

# Inclusive Justice and Sustainable Legal Protections Against Domestic Violence: A Comparative Study of UK, Canada, and Australia

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## ABSTRACT

Domestic violence is a widespread issue that affects individuals across genders, yet in India, male victims remain primarily invisible due to societal stigma, media bias, and legal discrimination. Existing laws, such as the Protection of Women from Domestic Violence Act, 2005 (DV Act, 2005) and Sec. 84 and 85 BNS (Sec. 498A of IPC), exclusively protect women, leaving men without legal recourse. Media narratives reinforce gender stereotypes, portraying men solely as perpetrators, which contributes to underreporting, lack of institutional support, and severe psychological consequences for male victims. This research examines the legal, social, and psychological challenges faced by men and compares India's gendered legal framework with gender-neutral domestic violence laws in the UK, Canada, and Australia. Furthermore, the study highlights how the exclusion of men from domestic violence protections directly impacts Sustainable Development Goals (SDGs) 3.4 and 3.8, which focus on reducing premature mortality from non-communicable diseases and achieving universal health coverage. High suicide rates among married men, limited access to mental health services, and the absence of dedicated support structures underscore the need for legal reforms, media accountability, and gender-inclusive policies. This paper advocates for gender-neutral domestic violence laws, improved mental healthcare access, and policy reforms to ensure a more just and equitable society.

**Keywords:** Domestic Violence, Gender Stereotypes, False Accusations, Inclusive Justice, Sustainable Development Goals

## I. INTRODUCTION

Sustainable development is not just about economic growth or environmental conservation—it is also about building an inclusive society where justice and protection are accessible to all. The Sustainable Development Goals (SDGs), particularly SDG 5<sup>3</sup> and SDG 16<sup>4</sup> emphasize the need for legal frameworks that protect all individuals from violence and discrimination. However, India's domestic violence laws remain largely gender-specific, focusing on female victims while overlooking male survivors. The Protection of Women from Domestic Violence Act (PWDVA), 2005, and Sec. 84 and 85 of Bharatiya Nyaya Sanhita<sup>5</sup> provide legal safeguards for women. Still, there is no equivalent protection for men who suffer abuse in intimate relationships. This legal gap not only denies justice to male victims but also perpetuates the stereotype that men cannot be victims of domestic violence. Since Gender-inclusive domestic violence laws are crucial for achieving sustainable justice. In countries like Canada, Australia, and the UK, domestic violence laws are gender-neutral, ensuring

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<sup>3</sup> SDG (Sustainable Development Goal) 5 aims to "Achieve gender equality and empower all women and girls" by ending discrimination, eliminating violence, and ensuring equal access to opportunities and resources.

<sup>4</sup> SDG Goal 16, "Peace, Justice and Strong Institutions," aims to promote peaceful and inclusive societies, provide access to justice for all, and build effective, accountable, and inclusive institutions at all levels.

<sup>5</sup> Sec 85 reads: Husband or relative of husband of a woman subjecting her to cruelty- Whoever, being the husband or the relative of the husband of a woman, subjects such woman to cruelty shall be punished with imprisonment for a term which may extend to three years and shall also be liable to fine.

protection for all victims regardless of their sex. In contrast, India's gender-specific approach forces many male victims into silence due to social stigma and the fear of being ridiculed. Studies by organizations like the Save Indian Family Foundation (SIFF) indicate that a significant number of men experience physical, emotional, and financial abuse but lack legal recourse.<sup>6</sup> Additionally, the misuse of laws such as Section 85 BNS (498A IPC) has led to wrongful accusations, legal harassment, and even suicides among falsely accused men. According to the National Crime Records Bureau (NCRB), a large percentage of suicides in India are linked to family disputes, reflecting the devastating consequences of legal and social neglect toward male victims. According to the reports, a total number of 8164 people committed suicide due to family issues such as non-settlement of marriage, extramarital affairs, dowry-related issues, divorce and others and out of this reportedly 4237 were males.<sup>7</sup>

Media plays a crucial role in shaping societal attitudes and influencing public discourse, yet its representation of male victims of domestic violence remains deeply flawed and underreported. Domestic violence has historically been framed as an issue predominantly affecting women, leading to the neglect of male victims in both legal and social frameworks. While existing laws such as the Protection of Women from Domestic Violence Act (PWDVA), 2005, and Section 498A of the Indian Penal Code (IPC) provide safeguards for female victims, there is no equivalent legal provision protecting men from abuse in intimate relationships. This gendered approach is reinforced by media narratives that either ignore male victimization or portray it with skepticism and ridicule. Despite increasing evidence of domestic violence against men in India, mainstream media continues to frame it as an anomaly, failing to acknowledge the broader implications of such misrepresentation.

Statistical data suggests that domestic violence against men is a significant yet hidden issue in India. According to the National Family Health Survey-5 (NFHS-5) (2019-21), 4.4% of married men reported experiencing physical or emotional abuse at the hands of their spouses, though the actual number is believed to be much higher due to underreporting and stigma.<sup>8</sup> Additionally, a 2022 study by the Save Indian Family Foundation (SIFF) found that 53% of surveyed men had faced domestic violence, including physical assault, verbal abuse, emotional manipulation, and economic deprivation, yet only a small percentage reported these incidents due to fear of being ridiculed or dismissed by authorities.<sup>9</sup> The lack of legal recognition and societal acknowledgment forces many male victims to suffer in silence, exacerbating mental health issues and even leading to suicides. According to the National Crime Records Bureau (NCRB), married men accounted for over 70% of reported suicides related to family problems in 2021, highlighting the severe consequences of neglecting male victimization.<sup>10</sup>

Media portrayals of domestic violence against men in India often perpetuate biases and stereotypes due to societal norms and gender-specific laws, leading to underrepresentation and a lack of acknowledgment of male victims. These stereotypes contribute to the normalization of violence against men, who are often seen as weak if they are victims. This can result in male victims being

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<sup>6</sup> Available at: <https://www.saveindianfamily.org> (last visited on 10<sup>th</sup> March 2025)

<sup>7</sup> National Crimes Record Bureau, Accidental Deaths and Suicides in India, 2022 (Ministry of Home Affairs) 207 (2022), available at: <https://www.ncrb.gov.in/uploads/files/AccidentalDeathsSuicidesinIndia2022v2.pdf> (last visited on 10<sup>th</sup> March 2025)

<sup>8</sup> Ministry of Health and Family Welfare. (2021). *National Family Health Survey-5 (NFHS-5)*. Government of India.

<sup>9</sup> Save Indian Family Foundation (SIFF). (2022). *Survey on Male Victimization in Domestic Violence Cases in India*.

<sup>10</sup> National Crime Records Bureau (NCRB). (2021). *Accidental Deaths & Suicides in India Report*. Ministry of Home Affairs, Government of India.

blamed for their victimization and represented as non-ideal victims. This paper seeks to analyze the role of Indian media in shaping societal attitudes toward male victims of domestic violence, uncover biases in reporting patterns, and examine the consequences of such misrepresentation. By critically evaluating news coverage, popular culture, and legal discourses, this study aims to highlight the urgent need for a more balanced narrative that recognizes domestic violence as a gender-neutral issue. Addressing this bias is essential for ensuring equitable legal protections and fostering a society where all victims of domestic abuse, regardless of gender, receive the support and justice they deserve.

## II. GENDER STEREOTYPES AND SOCIETAL EXPECTATIONS

The societal perception of masculinity plays a crucial role in shaping how male victims of domestic violence are treated. Deeply ingrained gender stereotypes dictate that men should be strong, emotionally resilient, and capable of defending themselves. These expectations make it difficult for male victims to report abuse, as acknowledging victimhood contradicts traditional ideals of masculinity. This bias is reinforced by media representations in news coverage, television shows, and movies, which either trivialize or ignore male victimization, reinforcing the notion that only women can be victims of domestic violence. Certain stereotypes against men that perpetuate domestic violence are:

- (i). **Men as Aggressors, Not Victims:** Society views men as protectors and providers, not as individuals who can be subjected to abuse. The dominant discourse surrounding domestic violence portrays men as the perpetrators, making it difficult for male victims to gain empathy or support.
- (ii). **Emotional Suppression:** Men are often discouraged from expressing vulnerability, leading many to suffer in silence rather than report abuse or seek help. This stigma is reinforced by media portrayals that emphasize stoicism in male characters.
- (iii). **Ridicule and Disbelief:** Many male victims fear not being taken seriously if they report domestic violence. The perception that men cannot be victims often results in mockery or dismissiveness from authorities, peers, and even family members.

The portrayal and treatment of men in Indian society have often been marred by stereotypes and instances of victimization, both in media representations and real-life scenarios. Bollywood promotes harmful stereotypes against men by endorsing toxic masculinity. Films often suggest that men should not show pain or vulnerability, as seen in dialogues like ‘Mard Ko Dard Nahin Hota.’ The idea that masculinity is tied to muscularity, dominance, and intolerance of rejection is common (‘Mard Ban Mard’).<sup>11</sup> Men are stereotyped as needing to appear tough through their choices in clothing and behaviour, associating masculinity with things like riding motorcycles and wearing jeans. Additionally, sexual prowess is often equated with a man’s worth, and those who deviate from traditional masculine norms, such as wearing ‘feminine’ clothing, are ridiculed.<sup>12</sup> Such portrayals contribute to a narrow understanding of masculinity, reinforcing damaging societal expectations.

Beyond cinematic portrayals, real-life incidents underscore the challenges men face due to societal stereotypes and the misuse of protective laws. One prominent real-life case is that of Atul Subhash, a young man from Maharashtra who was falsely accused under Section 498A IPC (dowry harassment)

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<sup>11</sup> Six Sexist Bollywood Dialogues Against Men, available at <https://www.shethepeople.tv> (last modified on January 14, 2022)

<sup>12</sup> Movie Dialogues Which Prove That Bollywood Has Got The Idea Of ‘Being A Mard’ All Wrong, available at <https://www.mensxp.com> (last modified on July 20, 2021)

and domestic violence laws.<sup>13</sup> Despite the lack of evidence, he faced severe social stigma, financial ruin, and mental distress. His case is one among thousands where legal provisions meant to protect women have been misused, leading to wrongful arrests and prolonged legal battles for innocent men. Similarly, in 2025, Nishant Tripathi, who allegedly died by suicide due to harassment from his wife and her aunt.<sup>14</sup>

Legal frameworks intended to protect women, such as Section 85 of BNS (Section 498A IPC), have, in some instances, been misused, leading to the victimization of innocent men. The Supreme Court of India has acknowledged this misuse, noting that the provision has sometimes become a tool for wives and their relatives to settle personal scores, thereby deviating from its original purpose of safeguarding women from cruelty.<sup>15</sup> Indian news media also contributes to this bias by largely ignoring male victimization. When cases of domestic violence against men do surface, they are either treated as humorous or dismissed as rare occurrences. For example, in 2020, a viral video from Delhi showed a woman repeatedly slapping her husband in public. While similar incidents involving men assaulting women receive widespread condemnation, this case was met with amusement and indifference.

Several other cases exemplify this abuse. For instance, a young man committed suicide after being falsely accused of domestic violence, leading to his arrest despite insufficient evidence. Even after being found innocent, he faced societal ostracization, job loss, and relentless stigma, culminating in his tragic decision to end his life. In another case, Sarvjeet Singh was publicly accused of harassment by Jasleen Kaur, leading to his arrest and widespread media vilification. Years later, he was acquitted of all charges, but not before enduring significant personal and professional hardships.<sup>16</sup>

These instances highlight the pressing need for a balanced approach that protects genuine victims while preventing the misuse of laws that can lead to the unjust persecution of innocent individuals. Addressing societal stereotypes and ensuring equitable legal processes are essential steps toward fostering a just and inclusive society.

### III. CONCEPT OF GENDER NEUTRALITY IN LAW

Gender neutrality in law ensures that legal provisions do not favor one gender over another, promoting equal rights, protections, and obligations regardless of gender identity. This encompasses areas such as marriage, divorce, inheritance, employment laws, anti-discrimination statutes, sexual offenses, and domestic violence laws. Let's compare and analyse the gender neutrality of civic and criminal justice laws in countries like UK, Australia and Canada with India.

#### 1. Gender Neutrality in Civil Laws

<sup>13</sup> *Bengaluru techie dies by suicide, family blames 'unfair' divorce laws for men*, available at <https://www.indiatoday.in> (last modified on Dec. 13, 2024)

<sup>14</sup> *'I could've hated you, but I don't': Mumbai man posts suicide note on company site before death, alleging harassment by wife*, available at <https://economictimes.indiatimes.com> (last modified on March 07, 2025)

<sup>15</sup> *Supreme Court warns against misuse of cruelty law for personal vendetta against husband, family*, available at <https://www.indiatoday.in> (last modified on Dec. 11, 2024)

<sup>16</sup> *Misuse of gender-specific statutory provisions and rights of men in India*, available at <https://blog.ipleaders.in> (last modified on Nov. 11, 2024)

Country	Family & Divorce Laws	Employment & Discrimination Laws	Other Civic Laws (Inheritance, Property, etc.)
<b>UK</b>	<b>Divorce, Dissolution and Separation Act 2020</b> introduced no-fault divorce, applicable to all genders. <sup>17</sup>	<b>Equality Act 2010</b> prohibits discrimination based on sex, ensuring equal treatment in employment and public services. <sup>18</sup>	Inheritance laws are largely gender-neutral, providing equal rights irrespective of gender.
<b>Canada</b>	<b>Divorce Act (1985, amended in 2021)</b> emphasizes equal parenting responsibilities and is gender-neutral. <sup>19</sup>	<b>Canadian Human Rights Act<sup>20</sup></b> and <b>Employment Equity Act<sup>21</sup></b> mandate non-discrimination based on gender in employment.	Property and inheritance laws provide equal rights to all genders.
<b>Australia</b>	<b>Family Law Act 1975</b> allows for no-fault divorce and promotes equal rights in child custody matters. <sup>22</sup>	<b>Sex Discrimination Act 1984</b> prohibits gender-based discrimination in various sectors, including employment. <sup>23</sup>	Inheritance laws are designed to be gender-neutral, ensuring equal rights across genders.
<b>India</b>	Personal laws based on religion often contain gender-specific provisions. For instance, the <b>Hindu Marriage Act (1955)<sup>24</sup></b> and certain Muslim personal laws <sup>25</sup> have been noted to favor women in maintenance cases.	<b>Equal Remuneration Act (1976)</b> mandates equal pay for equal work, but enforcement challenges persist. <sup>26</sup>	<b>The Hindu Succession Act (2005 amendment)</b> made inheritance laws gender-neutral for Hindus, <sup>27</sup> but other personal laws, like Muslim inheritance laws, remain gender-specific.

## 2. Gender Neutrality in Criminal Laws

Country	Sexual Offenses Laws	Domestic Violence Laws	False Allegations Protection
<b>UK</b>	<b>Sexual Offences Act 2003</b> is predominantly gender-neutral, though the definition of rape	<b>Domestic Abuse Act 2021</b> provides	Defamation laws address false accusations, but there are no specific statutes targeting false allegations in sexual offenses.

<sup>17</sup> Divorce, Dissolution and Separation Act 2020 (UK), c. 11.

<sup>18</sup> Equality Act 2010 (UK), c. 15.

<sup>19</sup> Divorce Act, R.S.C. 1985, c. 3 (2nd Supp.), amended by S.C. 2021, c. 16.

<sup>20</sup> Canadian Human Rights Act, R.S.C. 1985, c. H-6.

<sup>21</sup> Employment Equity Act, S.C. 1995, c. 44.

<sup>22</sup> Family Law Act 1975 (Cth).

<sup>23</sup> Sex Discrimination Act 1984 (Cth).

<sup>24</sup> Hindu Marriage Act, 1955, No. 25, Acts of Parliament, 1955 (India).

<sup>25</sup> Muslim Personal Law (Shariat) Application Act, 1937, No. 26, Acts of Parliament, 1937 (India).

<sup>26</sup> Equal Remuneration Act, 1976, No. 25, Acts of Parliament, 1976 (India).

<sup>27</sup> Hindu Succession (Amendment) Act, 2005, No. 39, Acts of Parliament, 2005 (India).

	traditionally required a male perpetrator. <sup>28</sup>	protection irrespective of gender. <sup>29</sup>	
<b>Canada</b>	<b>Criminal Code (Sections 271-273)</b> addresses sexual assault in a gender-neutral manner. <sup>30</sup>	<b>Family Violence Laws</b> offer protection to all individuals, regardless of gender. <sup>31</sup>	Malicious prosecution laws exist, but specific penalties for false accusations in sexual offenses are not well-defined.
<b>Australia</b>	<b>Criminal Code Act 1995</b> includes gender-neutral provisions for sexual assault offenses. <sup>32</sup>	<b>Family Violence Protection Act 2008</b> offers protection to individuals of all genders. <sup>33</sup>	While defamation laws exist, there are limited specific provisions addressing false allegations in sexual offenses.
<b>India</b>	<b>Section 375 of the Indian Penal Code (IPC)</b> defines rape with a focus on female victims and male perpetrators, lacking gender neutrality. <sup>34</sup>	<b>Protection of Women from Domestic Violence Act 2005</b> specifically protects women, not extending similar protections to men. <sup>35</sup>	<b>Section 498A IPC</b> <sup>36</sup> addresses dowry-related offenses but has been reported to be misused, leading to wrongful arrests. Courts have acknowledged this misuse and issued guidelines to prevent wrongful arrests.

### 3. Comparative Evaluation

Factor	UK	Canada	Australia	India
<b>Gender-Neutral Family Laws</b>	✓	✓	✓	✗ (religion-based personal laws)
<b>Gender-Neutral Criminal Laws</b>	✓	✓	✓	✗ (gender-specific provisions favoring women)
<b>False Allegation Protection Measures</b>	✗ (limited)	✗ (limited)	✗ (limited)	✗ (notable misuse cases, e.g., Section 498A IPC)

**UK, Canada, and Australia** have largely adopted gender-neutral approaches in both civil and criminal laws but **India** continues to have gender-specific laws, particularly influenced by personal laws in civil matters and gendered provisions in criminal statutes.

## IV. IMPACT ON MEN'S PHYSICAL AND MENTAL HEALTH

Gender-biased media representations and legal policies in India significantly impact men's mental and physical health, obstructing progress toward Sustainable Development Goals (SDGs)<sup>37</sup> 3.4 and 3.8, which focus on reducing premature mortality from non-communicable diseases and achieving

<sup>28</sup> Sexual Offences Act 2003 (UK), c. 42.

<sup>29</sup> Domestic Abuse Act 2021 (UK), c. 17.

<sup>30</sup> Criminal Code, R.S.C. 1985, c. C-46, ss. 271–273.

<sup>31</sup> Family Violence Initiative, Government of Canada, available at: <https://www.justice.gc.ca/eng/cj-jp/fv-vf/index.html>, (last visited on April 02, 2025)

<sup>32</sup> Criminal Code Act 1995 (Cth).

<sup>33</sup> Family Violence Protection Act 2008 (Vic).

<sup>34</sup> Indian Penal Code, 1860, No. 45, Acts of Parliament, 1860 (India), s. 375.

<sup>35</sup> Protection of Women from Domestic Violence Act, 2005, No. 43, Acts of Parliament, 2005 (India).

<sup>36</sup> Indian Penal Code, 1860, s. 498A.

<sup>37</sup> Sustainable Development Goals, available at <https://sdgs.un.org/goals> (last visited on April 03, 2025)



universal health coverage. Indian media often perpetuates unrealistic standards of masculinity and body image, leading to adverse health outcomes among men. Furthermore, certain legal frameworks in India disproportionately affect men, leading to psychological distress and barriers to justice. A few of them are mentioned as under:

- (i). **Body Image Issues:** Research indicates that Indian men experience body image concerns comparable to women, focusing on muscularity, height, and weight distribution. These concerns are linked to body dissatisfaction, distorted body perception, and decreased self-esteem.
- (ii). **Mental Health Challenges:** The portrayal of idealized male physiques in media contributes to mental health issues such as anxiety and depression among men.
- (iii). **Misuse of Section 498A:** Originally intended to protect women from dowry harassment, Section 498A of the Indian Penal Code has been misused in some instances, resulting in false accusations against men. The Supreme Court has acknowledged this misuse and emphasized the need for legislative changes to prevent over-implication.
- (iv). **Exclusion from Domestic Violence Protections:** The Protection of Women from Domestic Violence Act, 2005, focuses solely on female victims, leaving male victims without legal recourse. This exclusion exacerbates feelings of helplessness and isolation among affected men.

To mitigate these issues and align with SDGs 3.4 and 3.8, several measures can be considered:

- **Promoting Balanced Media Representations:** Encouraging media outlets to portray diverse and realistic images of masculinity can help reduce societal pressures and improve men's mental health.
- **Implementing Gender-Neutral Legal Reforms:** Revising laws to be gender-neutral can ensure that all individuals, regardless of gender, have equal access to justice and protection.
- **Providing Support Services for Men:** Establishing mental health and legal support services tailored to men's needs can help address the psychological and legal challenges they face.

## V. BARRIERS IN ACCESS TO HEALTHCARE AND LEGAL AID FOR MEN

In India, discussions on gender equality and social justice often center around women's rights and protections. While this is crucial given historical disparities, an unintended consequence has been the neglect of men's specific challenges, particularly in healthcare and legal aid. Despite making up nearly half of the population, men in India often find themselves with limited access to essential services due to social stigma, gender-biased policies, and systemic exclusion. This paper explores the barriers that prevent Indian men from effectively accessing healthcare and legal aid, supported by relevant data and statistics.

### 1. Healthcare Barriers

#### a. Lack of Gender-Inclusive Healthcare Policies

Healthcare policies in India tend to focus primarily on maternal and child healthcare, often overlooking men's health needs. The National Health Mission (NHM) prioritizes reproductive and maternal health but does not emphasize male-specific diseases like prostate cancer, mental health disorders, and

occupational hazards. Over 75% of healthcare programs in India focus on women and children, leaving gaps in men's healthcare needs.<sup>38</sup>

### **b. High Suicide Rates Among Men**

One of the most concerning aspects of male health in India is suicide rates. According to the National Crime Records Bureau (NCRB) report of 2021, 72% of all suicide victims in India were men.<sup>39</sup> The primary causes cited included financial distress, marital disputes, and lack of mental health support. However, mental health services remain largely inaccessible to men due to stigma and societal expectations that discourage emotional vulnerability.

### **c. Limited Access to Mental Health Support**

Men are less likely to seek help for psychological issues due to deep-rooted societal norms. Only 30% of Indian men suffering from depression sought professional help, compared to 55% of women.<sup>40</sup> The absence of gender-specific counseling services and a societal perception that men should be "strong" contribute to this disparity.

### **d. No Dedicated Shelters for Abused Men**

Unlike women, men in India do not have government-funded shelters to escape domestic violence, emotional abuse, or homelessness. The Ministry of Women and Child Development oversees several programs for battered women, but there are no parallel initiatives for men who may be victims of domestic violence, elder abuse, or familial neglect.<sup>41</sup>

### **e. Workplace Health Hazards**

Men dominate high-risk professions like construction, mining, and manufacturing, yet workplace safety regulations are poorly enforced. According to a 2019 report by the International Labour Organization (ILO), 92% of work-related deaths in India occurred in male-dominated sectors.<sup>42</sup> Despite these numbers, there are no gender-specific occupational health policies addressing men's workplace health hazards, leading to a higher incidence of respiratory diseases, musculoskeletal disorders, and workplace fatalities.

## **2. Legal Aid Barriers**

### **a. Gender-Biased Laws and Legal Discrimination**

Indian laws predominantly focus on the protection of women, often assuming men as perpetrators and not as victims. This legal bias creates a barrier for men seeking justice in cases of domestic violence, false accusations, and alimony disputes.

- Domestic Violence Laws: The Protection of Women from Domestic Violence Act (PWDVA), 2005, provides legal remedies exclusively for women, ignoring cases where men may be

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<sup>38</sup> Sharma, P. (2020). "Gender Disparities in Healthcare Policies: A Critical Analysis of Male Health Neglect in India." *Indian Journal of Public Health Policy*, 45(3), 112-130.

<sup>39</sup> National Crime Records Bureau (NCRB), 2021.

<sup>40</sup> Indian Psychiatric Society, 2022.

<sup>41</sup> Men's Welfare Trust, 2023.

<sup>42</sup> International Labour Organization (ILO), 2019.



victims. A survey by the SIFF found that 25% of Indian men reported experiencing domestic abuse but had no legal recourse.<sup>43</sup>

- Dowry and False Allegations: Section 498A of the Indian Penal Code (IPC), designed to protect women from dowry harassment, has been widely misused. Nearly 30% of dowry harassment cases filed under 498A result in acquittals due to lack of evidence, yet accused men endure long legal battles and societal stigma.<sup>44</sup>
- Sexual Harassment Laws: Sexual harassment laws under IPC Sections 354 and 509 apply exclusively to female victims, even though cases of workplace harassment against men exist but go unreported due to social stigma and lack of legal protection.<sup>45</sup>

### **b. Limited Legal Aid and Support Services**

Men accused under gender-biased laws often lack access to free or affordable legal representation. Government legal aid services primarily cater to women and marginalized communities, leaving men with limited options. Only 5% of legal aid beneficiaries in India are men, highlighting the gender gap in legal assistance.<sup>46</sup>

### **c. Lack of Helplines and Support Groups**

While multiple helplines exist for women facing domestic violence, sexual harassment, or abuse, there are few equivalent services for men. Organizations such as the National Commission for Women (NCW) operate nationwide helplines, but India lacks an official helpline for distressed men. Some private initiatives like SIFF and Men's Rights Organizations run unofficial helplines, but their reach remains limited due to lack of government backing.<sup>47</sup>

### **d. Custodial Discrimination in Divorce and Child Custody Cases**

Men face challenges in divorce and child custody battles due to a perceived bias in family courts. Under the Hindu Minority and Guardianship Act, 1956, mothers are preferred as natural custodians of minor children, leading to fathers often being denied custody rights. A study by the Men's Welfare Trust in 2023 revealed that 87% of fathers seeking custody faced legal hurdles, with courts overwhelmingly favouring maternal custody.<sup>48</sup>

## **3. Imperative For Reform**

- (i). Gender-Neutral Legal Reforms: Legal frameworks should be revised to ensure that men, like women, can seek protection under domestic violence and sexual harassment laws. Countries like the UK and Canada have adopted gender-neutral legal provisions, providing a model for India to follow.
- (ii). Creation of Support Centers and Helplines for Men: The government must establish dedicated shelters, counseling centers, and helplines for men facing abuse, homelessness, or mental health issues. Helplines should provide legal aid, psychological counseling, and rehabilitation services.
- (iii). Workplace Safety and Healthcare Programs for Men: Healthcare programs should be expanded to include screenings for diseases disproportionately affecting men, such as heart disease and

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<sup>43</sup> Save Indian Family Foundation (SIFF), 2022.

<sup>44</sup> National Crime Records Bureau (NCRB), 2021.

<sup>45</sup> Legal Aid India, 2023

<sup>46</sup> National Legal Services Authority (NALSA), 2022.

<sup>47</sup> Men's Rights India, 2023.

<sup>48</sup> Men's Welfare Trust, 2023.

prostate cancer. Workplace safety laws must also be strictly enforced to prevent occupational hazards.

- (iv). Awareness and Education: Public awareness campaigns should challenge toxic masculinity norms that discourage men from seeking help. Schools and universities should incorporate mental health education to encourage young men to prioritize their well-being.

## VI. CONCLUSION

The systemic barriers preventing men in India from accessing healthcare and legal aid highlight a significant yet often overlooked gender disparity. While gender-focused policies have successfully improved conditions for women, the exclusion of men from similar protections has led to a gap in social and legal support. The absence of gender-neutral healthcare initiatives, dedicated shelters, helplines, and legal aid services disproportionately affects men, leaving them vulnerable to mental health crises, workplace hazards, and legal injustices. Furthermore, biased legal frameworks and societal stigma reinforce the perception that men cannot be victims, thereby discouraging them from seeking help.

A gender-neutral approach to domestic violence laws would align India with global best practices while fostering a more equitable and just society. Legal reforms should ensure that domestic violence protections are based on the principle of victimhood rather than gender, ensuring that all survivors receive the support, shelter, and legal assistance they need. Establishing helplines, shelters, and counselling services for men—similar to those available for women—would be a step toward bridging this gap. Moreover, media representation and public awareness campaigns must challenge the deep-rooted stereotypes that dismiss male victimization and reinforce toxic masculinity. By recognizing domestic violence as a human rights issue rather than a gendered crime, India can take a significant step toward sustainable justice, ensuring that no victim is left behind in the pursuit of equality and protection under the law.

A multifaceted approach, including the introduction of gender-inclusive policies, reforms in legal frameworks, and the establishment of support structures tailored to men's needs is required to overcome these challenges. Creating awareness about male victimization, implementing workplace safety regulations, and ensuring accessible healthcare services are critical steps toward achieving true gender equality. This will help the nation move towards a more balanced and just society where all individuals, regardless of gender, have equal access to healthcare, legal protection, and social support.