Sala Lilás - IML São Gonçalo
54	aug. 31st	Sala Lilás - IML Nova Iguaçu
55	sep. 2nd	Pandemic - Network to Combat Domestic and Family Violence
56	sep. 3rd	Negotiations to train the Municipal Guard in Maria da Penha Patrol
57	sep. 4th	Monitoring - 197 Flow
58	sep. 9th	Pandemic - Network to Combat Domestic and Family Violence
59	sep. 23rd	Pandemic - Network to Combat Domestic and Family Violence
60	oct. 7th	Pandemic - Network to Combat Domestic and Family Violence
61	oct. 9th	Monitoring - 197 Flow
62	oct. 14th	Monitoring - 197 Flow
63	oct. 14th	Analysis of Social Rental Requirements
64	oct. 16th	Maria da Penha Virtual application
65	oct. 21st	Pandemic - Network to Combat Domestic and Family Violence
66	oct. 29th	Maria da Penha Virtual application
67	nov. 4th	Pandemic - Network to Combat Domestic and Family Violence
68	nov. 10th	Guarda Maria da Penha GM/RJ - Training and Protocol of Intent
69	nov. 11th	Monitoring - 197 Flow and Violeta Orange Project Agreement
70	nov. 17th	Ciam Baixada
71	nov. 18th	Pandemic - Network to Combat Domestic and Family Violence
72	nov. 23rd	Divulgação do Maria da Penha Virtual application
73	nov. 24th	Apresentação Maria da Penha Virtual application para Servidores TJ - Equipes Técnicas e Cartorárias
74	nov. 24th	Casa Cedim-RJ
75	dec. 2nd	Pandemic - Network to Combat Domestic and Family Violence
76	dec. 4th	TI PCERJ e DGTEC

Source: Own preparation based on TJRJ minutes.

All documents were inserted into the atlas.ti software. The analysis was guided by the theory/methodology of Grounded Theory¹⁷, associated with Situational Analysis, developed by Adele Clarke¹⁸, which allowed the coding and interpretation of data collected in two main axes: 1) obstacles to access to justice and 2) public authorities' responses to obstacles.

Meetings with the institutions that make up the Network to Combat Domestic and Family Violence against Women have taken place weekly since the beginning of the pandemic, with the aim of bringing the institutions increasingly closer together in order to share their difficulties and good practices in search of improvements to provide quick and effective assistance to women victims of domestic and family violence.

The difficulty of mapping the obstacles to women's access to the justice system – especially with the significant amount of hidden figures – was partially overcome by a methodology of specific presentation of cases adopted by those involved in the meetings. Thus, when cases were reported of women who were unable to access some institution (the systems of justice, assistance or health), the solution to overcome the obstacle was thought of together. So, even outside of official statistics – since these women did not formally reach the desired service – the obstacles to the justice system could, in part, be mapped.

At the meetings, the participants exposed cases of women who did not have the financial resources to reach the police stations, difficulties in online registration, revictimization in medical-legal services during the forensic examination, difficulties in accessing channel 197, among many others. The institutions that most frequently attended COEM meetings were: Judiciary, Public Prosecutor's Office, Public Defender's Office, Judicial Police, Military Police and CRAM (especially the Specialized Women's Service Center – Ceam Chiquinha Gonzaga and the Integrated Women's Service Center – Ciam Marcia Lyra).

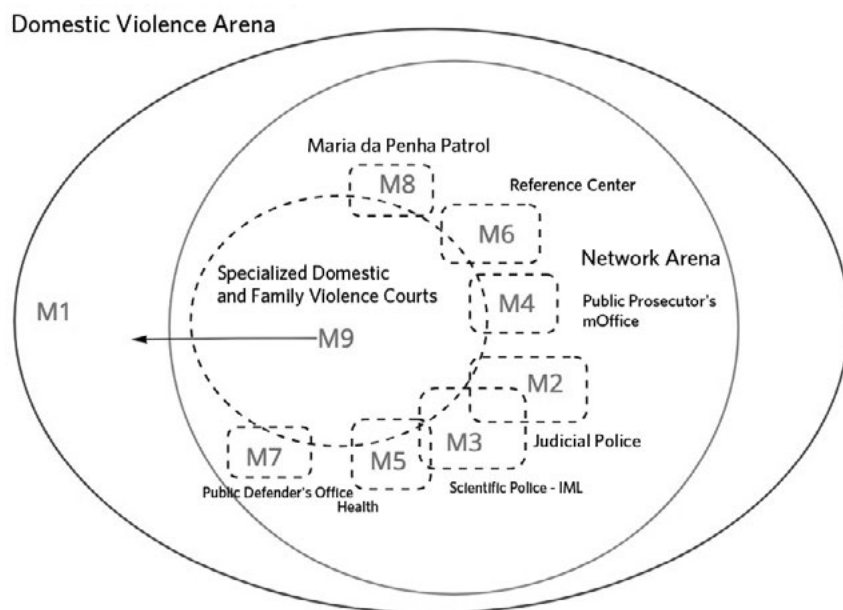
The meetings were also attended by representatives from other institutions on an occasional basis: Municipal Guard, Rio de Janeiro's Municipal Health Secretariat, State Center for Women's Rights (Cedim), Brazilian Bar Association (OAB Mulher), Shelter House Cora Coralina, Brazilian Urban Waste Company (Comlurb), State Coordination of Women's Health, Regional Pharmacy Council, Secretariats and Subsecretariats of policies for women of some municipalities (Rio de Janeiro, Queimados, Nova Iguaçu, Itaperuna, Cabo Frio) and Federal University of Rio de Janeiro (UFRJ).

Results

Barriers to access to justice

The coding of the cases narrated during the meetings made it possible to systematize some obstacles encountered by these women in different institutions of the Network. On the arena map (*figure 1*), the 'network arena' contains the institutions that make up the Network to Combat Violence against Women, which, in turn, is inserted in a larger arena, called 'Domestic Violence Arena'. The initial 'M' represents the word 'Woman' and the different numbers 'M1', 'M2', 'M3' etc. represent different cases in which obstacles to access to justice were identified. Thus, 'M1' does not just represent a woman, but different victims who did not reach any of the institutions that make up the confrontation network; 'M2' represents several cases of women who encountered obstacles in the Judicial Police; 'M3', at the Medical-Legal Institutes (IML); 'M4', at the Public Prosecutor's Office; 'M5', in health; 'M6', at CRAM; 'M7', at the Public Defender's Office; 'M8', in the Maria da Penha Patrol; and 'M9', in the Specialized Domestic and Family Violence Courts. None of these women completed the 'ideal path' that would end in the judgment of the legal demands.

Figure 1. Domestic violence and access to justice Arenas



Source: Own preparation based on TJRJ minutes.

As an example of routes taken by ‘M1’, we mention: immersion in the cycle of violence that prevents the communication of the crime to the judicial authorities; the fear of contagion in police stations, health units and care centers; the absence of emergency public policies to shelter these women safely or even the lack of infrastructure in municipal shelters.

The women who suffered from setbacks in the Judicial Police, represented by ‘M2’, found: closed police stations (since domestic violence was explicitly included in the list of violence that would require face-to-face assistance); difficulties in filling out the online Police Report; inoperability of channel 197; cancellation of pre-registration of report and misguidance, as in a case in which the woman was informed that Law No. 11,340/2006 (Maria da Penha Law)¹⁹ would only apply to intimate relationships of affection.

Also noteworthy is a serious case of rape of a vulnerable person narrated in one of the meetings in which a mother had to visit three police stations until she was able to formalize

the communication of the violence suffered by her daughter. Finally, women found it difficult to register incidents in person, when, after going to the police unit, they were informed that the appropriate channel was the Maria da Penha Virtual application. Designed to expand access to justice in a period of social isolation, when in-person access was hampered, the application is not a substitute for registering incidents.

Regarding care in IML, most of the obstacles imposed on victims (‘M3’) were related to staff reduction, lack of minimum conditions in treatment rooms (poorly ventilated in some locations) and reports of revictimization/retraumatization during the inspection. A case narrated during the meetings mentions abusive treatment with a victim who was being examined in a medical-legal service in a municipality in Baixada Fluminense and accompanied by the public manager, a woman who also suffered aggression from the expert.

The obstacles encountered in the Public Prosecutor’s Office, represented by ‘M4’,

relate to cases in which prosecutors refused to receive physical documents, demanding that they should be digitized, carrying out something similar to plea bargain (prohibited by law in cases involving domestic violence) and absence of a prosecutor to conduct domestic violence hearings in a given district.

Women who faced obstacles regarding the health system are represented by 'M5'. The obstacles mentioned concern the difficulties in carrying out a legal abortion, a situation made worse, according to the professionals themselves, due to the Ministry of Health's regulations implemented in 2020 and the fear of contagion in care services. Now revoked, Ordinance No. 2,282, of August 28, 2020, of the Ministry of Health²⁰ required health professionals to notify the police when attending legal abortions. This measure alone keeps many women away from this type of service. Furthermore, the ordinance established in its annexes a "term of approval for the procedure for terminating a pregnancy resulting from rape" that had to be signed by at least three members of the multidisciplinary health team attesting to the absence of defects in the patient's testimony and one "free and informed consent form" that should be signed by the patient herself, which states the "risks of carrying out an abortion intervention", serving as a disincentive to carrying out an abortion (especially for women who are extremely vulnerable due to sexual violence committed against them).

The women who, on the map, are located in CRAM ('M6') faced difficulties in receiving care due to the precariousness of this equipment, which has suffered from a lack of public investment for years. Simple problems to resolve, such as the lack of a cell phone to provide virtual assistance or a car to be used exclusively for taking victims to shelters, represent a major obstacle in accessing these services. In addition, the CRAM suffered from power cuts, theft, scrapping, and a lack of Personal Protective Equipment (PPE).

Regarding the Public Defender's Office, through reports and discussions at meetings, the main obstacles to full access to justice were identified: the reduction in the number of professionals during the pandemic period and the absence of victim defenders during the procedural acts, especially in the interior of the state with single courts. Women whose procedures are processed in inland districts have more difficulty accessing legal assistance. Free legal assistance and support in any procedural act are rights of any woman in a situation of domestic and family violence (arts. 27 and 28 of the Maria da Penha Law¹⁹), but, in practice, it was observed that the full benefit of the right to access justice is conditioned on the availability of defenders by the public authorities and the socioeconomic conditions of the woman to bear the costs of transportation if she does not live in a location close to the service centers.

The Maria da Penha Patrol plays an important role in monitoring urgent protective measures. Through reports brought by military police officers (on the map, 'M8'), we were able to identify obstacles such as: the delay in the process of renewing protective measures when there are no new facts; the difficulties faced by victims in reporting the incident in person in cases of bodily injury, threat or injury; the delay in notifying the perpetrator of the incident; the low volume of new protective measures received by the Patrol (reflecting the reduction in requests for urgent protective measures); the difficulty of calling victims due to incomplete data in the Patrol's records; the absence or delay in feedback from the Judiciary and the Public Prosecutor's Office regarding reports of serious cases flagged by the Patrol; the loss of documents from those assisted in cases where the Patrol sends to the judicial duty the perpetrator's address update or new evidences and systemic obstacles faced by the patrol officers themselves when carrying out the 'online incident registration'.

Finally, we highlight some cases that were correctly forwarded to the Judiciary and

charged. However, even with correct processing, the woman, represented on the map by 'M9', encountered socioeconomic obstacles, such as lack of money or internet access to attend hearings and denial of urgent protective measures. The black arrow represents the return of these women to the situation of exclusion from the network arena, to the extent that, in many cases, when contact with the victim is lost, the protective measure loses its purpose and is extinguished.

Public authorities' responses to obstacles

Coding using the Grounded Theory method carried out in the minutes of COEM meetings revealed some categories of analysis regarding the responses articulated by the institutions: 1) pressure for policies and actions with a gender perspective; 2) the pressure to improve the infrastructure of the institutions that make up the protection network for women in situations of violence; and 3) improvements to services and procedures that reflect in the duty of due diligence.

Dialogues with public authorities sought the inclusion of women in situations of violence in social actions and programs, such as the program launched by the city of Rio de Janeiro to shelter the elderly in hotels, social rent (aimed at victims of public calamities) and the distribution of basic food baskets as an emergency measure for women experiencing food insecurity. This happened because, despite the increase in tensions in the domestic environment and the impacts of the pandemic on socioeconomic conditions²¹, no public policy was aimed at women in situations of domestic violence.

In recent years, public equipment and women's services, such as Police Stations, shelters and CRAM, have suffered from damage due to the crisis in the state of Rio de Janeiro. During the meetings, given the lack of equipment, personnel and investment in innovation, we observed that COEM served

as an instrument for mediation and pressure for improvements. The CRAM and forensic examination rooms at IML suffered from the delay in the delivery of PPE, essential for protection and prevention of contagion by the Sars-CoV-2 virus. We found that, also in these cases, after identifying the demands, COEM and the Public Defender's Office pressured the competent bodies to acquire the equipment.

Finally, we highlight, in a third category of analysis, the actions that aimed to improve services and procedures that reflect in the duty of due diligence. Although they were designed during a period of health emergency, the solutions found can serve to mitigate obstacles to access to justice even after the most severe period of the COVID-19 pandemic has ended.

These actions, articulated in dialogue between different institutions, aimed both at preventing and at improving judicial procedures after violence has been committed. Thus, we observed two forms of action in prevention: the development of interinstitutional training courses and the structuring of awareness campaigns.

Throughout the period analyzed, we identified the organization of training courses aimed at: judicial police officers; military police officers (such as police officers from Patrulha Maria da Penha, 190 operators, vehicle dispatchers, those responsible for inland operations rooms and battalions deputy commanders); pharmacists (participants in the Sinal Vermelho Campaign) and TJRJ employees.

Two awareness campaigns were developed: 'Red Light against domestic violence' and 'Confinement without Violence'. The first, designed by the Association of Brazilian Magistrates (AMB) in partnership with the CNJ, aimed to create a silent channel for reporting domestic violence. Given the impossibility of asking 190 for help or going to the police station to report the violence suffered, women could go to a pharmacy and show a red 'X' on the palm of their hand to the pharmacist or other employees (as), who would contact

the military police, for acknowledgment and other pertinent measures. The national campaign 'Confinement without Violence' aimed to raise awareness about the different forms of domestic violence and publicize service numbers to seek help.

Among the actions promoted by COEM/TJRJ to improve the service provided by the police authority, we highlight the creation of the Judicial Police telephone channel 197 to report situations of violence against women. The effectiveness of this measure was diminished by the lack of police officers who could dedicate themselves exclusively to answering calls through this channel.

The Military Police, through the Maria da Penha Patrol, invested in monitoring women with urgent protective measures in place. Actions such as in-person visits and the possibility of contact via cell phone and WhatsApp expanded women's communication possibilities in the event of non-compliance with urgent protective measures.

As an example of the improvement of judicial procedures, we identified the creation of an extraordinary duty at the TJRJ exclusively for domestic and family violence against women and an application entitled Maria da Penha Virtual, a 'web app' (a virtual page that behaves like an application) that can be accessed from any electronic device through a link. When accessing the application, the victim fills out a form with their personal data, the aggressor and the aggression suffered, in addition to being able to attach a photo and audio to prove the violence suffered. After entering the data, a protective measure request document is generated and forwarded to the Judiciary.

Discussion

The research results reveal that the drop in the number of formal records of cases of domestic and family violence against women did not represent a decrease in violence. As in

other studies^{6-8,17,18}, an increase in aggression in terms of quantity and severity during social isolation was observed.

The decrease in formal communications was caused by the fear of contamination and social isolation, imposed by the necessary health emergency measures. Furthermore, the exclusion of cases of domestic violence from the Judicial Police's in-person service list contributed to the significant reduction in women's access to police stations.

Resolution No. 152, of July 4, 2020²², established the operating routines of the bodies of the State Secretariat of Judicial Police to face the public health emergency resulting from the new coronavirus, however, it did not list domestic violence as one of the priorities of police service. It was considered relevant to include the following cases in the list of face-to-face services: a) vehicle theft; b) cases in which evidence may be lost; c) homicides and removal of bodies; d) acts of flagrant arrest; and e) other cases at the discretion of the police authority or director of the body, in which a police emergency is considered²². Until the return of in-person assistance in general, which occurred in 2023, cases involving domestic violence were not explicitly listed as urgent cases that required assistance for victims in police units. In practice, it was up to the police authority to determine what was a 'police emergency hypothesis'. In many cases, victims were not attended to on the grounds that the service was not among those provided for in-person assistance.

In this scenario, 'online incident registration' was an alternative solution to in-person assistance that made it possible to report crimes without the victim having to go to the police station in person. However, as it is a system in the process of being implemented – and given the suspension of in-person service at police stations – online registration, which should have been an alternative, became the only possibility for reporting crimes. Yet, victims who had access to the internet found it difficult to understand the legal language

when filling out the online incident report.

In Brazil, digital exclusion affects 33.9 million people who never access the internet (mostly from classes 'C', 'D' and 'E'), and almost 87 million Brazilians, mostly blacks, are unable to connect every day²³. In the current context, access to the internet needs to be seen as a fundamental right to be guaranteed universally, since the fulfillment of other human rights, such as access to justice, depends on it.

Furthermore, the analysis of the minutes with the narratives of the professionals who participated in the COEM meetings (magistrates, prosecutors, public defenders, social workers, military and judicial police, among others) reveals the increase in some vulnerabilities resulting from socioeconomic conditions, such as insecurity food and the lack of basic sanitation and drinking water.

Food insecurity was more pronounced in households headed by women of self-declared black or mixed race/color and with low education, who lost their jobs and were unable to support their children²⁴. As in other empirical research on violence against women and the COVID-19 pandemic, women's vulnerability was perceived in its intersectional nature^{8,9}. The data revealed that poor women, with little or no access to the internet, residents in locations with low coverage of the public authorities, mothers who had no one to leave their children with, elderly women who sought out CRAM in search of psychological/mental support because of confinement or even due to the difficulty of managing technology were those who suffered most intensely from the pandemic.

The emergency actions articulated by the Executive Powers of Municipalities, the State of Rio de Janeiro and the Union in response to the pandemic were not transversal from a gender perspective, that is, they did not include or attempt to mitigate the vulnerability of women in situations of domestic and familiar violence. At a national level, emergency aid did not cover these women; In the city of Rio de Janeiro, a strategy used by the city hall

was the temporary shelter of elderly people in hotels, and, similarly, it did not include women victims of domestic violence in its scope. At the meetings, it was observed that the dialogue between representatives of the institutions of the justice system (especially the Judiciary, Public Defender's Office and Public Prosecutor's Office) and representatives of the Municipal and State Executive Branches involved, in several situations and without success, the demand for the inclusion of these women as the scope of public policies such as social rent or shelter.

The effectiveness of women's right to access justice is fundamental to guaranteeing the realization of all rights protected and provided for in the Federal Constitution, in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and in the Convention of Belém do Pará. In this context, General Recommendations Nos. 33 and 35 establish that the right to access to justice is multidimensional, encompassing justiciability, availability, accessibility, good quality, provision of remedies for victims and accountability of the justice system. Prepared by experts (CEDAW Committee), the documents point out factors that impede women's access to justice: the concentration of courts and judicial bodies in the main cities and their non-availability in rural and remote regions; the time and money required to access them; the complexity of the procedures; physical barriers for women with disabilities; lack of access to high-quality, gender-competent legal guidance, as well as deficiencies in the quality of justice systems (e.g., gender-insensitive decisions or judgments due to lack of training, excessive delays and duration of procedures, corruption, etc.)^{25,26}.

Despite the numerous regulations that impose on the Brazilian State the duty to guarantee access to justice, what became evident from the analysis of the narratives was: 1) the double negative impact of the pandemic (on women's lives with the increase in violence in homes, decreased access to formalizing

complaints and greater socioeconomic vulnerability and in the institutions that make up the Network to Combat Domestic and Family Violence against Women); and 2) the ineffectiveness of the Executive Branches in articulating public policies and/or specific actions capable of mitigating violence in homes, which were more intense during the period of health emergency.

The main limitation of this research concerns the identification of cases of obstacles that were not even known to any professionals who participated in the meetings during the period analyzed. That is, women who suffered domestic violence and did not report it to any public service (whether in service centers, the Judicial or Military Police, the Public Defender's Office, the Public Prosecutor's Office, among others) could not be reached by the research due to the selected object. As explained, domestic violence is a form of violence with high levels of hidden figures, which continues to be a challenge for empirical research that aims to reflect on access to justice.

Conclusions

The COVID-19 pandemic has contributed to increased tension in homes. While official numbers relating to crimes committed in the context of domestic violence showed a decrease in the formalization of incident records, CRAM professionals reported a greater demand for women in situations of violence. Given the underreporting of cases, the analysis of COEM's minutes allowed the systematization of obstacles to access to justice that were difficult to detect. The analysis of the content of the minutes of the periodic meetings revealed obstacles to access to justice that are not visible in quantitative research, especially from official government bodies, which have as their data source the records formalized by the victims.

The narratives of the professionals revealed the impact of the pandemic on women's lives

and access to justice system institutions. In this way, the research was able to map obstacles that prevented women from registering incidents or formally entering care services.

The negative impact of the pandemic was observed both in the greater socioeconomic vulnerability with food insecurity, unemployment, the increase in domestic work of caring for children and the elderly and in the increase in tensions and violence in homes due to the confinement of women with their aggressors at home and the uncertainties faced by the health emergency.

Regarding the institutions that make up the Network to Combat Violence against Women, the pandemic aggravated some existing structural obstacles, such as the lack of investment in infrastructure and human resources. The absence of trained and gender-sensitive public servants, the lack of PPE, telephone numbers in the women's service centers, the distance from the forums and the fear of contamination by the COVID-19 virus were some of the obstacles identified. The closure of essential services, such as police stations, which did not expressly include in the list of crimes that would require mandatory in-person assistance those committed in the context of domestic and family violence, represented one of the biggest obstacles to access to justice during the period analyzed. Therefore, in Rio de Janeiro, the drop in the number of incident records has no correlation with the decrease in violence. Social isolation, fear of contagion and the difficulties encountered in accessing institutions that did not consider the service essential led to a decrease in the formalization of records.

Regarding the response from the Executive Branch of Municipalities, States and the Union, the lack of cross-cutting of the gender perspective was identified. The analysis of the dynamics of the meetings revealed the ineffectiveness in the articulation of public policies and/or specific actions capable of mitigating violence in the home, as women in situations of domestic violence were not included as a priority group in any social programs/actions.

Finally, we conclude that COEM has established itself as a strategic body to identify obstacles and articulate, in dialogue with the institutions that make up the network, strategies to combat domestic and family violence against women. The process of coding the minutes revealed some categories of analysis regarding the responses articulated by the institutions: 1) the pressure for policies and actions with a gender perspective; 2) the pressure to improve the infrastructure of the institutions that make up the protection network for women in situations of violence; and 3) improvements to services and procedures that reflect the duty of due diligence. We consider that some measures taken urgently as a response to the pandemic can be solutions for institutional action in ordinary periods. It is recommended to monitor and systematize the reports of the professionals who make up COEM on an ongoing basis to identify

obstacles to access to justice and articulate the search for solutions.

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Collaborators

Livia MLP (0000-0003-0923-0083)* contributed to the acquisition, analysis and interpretation of work data and preparation of versions of the manuscript. Mello AR (0000-0002-1756-6786)* contributed to the conception and design of the study, acquisition of work data and approval of the final version of the manuscript. ■

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*Orcid (Open Researcher and Contributor ID).

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