

Justice Delayed, Protection Denied: Statutory Gaps and Judicial Enforcement Under the Punjab Protection of Women Against Violence Act (2016)

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The Act is fighting itself: swift protection under Section 6 sits beside interim relief that Section 9 leaves stalled for months.

Executive Summary

The Punjab Protection of Women Against Violence Act (PPWVA) 2016 codified punishment for domestic violence survivors in legislation and this relief was intended to be civil, easily enforceable, and fast. However, after 10 years, there are clear gaps in what the Act promises and what it provides. Orders are rarely followed or implemented outside of courts. This brief focuses on why this is happening; why a law that is so liberating for women is causing even more regression for Domestic Violence (DV) survivors. By drawing on statutory text, legal commentary, published case law, reports from the international and local community, interviews with PPWVA lawyers, and most importantly: in depth interviews with survivors going through the PPWVA - including a first-hand family case.

The Act is fighting itself. Section 6 of the Act grants interim protection on affidavit, while section 9 requires financial audits of defendants before ordering interim monetary relief to the plaintiffs. These financial audits carry on for months¹, effectively delaying the financial security of women who have the courage to prosecute their abusers. Guardianship law compounds the damage by ordering kids to visit abusive fathers, completely disregarding the Protection Order. This is due to Section 26 of the Act, where orders can run 'parallel' to other courts (they are not binding).

The recommendation is for the Lahore High Court's Judicial Academy and the Punjab Assembly: amend section 9 so that it allows interim monetary relief on affidavit as well as amend Section 26 so that orders issued by this Act are binding and not ignored.

Introduction

When the Punjab Assembly passed the PPWVA in February 2016, commentators called it one of the most progressive pieces of gender-violence legislation². The Act created Women Protection Officers and violence-against-women (VAW) centres. These measures, for the first time in Punjab, gave survivors easily accessible civil remedies. The Act also offered protection orders, residence orders, and monetary orders to be accessible to survivors before filing a criminal complaint, thus improving access to justice³.

However, the implementation gap is the biggest obstacle for this Act as it determines whether the Act will make an active difference in survivors' lives.

Unfortunately, VAW in Punjab has risen in the past decade, since 2016. The Human Rights Commission of Pakistan recorded a 25 percent jump in reported gender-based violence (GBV)

¹Punjab Protection of Women Against Violence Act 2016 (Act XVI of 2016), s. 9.

²"The Punjab Protection of Women Against Violence Act 2016: Its Scope and Implementation," Journal of the Research Society of Pakistan 58, no. 1, https://pu.edu.pk/images/journal/history/PDF-FILES/31_58_1_21.pdf.

³Punjab Protection of Women Against Violence Act 2016, ss. 6, 8–9.

in 2025 alone, with Punjab having the highest GBV rates in the country⁴. This shows that existing GBV laws are not effective in deterring VAW. International monitors describe the enforcement of such existing protective laws as inconsistent⁵. Legal commentators cite vague definitions, poor coordination, and judges who were never systematically trained properly⁶. This brief takes those already-documented gaps and narrows the question down to something more usable: for a woman who has filed for protection under the PPWVA, how does the process break down between the law on paper and justice in practice? This isn't an abstract question for the author. A family member as well as a few other acquaintances went through this process. Those experiences, especially the ones involving close family, motivate and ground this brief.

Predictability, the same patterns show up across South Asia. India's Protection of Women from Domestic Violence Act (2005) explicitly recognises emotional and economic abuse, and yet, courts routinely view physical violence as the only form of GBV that is prosecutable. Bangladesh's law acknowledges psychological abuse too, but implementation is weak outside the major cities. Sri Lanka's framework also stays tied largely to bodily harm⁷. Punjab fits that regional pattern where the law recognises multiple kinds of abuse but does not consistently turn that recognition into enforced relief. There is a South Asian gap between progressive legislative text and the institutional muscle needed for enforcement.

Methodology

This brief leans on documentary, primary, and secondary research. The primary data was collected through interviews with 6 PPWVA lawyers and 5 female plaintiff accounts recorded through in-person interviews. However, the data collected from interviews may be limited.

In-person primary data collection needs long-term trust, referral networks, and trauma-informed protocols that organisations like Shirkat Gah, the Aurat Foundation, and HRCP have spent years building⁸.

In terms of literature, the brief draws upon a close reading of the PPWVA text alongside the Guardians and Wards Act, 1890, which governs custody and visitation and runs in parallel to it⁹; secondary literature; and one in-depth family case, followed first-hand by the author over roughly a year, involving a relative who faced immense difficulties in securing protection and monetary relief under the Act.

To expand this research, researchers must aim for a period longer than 4 weeks. This would allow for a stronger future study that would pair this case-tracing with an NGO-partnered interview sample of family lawyers and survivors across several Lahore District Courts.

Key Findings

A Law Contradicting Itself

Two sections of the Act are competing against each other; these are Sections 6 and 9. Section 6 aims to provide swift protection orders on the basis of an affidavit. This was constructed to get a woman out of danger fast¹⁰. Unlike Section 6, Section 9 relies on financial audits¹¹ that are

⁴Global Human Rights Defence, "Women's Rights Crisis in Pakistan," <https://www.ghrd.org/womens-rights-crisis-in-pakistan/>.

⁵Human Rights Watch, "World Report 2026: Pakistan," <https://www.hrw.org/world-report/2026/country-chapters/pakistan>.

⁶"The Punjab Protection of Women Against Violence Act 2016: A Critique"; SAHSOL, "The Punjab Protection of Women against Violence Act 2016: A Legislative Review," <https://sahsol.lums.edu.pk/node/12825>.

⁷OpenGlobalRights, "How Pakistan's Courts Are Redefining Domestic Violence," <https://www.openglobalrights.org/how-pakistans-courts-are-redefining-domestic-violence/>.

⁸Sarah Zaman and Maliha Zia, "Women's Access to Justice in Pakistan," working paper, cited in "Women's Access to Justice: Ending Violence against Women in Pakistan," <https://www.researchgate.net/publication/372896999>.

⁹Guardians and Wards Act, 1890, <https://pakistankanoon.com/statutes/guardians-and-wards-act-1890/>.

¹⁰Punjab Protection of Women Against Violence Act 2016, s. 6.

¹¹Punjab Protection of Women Against Violence Act 2016, s. 9.

very often delayed for months. These financial audits are to be conducted before an interim monetary order is passed, impacting the swiftness of justice. Since the interim monetary orders are so often delayed, this results in economic dependencies for women on their abusers. This economic dependency is leveraged by abusers to lure their victims back into cycles of abuse, keeping them dependent¹². In other words, if a woman is brave enough to seek justice from her abusers, she is often starved of financial resources - through the help of delayed financial audits - resulting in high withdrawal rates.

In the family case followed by this brief, the interim protection order came through within a few weeks, but the monetary order took over 6 months. Once the monetary interim order was passed, the defendant refused to pay. The court did not treat this non-payment as urgent and by accepting explanations, allowed the defendant to avoid paying legally mandated allowances to his victims. Through this example, it is evident that the Act fails to protect the financial security of abused women who seek justice through the Act because of legally acceptable delays codified into the law.

Leniency for Abusers, Despite Court Orders

When gathering primary research by interviewing 5 plaintiffs who filed cases under the PPWVA, a disturbing pattern emerged. Even when courts did rule in favor of a plaintiff, the defendant would often not obey the orders. Instead of taking action against non-compliance, the court would simply offer numerous chances to the defendant to comply with the orders.

For example, one case that was reviewed had an interim monetary order of Rs30,000 put in place after 7 months of filing under the Act, which is a long time for an interim monetary order, and perpetuates financial insecurity among survivors of GBV¹³. To add to the dire situation of the victim, the defendant did not pay this monthly interim monetary relief for 13 months. Instead of having repercussions, the court accepted his excuses for non-payment. As of August 2026, those 13 months have been unaccounted for. This serves as a signal to every future respondent that non-payment carries no real cost.

The gap between statute and enforcement does not solely entail drafting laws but instead encompasses how the people running the system treat the law in practice. The PPWVA has no built-in enforcement or contempt mechanism proportionate to non-compliance. This gives judges the discretion to do what they think is best in cases of non-compliance¹⁴. Moreover, with 81% of Punjab's judges being men, there is a lack of women's representation in the judicial system and legal mandates designed to protect them from violence, which results in what seems to be a leniency towards male defendants. In the third case, the family's lawyer was told by the judge that interim monetary relief under Section 9 essentially "doesn't really happen" the way the statute suggests. In this case, the plaintiff did not get any monetary interim relief order, instead the judge concluded that there would be no interim monetary order, instead, the plaintiff would have to wait until the final order. The findings of this brief point to a patriarchal judicial system which reflects the casual attitudes of Pakistani society on violence-against-women.

Section 26, PPWVA not in 'Derogation' of Other Laws

Section 26 of the Act states: 'the provisions of the Act are in addition to and not in derogation of any other law'. Because the PPWVA runs parallel to other courts, this makes the orders of the PPWVA courts highly likely to be ignored by other courts. All 5 plaintiffs interviewed for this brief had cases running simultaneously in Guardianship Courts. A protection order and a

¹²Sarah Zaman and Maliha Zia, "Women's Access to Justice in Pakistan," working paper, cited in "Women's Access to Justice: Ending Violence against Women in Pakistan," <https://www.researchgate.net/publication/372896999>.

¹³Punjab Protection of Women Against Violence Act 2016, s. 9.

¹⁴"A Critique."

visitation order can both be entirely valid in law and still directly contradict each other in a child's case.

Unfortunately, this situation is not hypothetical. One of the plaintiffs interviewed for this brief - the author's own family member - had a 'terrible' experience managing both the Guardianship and PPWVA court orders. The plaintiff was granted a Protection Order under and presented this to the Guardianship judge to get meetings suspended between the abusive father and minor female children. However, the judge said he will 'decide himself' - as is mandated by Section 26 of the PPWVA - and the judge decided to increase the frequency of the meetings in the meeting schedule. This was done after over 100 pages of proof was submitted, showcasing physical and psychological abuse inflicted by the father, this included detailed reports from child psychologists stating that the children were traumatized by their father and that it is not in their best interest to meet him. Despite this, the judge mandated increased visitations. This reflects societal attitudes towards GBV and the lack of training and empathy judged towards survivors of DV. It also shows the court's lack of evidence-based decision-making, when passing judgements that clearly refute the psychological assessments and evidence provided.

The issue with the Act here is clear: leaving the Act's validity on judges' discretion will lead to biased patriarchal perspectives favoring the defendant. Section 26 must be amended to run as final and not parallel to other courts.

The Guardian Court operates under the colonial-era Guardians and Wards Act, 1890. That Act gives a non-custodial parent the right to seek visitation; Pakistani courts have treated a father's access to his children as a default entitlement, subject only to a vague, inconsistently applied "welfare of the minor" test¹⁵. Even then, in the case reviewed where the judge refused to suspend visitation, the welfare of the minor was not considered, instead the only factor that was considered was the father's right to visitation.

In the family members case, after receiving the Protection Order and taking that to the guardianship court in a plea to get the judge to suspend the father's visitation, the judge refused to take the order into account, citing that visitation is the father's right 'no matter what.'

Contradictory Rulings Across Courts

Another substantial problem was discovered: the PPWVA created protective forums but did not coordinate them with older forums running alongside them. New offices and procedures are stacked upon each other. This results in a mix up and confusion without coordination. For example, there is no shared case registry between the PPWVA and Guardianship courts.

There is not any requirement that courts must be informed what is happening in parallel courts in shared cases¹⁶.

What Punjab Can Borrow from Other South Asian Courts

The fix that Punjab needs is not a new law, but instead it is a bridge between two courts that already exist. If the problem is regional, so are some of the partial fixes. India's domestic violence framework, routes interim maintenance applications through only one magistrate who keeps continuous jurisdiction over the case. This leads to the drastic reduction in which a second court quietly undoes what the first one ordered¹⁷.

Recommendations

¹⁵SAHSOL, "Law on the Custody of Children in Pakistan: Past, Present and Future,"

[https://sahsol.lums.edu.pk/sites/default/files/2024-](https://sahsol.lums.edu.pk/sites/default/files/2024-05/Law%20on%20the%20Custody%20of%20Children%20in%20Pakistan%20Past,%20Present%20and%20Future.pdf)

[05/Law%20on%20the%20Custody%20of%20Children%20in%20Pakistan%20Past,%20Present%20and%20Future.pdf](https://sahsol.lums.edu.pk/sites/default/files/2024-05/Law%20on%20the%20Custody%20of%20Children%20in%20Pakistan%20Past,%20Present%20and%20Future.pdf).

¹⁶"A Critique"; SAHSOL, "Legislative Review."

¹⁷OpenGlobalRights, "How Pakistan's Courts Are Redefining Domestic Violence."

The following five priorities have been listed to anchor reform of the PPWVA's enforcement gap. Each recommendation is addressed to the specific institution positioned to act on it:

Amend Section 9 to allow interim monetary relief on affidavit, as is already done in Section 6 of the Act. Punjab Assembly: close the affidavit–audit gap. Amend Section 9 so interim monetary relief can be granted on affidavit.

Mandate cross-training of judges and other court staff to ensure Guardian Courts weigh existing protection orders.

Lahore High Court and the Punjab Judicial Academy: mandatory cross-training. Issue a practice direction requiring every judge hearing a guardianship or visitation matter to check if a PPWVA protection order exists against the petitioning parent for the family. Additionally, judges must be trained to treat an existing order as a significant factor against unsupervised visitation.

Build a shared case-flagging registry between Family and Guardian Courts. Punjab Women Protection Authority: a shared case-flagging system. Build a simple, shared registry - this could be linked through existing Women Protection Officer records and NADRA family data - this way it flags to any court in Punjab handling a custody, guardianship, or maintenance matter that a live PPWVA protection order exists for that family.

Include a swift enforcement mechanism for unpaid monetary orders. Punjab Assembly: give monetary orders enforcement mechanisms. Introduce a defined enforcement pathway for unpaid monetary orders, such as linking outstanding court-ordered payments to routine government transactions like passport or vehicle registration renewal.

Expand the Act's existing annual reporting to track court-level compliance and not only service delivery. Punjab Judicial Academy: publish and compile an annual, court-level compliance report. The PPWVA already requires an annual government report on the "efficacy of the protection system"¹⁸. So far, that reporting has focused on service delivery, however, it has not focused on individual courts.

Conclusion

The PPWVA has been written to be one of Punjab's and even Pakistan's strongest legal protections for women facing domestic violence. On paper, it still is. The gap traced isn't one of intent. It's a gap in mechanisms: an interim relief clause that works, sitting right next to a monetary relief clause that doesn't; a protection order that means something in one courtroom and nothing at all in the next. For the families whose cases run through this brief, it meant over six months without maintenance, children sent back on schedule to the father that the court had already found dangerous enough to warrant protection from. Until the legislation and enforcement goes hand in hand and the gaps are addressed, a woman in Punjab can win her case in court and still walk out having lost the exact thing she went there for.

¹⁸Punjab Protection of Women Against Violence Act 2016, s. 28 (annual report).

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- Note: the family interview referenced throughout is cited only in footnotes (personal interviews aren't listed in a Chicago bibliography) and is not included here to protect the family's privacy.