

Chapter 15

Advancing Policy and Legislation to Combat Gender-Based Violence, Grenada

15.1 Context

Domestic violence, sexual abuse and sexual harassment are realities for about 55,000 women and girls living in Grenada. GBV is considered to be a serious social problem, given its persistence and prevalence against mainly women and girls, particularly as it relates to physical assaults and sexual offences. Despite evidence of under-reporting, there were 1,630 reported cases of sexual offence between 2000 and 2010 according to the Royal Grenada Police Force (Ministry of Social Development 2012). In 2011 alone, 388 females reported cases of domestic violence (Government of Grenada 2013a). Sylvester Quarless, former Minister of Social Development, acknowledged in 2009 that GBV was the foremost cause of female death in Grenada (Spice Grenada Newspaper 2009 cited in Kimalee 2011). Even this does not provide a complete picture since, as in other countries, under-reporting of GBV is a huge problem.

Grenada has ratified the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (the Convention of Belem do Para), and recognises the 2011 Declaration of San Salvador on Citizen Security in the Americas. Although it already had legislation and institutions to address GBV, the government realised that this legislative and policy framework was deficient: it was not aligned with the country's international commitments under various treaties, conventions and agreements, while the inadequate response to GBV in Grenada was mainly due to archaic laws, non-existent policies and institutional weakness in enforcement.

15.2 Key institutional actors

The Ministry of Social Development conducted several extensive research studies as precursors to the much anticipated law reforms in Grenada (2012). These included: a Mapping of Existing Social Service Delivery Systems and Identification of Gaps in Current Services (2010); a Review of Policing and Prosecution of Sexual Offences: Country Report for Grenada (2010); and, A Study of the Existing Domestic Violence Act (2001) (cited in Ministry of Social Development and Housing 2014).

The Domestic Violence Unit (DVU) was established in 2003 as a flagship programme of the Division of Gender and Family Affairs, Ministry of Social Development. DVU works in partnership with the Royal Grenada Police Force and other government ministries, as well as with the two main NGOs that address GBV, Grenada National Organisation of Women and the Legal Aid and Counselling Clinic.

Since 2009, the Government of Grenada has initiated four projects to facilitate research, law and policy reform, and implementation of initiatives to enhance

services and facilitate behaviour change (see section 15.5 Strategies). These projects are supported by the UN Children's Fund (UNICEF), UN Women and the UN Trust Fund to End Violence against Women.

15.3 Theory of change

Grenada recognises that GBV is a violation of human rights and complex in nature owing to its multiple forms, factors, causes and long lasting impacts on victims' lives and families. The government has multiple measures in place to address the issue of GBV, including revising related laws and policies to be more current and responsive to the needs of women victims of violence. This 'Advancing the Legislative and Policy Framework' project is focussed on improving legal frameworks and practices to counter GBV in society more effectively.

15.4 Social institutions and discriminatory norms

Formal laws, policies and accountability: Grenada has a clear focus on addressing the gaps in laws, policies and institutional mechanisms required for tackling the issue of GBV. Laws that have been put in place to address the issues of GBV include the Domestic Violence Act (DVA) 2010, Child Protection and Adoption Act 2010, Criminal Code 1990 and its Amendment 2012, Education (Amendment) Act 2012, and the National Domestic Violence and Sexual Abuse Protocol 2011.

Consciousness of women and men: The Government of Grenada has initiated focussed programmes and activities for sensitisation/conscientisation. These include: capacity building for medical personnel to prepare them to adequately respond to sexual offences; and educational programmes through community initiatives and the use of media programmes and mass public awareness raising, in order to bring about changes in the behaviour of service providers and responders for effective enforcement of law and policy.

Informal cultural norms and exclusionary practices: Bringing about sociocultural change to address GBV is a top priority of the Ministry of Social Development. Major activities undertaken jointly by the ministry and its partners aim to challenge myths, stereotypes, sociocultural beliefs and traditional practices that legitimise GBV.¹

Access to resources and opportunities: The Government of Grenada offers assistance to victims in finding safe shelter, counselling and participation in empowerment programmes. Temporary safe shelter for women in abusive situations is available at the Cedars Home, which is run by the Ministry of Social Development. The shelter is in northern Grenada, and accommodates approximately 12 abused women and their young children. Boys are accepted into the shelter only if they are very young.

15.5 Strategies

The key function and responsibility of the Ministry of Social Development's flagship DVU programme is to co-ordinate national responses for the prevention and punishment of domestic violence, including providing support for enforcement of policy and legislation, public/mass sensitisation, assistance to victims in finding safe shelter, counselling and participation in empowerment programmes, and educational programmes through community initiatives and the media. Current activities include (Ministry of Social Development 2013):

- **Public awareness:** These activities focus on increasing public awareness throughout the various communities using different strategies. Plans are being developed to produce a series on television and radio, as well as other forms of promotion that will serve to sensitise the public.
- **Education/training:** A number of educational programmes have been undertaken to share information about domestic violence. For example, a series of training workshops has been conducted to address the role of police officers as partners and first responders in the fight against domestic violence.
- **Community outreach:** Outreach efforts include the countrywide distribution of copies of the DVA 2010 booklets, which provide reader-friendly information on domestic violence, and other related pamphlets. These materials are distributed to homes, schools, agencies, social service district offices, community centres and local businesses.
- **Counselling:** Basic counselling assistance is provided to individuals and families impacted by domestic violence. This assistance is designed to help people cope with their trauma, provide strategies for protecting themselves and their families, and make the necessary plans to achieve safety and stability.
- **Relationship building/liaising:** Strategic relationships with individuals and organisations have been developed and maintained to broaden support for DVU's work and ensure that clients' needs are fully met. DVU works closely with a number of inter- and intra-governmental departments, NGOs and community agencies to secure the resources needed by victims of domestic violence.
- **Information/education materials:** DVU has produced printed materials on domestic violence to share with victims and stakeholders.

The research studies undertaken by the Ministry of Social Development identified shortcomings and gaps in law and practice in responding to domestic violence and sexual assault. The minister emphasised the need for collaboration and co-operation at the national, community and individual levels in order to reduce and abate GBV, calling for a holistic approach that went beyond the government to include churches, NGOs, trade unions, the healthcare sector and others. The National Five-Year Strategic Action Plan to Reduce Gender-based Violence in Grenada (2014–18) seeks to improve and develop the capacity, competence and preparedness of all actors in order to: facilitate effective service delivery; provide national sensitisation, awareness

and educational programmes; identify and work with persons at risk of becoming victims or offenders; and prevent offending and re-offending by persons disposed to GBV (Government of Grenada 2013c).

In addition to the specific legislative initiatives to address GBV, the government has also identified gaps in relation to the responses of the law enforcement, social and medical sectors in dealing with GBV. These include (but are not limited to): lack of special DVUs or mechanisms; inadequate psychological support services for abusers; lack of legal aid services and victim support programmes; insufficient shelter, psychological and legal counselling and education support services; lack of sufficient preparation by healthcare providers to collect and present medical/legal evidence; lack of sufficient co-ordination between the medical, law enforcement, social services and justice sectors; and prevalence of stigma, discrimination, victim blaming and gender inequality.

As mentioned earlier, since 2009 Grenada has also initiated projects to facilitate research, law and policy reform, and the implementation of initiatives aimed at institutional strengthening, public sensitisation and changes in the behaviour of service providers and responders for effective enforcement of GBV related law and policy. These have included: Organization of Eastern Caribbean States (OECS) Family Law and Domestic Violence Reform (OECS [no date]); Strengthening State Accountability and Community Action for Ending Gender-Based Violence in the Caribbean (UNIFEM 2011); and State Response to End Violence Against Women: Legislative and Policy Reform Implementation Programme (UN Women 2012).

15.6 Outcomes to date

Much has been done to address GBV in Grenada. As mentioned earlier, Grenada has adopted a multidisciplinary approach to bring about change at the individual, community and national levels by ensuring implementation of laws and policies, putting in place response mechanisms, training responders on GBV and sensitising the public on the issue (Government of Grenada 2013b). Although incidents of domestic violence still occur, staff members of response institutions are now better able to deal with victims and perpetrators because of new laws and policies, their participation in training and dialogue, and the range of services that are being further developed.

The main laws that have been enacted to address GBV include:

Domestic Violence Act (DVA) 2010: The act covers physical abuse, sexual abuse, economic abuse, emotional abuse, intimidation, stalking, harassment and damage to property between persons in domestic relationships (romantic, blood and by adoption). DVA 2010 details the duties of the police and magistrates, and the rights of victims. It also simplifies procedures for seeking protection against abusers.

Child Protection and Adoption Act 2010: This act includes all forms of physical, sexual and emotional abuse as well as exposure to domestic violence, neglect and abandonment. It imposes a mandatory duty on professionals responsible for their care.

Criminal Code (1990) and Amendments (2012): These define and punish GBV (sexual and other offences), such as rape, sexual intercourse with a minor, assault,

murder and trading in prostitution. They include intimate partner violence. The 2012 Criminal Code Amendments provide a wider definition of rape and increase the penalties for sexual offences² incorporating a focus on offences against minors, both girls and boys. They also address trafficking in persons and provisions against forced prostitution.

Education (Amendment) Act 2012: The act considers issues related to sexual abuse of students. It gives authority to the Ministry of Education to immediately suspend the service of any teacher who is reported to have committed any act of sexual abuse against a minor who attends the school where he/she is a teacher (OAS 2014).

There have been two key outcomes of the governments' efforts at developing new policies that address GBV.

The first was the development of a **National Strategic Action Plan to Reduce Gender-Based Violence (2014–18)**,³ which was presented to cabinet for approval. The cabinet approved key elements of the plan (OHCHR 2015).

The second was the development of the **National Domestic Violence and Sexual Abuse Protocol 2011**. The Grenada National Organisation of Women initiated the call for a national protocol, which the Ministry of Social Development supported. Their joint efforts culminated in the development and adoption of the protocol. In demonstrating the significance placed on this protocol, the ministers for each of the sectors, including the Prime Minister as Minister for National Security and Legal Affairs, publicly signed the protocol into force on 16 May 2011 (OAS 2014). The protocol provides a set of guidelines for responders (health, judiciary and police) to guide their interventions, especially for proper management of cases of domestic and sexual violence. The protocol has identified the role of the Ombudsman as key to ensuring accountability of duty bearers. Standard operating procedures, developed for the Ministry of Social Development to further strengthen implementation, detail the manner in which officers will interact with victims of GBV.

The government has also designed a number of **specific activities** with the intent of facilitating change at all levels (national, community and individual) in the area of GBV. These have included:

- Stakeholder consultations.
- Capacity building of the DVU, by adding two GBV officers.
- Enhancement of psychosocial services, by hiring one counsellor to deal specifically with cases of GBV.
- Identification of cultural beliefs, myths and practices that significantly support GBV, in order to inform campaigns on behaviour change.
- Training of 54 police officers, 26 social services providers, 33 service providers and advocates from the NGO community, 44 court clerks and legal secretaries, 95 nurses and 12 doctors on the laws and protocols that relate to GBV.
- The introduction of rape kits for systematic use by doctors.

- Public sensitisation and education through community outreach and use of the media.
- Training magistrates' clerks to use the forms designed for domestic violence cases and related statutory rules, to reduce costs and make access to services easier for vulnerable victims. (However, their working conditions lack client privacy, and instead victims need for legal support at minimal cost is fulfilled by NGOs such as Legal Aid and the Counselling Clinic) (Baksh 2014).

15.7 Lessons learned and the way forward

- Meetings, public forums and other activities in rural areas need to be planned and implemented along with the distribution of information, education and communication materials to ensure appropriate sensitisation of the public.
- Community meetings with women and girls concerning gender equality, its various components and their rights should be planned and carried out on a national basis.
- A number of men are quite willing and should be further engaged to help plan community activities that seek to address GBV.
- It is important to engage with civil society partners in the development and implementation of laws, protocols and awareness of the availability of psychosocial services offered by the Ministry of Social Development and its stakeholders. For example, the Grenada National Organisation of Women was instrumental in the development of the national protocol to address GBV.
- Continuous engagement with the media and composers of calypso, soca music and reggae lyrics is needed to encourage writing and playing of music that does not perpetuate GBV.
- Engagement by parliamentarians and the cabinet is needed on the importance of continuing an aggressive approach to create zero tolerance of GBV.

Grenada has taken steps to end impunity for intimate partner violence, marital rape and sexual violence through legislative and policy reform. Legislation against sexual harassment is not yet in place: a draft bill, developed in 2012 by the Grenada National Organisation of Women in collaboration with government ministries and civil society partners, has been submitted for further consideration by the Ministry of Legal Affairs.

A core indicator of the Commonwealth Plan of Action for Gender Equality 2005–15 is the creation of legislative and policy frameworks to address GBV. The outcome anticipated is that laws and customs protecting women's rights will be advanced. Changes in the various provisions of existing laws and formulation of advanced legislative frameworks and policies are important achievements. However, it is the implementation of these laws and policies that will create access to services such as legal aid, counselling services and mechanisms of justice. This in turn will lead to other changes in society with regard to awareness and attitudes of women and men regarding GBV.

Notes

- 1 There are two underlying beliefs to be addressed: GBV, especially intimate partner violence (IPV), is a private matter, so others should not get involved; and women are objects to be used for men's pleasure, owned by men, or treated as property or things. The main myths identified by the government to be addressed are: men should be strong, macho and in charge; perpetrators cannot control their actions; victims cause IPV or sexual assault by their action/conduct/behaviour; and women falsely accuse men of rape, sexual assault and sexual harassment all the time.
- 2 The maximum penalty for rape was increased from 15 to 30 years imprisonment. Other sexual offences that now have a maximum of 30 years imprisonment are: sexual intercourse with a person under 13; incest by a male (if the other person is under 13); and sexual intercourse with a stepchild, foster child, ward or dependent (if the other person is under 13). Marital rape carries a maximum sentence of 14 years imprisonment.
- 3 The ten strategies in the action plan are: 1) Social examination of GBV; 2) Enhancing the capacity of the lead agent – Ministry of Social Development; 3) Development of a multi-agency approach; 4) Sensitisation, training and support for responders in stakeholder entities; 5) Ensuring adequate legal responses, law enforcement and rehabilitation of perpetrators; 6) Improving and providing adequate medical responses; 7) Engaging the education sector for educational programming; 8) Communication for public education and sensitisation; 9) Community mobilisation and outreach; and 10) Providing immediate to long-term support to victims and witnesses, and their families.

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