



Guidelines for Police Training on Violence Against Women and Child Abuse



COMMONWEALTH SECRETARIAT

Commonwealth Secretariat Team

Dr Judith May-Parker
Ms Lucia Kiwala

Commonwealth Secretariat
Marlborough House
Pall Mall, London SW1Y 5HX

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Fax: +44 (0)20 7839 9081
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Contents

Acknowledgements	2
Foreword	5
Section 1 Introduction	7
Section 2 Overview of violence to women and sexual exploitation and abuse of children	12
Section 3 Gender, human rights and the law	16
Section 4 Police attitudes and sensitisation	22
Section 5 Crime prevention approaches to repeated victimisation	26
Section 6 Perspectives on offender profiling	32
Section 7 Evidence and investigation techniques	37
Section 8 Medical and forensic evidence procedures	42
Section 9 Liaison with non-police organisations and referral agencies	45
Section 10 Statistics, data collection and case management	48
Section 11 A representative sample of training modules focusing on rape, other sexual offences, domestic violence, child abuse and protection	
11.1 Britain: Training module on child protection (12-14 months service)	52
11.2 Britain: Training module on rape (12-14 months service)	58
11.3 Britain: Training module on sexual offences (12-14 months service)	64
11.4 Malta: Police training on violence against women and child sexual abuse (recruitment/refresher)	72
11.5 Canada (British Columbia): Violence against women in relationships	75
11.6 New Zealand: Family violence training pack (all levels)	81
11.7 South Africa: Training on human rights and policing, vulnerable persons (all levels)	85
11.8 India: Women and violence. Training module for police officers (5 years service)	86
Section 12 Country reports	
12.1 South Africa: National crime prevention strategy. Department of Justice activities on violence against women and child sexual abuse	110
12.2 New Zealand: Family violence policy	114
12.3 Singapore: The role of women police officers in dealing with victims of sexual offences	126
12.4 Canada: Learning together, working together – integrated justice system training to enhance the safety of women	141
12.5 Australia: Police training – a review of internal and external courses	149
Section 13 Documents	
13.1 CEDAW General Recommendation 19: Violence Against Women	164
13.2 48/104 Declaration on the Elimination of Violence Against Women	169
Section 14 Bibliography	176

Foreword

Many women and children in Commonwealth countries experience violence at the hands of a stranger, or someone dear and well known to them, or those with responsibility for protecting them in difficult situations. This may take place at home, at school, at work, on the streets, and in detention camps for refugees and displaced persons. The effects of violence on victims ranges from psychological abuse to actual physical harm. Some women and children sustain very serious injuries and/or grievous bodily harm, and in the worst and most tragic cases the abuse results in death. Unfortunately, the perpetrators are not always held accountable by the social system or the criminal justice system. It is commonly assumed that anything that happens at home or within a relationship is a private matter in which other people should not interfere. The forces of custom, culture, tradition and value systems can therefore operate at the expense of the needs and interests of the female victims of violence, aggravating the effect of the actual violence sustained. Where violence against women happens in public, the case for proving that a crime has been committed that justifies legal action does not always work in a woman's favour. As a result, the culprits often walk away without punishment because there is insufficient evidence to file a case against them.

Violence against women and children is one of the 15 priority areas for action identified by the Commonwealth Plan of Action on Gender and Development adopted by Commonwealth Heads of Government at their meeting in Auckland, New Zealand in 1995. The Plan of Action encourages the elimination of violence against women, the protection of the girl-child, and the outlawing of all forms of trafficking in girls and women. Violence against women has been the subject of critical concern for Commonwealth Ministers responsible for Women's Affairs since their first meeting in 1985 and at their successive triennial meetings held in Zimbabwe, Canada, Cyprus and Trinidad and Tobago. Violence against women was also discussed by Commonwealth Law Ministers when they met in Kuala Lumpur, Malaysia in 1996, where they supported the need for more work at national level to address the issue of violence against women.

The police have a fundamental role to play in protecting and promoting the human rights of women and children. Given gender-sensitive training and information, the police can be effective in supporting women and children who are the victims of violence, to ensure that perpetrators are dealt with appropriately and justly. The police can facilitate the effective implementation of General Recommendation 19 of the Convention on the Elimination of All Forms of Discrimination Against Women, and the UN Declaration on Elimination of Violence Against Women, both of which emphasise the need of state parties to prevent, prosecute and punish those guilty of violence against women.

Like others, the police have undergone a process of socialisation that ascribes different roles and responsibilities to women and men, and which breeds expectations that many issues of violence against women should be dealt with in the private domain. This manual is therefore intended as a tool to increase the knowledge and skills of police officers, so that they are more able to comprehensively and effectively address the issue of violence against women and children.

The first edition of the manual was prepared on the basis of deliberations and recommendations of a Pan-Commonwealth workshop for police commissioners and senior police officers held in 1987. This second edition is an extensive revision of the first and introduces two new chapters on gender, human rights and the law, and crime prevention approaches to repeat victimisation. I hope that the manual promotes the implementation of the key recommendations made by Ministers Responsible for Women's Affairs, Law Ministers, and the Beijing Platform for Action.

Sir Humphrey Maud, Deputy Secretary-General
Economic and Social Affairs

Introduction

Section 1 briefly reviews the issues facing police forces, the background and recommendations of the first edition and the contents of the second.

Violence against women and children is a common problem in all regions of the Commonwealth. This violence takes various forms – physical, sexual and psychological. The resulting crimes, such as assault, wounding, rape, incest, homicide, are more likely to be inflicted by men known to women and children than by strangers. The most frequent offenders are men with whom women and children should have their most trusting relationships – members of their family, husbands or cohabitants, fathers, brothers, uncles, grandfathers, cousins – and other known adults, such as family friends and professional contacts. Commonly described as domestic or family violence and child abuse or protection, these terms can obscure the gendered nature of these crimes, their repetition, frequency and the seriousness of the offences.

The police have a crucial role to play in curtailing violence against women and children and ensuring justice is done, thus protecting the human rights of women and children. This role is both a result of state mandated responsibilities and it is facilitated by the organisational base of the police. The police are often the only 24-hour, seven days a week emergency service available to battered or otherwise abused women and children, other than emergency medical care. Unlike other social services, the police may be the only service that offers comprehensive geographical cover through its stations and telephone access. As a frontline service in the criminal justice system, policing can combine the application of the coercive power of the state with crime prevention strategies. These can include inter-agency liaison and coordination in the delivery of social and welfare services to victims of violence and sexual abuse.

Issues for policing

Research into the causes and consequences of this violence began in the 1960s, particularly in Australia, Britain, Canada, New Zealand and later on in other Commonwealth countries. Women and children's experiences were recorded and studies were made of the prevalence and incidence of violence and the response to these crimes of various agencies, including the criminal justice system. Finally, records were kept of occurrences of repeat victimisation and the effectiveness of interventions with men. The research reveals that violence against women and children is a major problem, and addresses important questions such as who is most at risk, the allocation of resources, and the effectiveness of intervention.

Although the role of the police is critical, research suggests that police response to domestic and other forms of violence against women and child sexual assault is often inadequate. The reasons for this are varied. Firstly, the police often under-estimate the incidence of these abuses. Secondly, police are often reluctant to intervene in what they regard as 'domestic or family problems'. This can be for various reasons: out of respect of the privacy of the family; because of a mistaken vision of marital rights; because they believe the victim has 'provoked' the violence; because they do not foresee a successful prosecution; and because the police tend to treat domestic violence differently from other crimes. The preference is to respond by mediation rather than by law enforcement. These ways of thinking are based on stereotypes, beliefs about gender roles and relations between men and women and they act to obscure a recognition of criminal behaviour and crime.

The management of domestic violence and child sexual assault is a difficult task. Its occurrence primarily within the family, the traditional status of men as 'heads of households', the social and, in some countries the legal, inferior position of women, creates ambiguities for policing. Police officers

are members of their societies and, like others, they experience the difficulties that arise from conflicts between the application of the rule of law and cultural support for the informal power held by men within the family group. These conflicts combine to under-estimate and trivialise the abuses, to remove them from the preview of the criminal justice system, and to relegate them to a ragbag of 'social problems.'

Ultimately, these ambiguities and difficulties will be removed only when all societies totally condemn spouse abuse, particularly the more prevalent abuse of wives and children. While this may appear to be an unachievable goal, improved policing is an important element. The determination shown by police forces to impartially enforce the law has been and remains crucial to saving lives and improving the quality of life of women and children. While progress in policing violence against women and children is uneven within and between countries of the Commonwealth, this past decade has seen major improvements. Policing interpersonal violence requires well-defined policies and policing objectives, the support of senior officers, sound management and adequate legal powers to provide the individual operational officer with clear protocols to govern his or her response in individual situations requiring police attendance or response.

However, police response will not be adequate in the absence of proper training. Although domestic assault, sexual abuse and other forms of violence against women and children make up a large proportion of police work and, even though the work can be unpleasant, difficult, sometimes dangerous and always stressful for officers, very few Commonwealth jurisdictions provide the training necessary to equip them for this task. Every officer requires training in the law and its application, Force policy, protocol and its application, and knowledge of the work of other agencies offering support to the victims. However, training also needs to include general information on violence against women and children, and to provide an opportunity for officers to air and review their values and beliefs.

First edition

The first edition of the *Guidelines for Police Training* was published by the Gender Affairs Department, previously known as Women and Development Programme (WDP) of the Commonwealth Secretariat. At their meetings in 1985 and 1987, Commonwealth Ministers for Women's Affairs identified violence against women as a priority area for action. In June 1988, they mandated the WDP to bring together senior police officers, mainly Commissioners of Police and Senior Assistant Commissioners, from 16 Commonwealth countries representing the four regions of the Commonwealth to address the question of police training on violence against women and child sexual abuse. The first edition of this manual compiled the deliberations of this Workshop in the hope that this would assist police forces throughout the Commonwealth with their training programmes and techniques.

The first edition presented the following six issues discussed at the meeting: police attitudes and sensitisation; perspectives on offender profiling; evidence and investigation techniques; medical and forensic evidence procedures; liaison with non-police organisations and referral agencies; and statistics, data collection and case management. The discussion of these issues resulted in specific recommendations that remain relevant today. The publication also provided training modules and background papers that gave examples that other jurisdictions could consider when preparing their own training packages. Country reports highlighting the commonality of problems, in the context of differing concerns and constraints, were also included.

Although progress has been made by Commonwealth countries, the recommendations of the first edition remain largely unfulfilled. These are reproduced here as a reminder of the point of departure 10 years ago and as a standard against which current aims and interventions can be measured.

Recommendations from the first edition: a continuing agenda for implementation

- The issues of domestic violence, sexual assaults on women and child sexual abuse should be acknowledged as serious problems that require priority attention.
- Sensitisation of police in dealing with these crimes is essential and must include an assessment of stereotypical attitudes to women and children, particularly with regard to sexual activity.
- The crucial role of the police in dealing with the crimes of domestic violence, sexual assaults on women and child sexual abuse must be acknowledged both by the police themselves and by society in general.
- The police must be provided with clear legal powers in order to provide them with an appropriate base for action. Countries need to reassess their laws in order to determine whether they provide the police with adequate powers.
- Laws in all their forms and legal procedures must be assessed and reviewed in order to achieve systemisation and coherence.
- The importance of inter-disciplinary cooperation in dealing with reports of violence in the family, sexual abuse of women and child sexual abuse must be emphasised. This approach can be achieved in a number of ways, appropriate to each country's socio-economic and cultural contexts. An inter-disciplinary approach could:
 - be established as committees functioning at varying levels
 - consist of committees typically comprising: senior police; welfare officers; psychiatrists; medically qualified persons; and legal individuals
 and aim to:
 - monitor the legal system
 - initiate reform where appropriate
 - suggest establishment of such committees at lower/higher levels.
- Clear lines of responsibility and accountability must exist within the structure of a multi-disciplinary approach.
- The mass media, in all its forms, must be fully utilised both in public education of the issues and in shaping social attitudes.
- The protection of women and children who are at risk from family violence and from sexual and other abuses must be ensured. This should include the provision of safety, security and basic human needs.
- The exchange of information on police methods and technological know-how should be encouraged between police stations within a country, and between police forces at Pan-Commonwealth level. Training exchange programmes within and between Commonwealth regions need to be promoted.
- A reporting system needs to be established which will enable health, welfare and education sectors to report on sexual abuses cases (especially child sexual abuse).
- All agencies should keep the victim as a primary focus of concern, especially bearing in mind the victim's physical and mental needs. A victim-centred approach:
 - will ensure that the victim's privacy is maintained
 - might consider in-camera trials in order to minimise trauma to victims during court trials
 - will ensure that the press is made accountable
 - will ensure the protection of and maximum security for victims from any confrontation with offenders, be it at court or at an identification parade.
- Public education is an integral part of any strategy to confront violence against women and child sexual abuse. It must be promoted in all possible ways. Public education is critical to close the gap between legal provision and practice.

- It is important that the police be involved in the promotion of public education programmes. This involvement could take the form of:
 - talks to interest groups at various levels
 - talks to schools and other educational institutions
 - inter-disciplinary seminars and colloquia.

Second edition

This new, second edition of *Guidelines for Police Training* revises and extends the discussion of the six previously identified issues. It includes two new sections – one focuses on gender, human rights and the law, the other on crime prevention approaches to repeated victimisation. It also includes a new overview paper on violence against women and child sexual exploitation and abuse. As with the first edition, this second edition does not claim to be exhaustive and is to be viewed in the context of each particular jurisdiction.

Commonwealth jurisdictions contributed training modules for the second edition from: Australia, Canada, Cyprus, Dominica, India, Malta, Mauritius, New Zealand, Singapore, South Africa, Trinidad and Tobago and Britain. Their examples illustrate the content, issues and factors included in police training on violence against women and children. They also illustrate training at different levels and for different groups of officers using a range of teaching strategies. In general, training on violence to women and children includes:

- information designed to convey correct knowledge on human rights and to sensitise and alter police attitudes to women victimised by violence, eg, to challenge victim-blaming (unfortunately, the same attention is yet to be given to altering attitudes and increasing understanding of the violence involved for many girl child victims, for example, under-age prostitution, genital mutilation, under-age marriage and sexual relations)
- the relevant criminal and civil laws, and their inter-relationship in achieving prosecution, crime prevention strategies and the safety of victims
- the role and powers of the police in general and more specifically in relation to crime that challenges the power of the male head of household over women and children, for example, the right of entry by police.
- the actions officers should take at the scene of the incident, during investigation, after arrest, with court appearances, and recording practices
- the role of other agencies, multi-agency or inter-agency approaches and what this means for police work
- these inputs can use a variety of teaching strategies, written, visual material (videos, overhead projection, cartoons), and follow-up activities such as, questions on the text and presentations, the use of teaching objectives, and further reading.

Generalised training and specialist training occurs in many jurisdictions as officers have differing responsibilities. The amount of direct training officers receive varies between jurisdictions, but at most officers are given limited initial training, which is followed up after a year or so. Further training is offered to specialised officers, to those in Criminal Investigation Departments, to specialised units responding to crimes against women and children, to women officers, and by rank, ie, sergeants, senior officers, and through inter-agency training.

The examples from Britain are specific modules for officers with one year's police experience in child protection, rape and other sexual offences. The example from Malta illustrates the early stages of training and the resulting development of guidelines. The example from India is of training on gender relations, the law, skills and support services in relation to violence against women.

The South African example draws attention to the human rights of vulnerable persons and illustrates new methods to convey messages through an information workbook with a colour photo story. Another innovation is training in inter-agency groups. This training can be restricted to criminal justice system personnel or extended to include social and welfare agency professionals, both statutory and voluntary. An example of inter-agency training on violence against women and children is provided by Canada. The New Zealand example provides the outline of the family violence policy and police training.

Section 12 includes five country reports – from South Africa, New Zealand, Singapore, Canada and Australia – which illustrate some of the different approaches currently being adopted in the Commonwealth. Different strategies are either to train both men and women officers to respond to the full range of offences against women and children or else to train only women officers to do so. The training and setting up of domestic and family violence units can be a response to policy in which the aim is to respond to family members and strangers in the same way or, alternatively, in different ways, for example, as crime or as a combination of crime, mediation and reconciliation. Whatever the approach, the focus is on responding to violence to women and children in the household or family as crime.

Some jurisdictions are establishing national crime prevention strategies in which violence is a violation of the human rights of women and children. The South African country report provides an example of this type of initiative. The example from New Zealand illustrates family violence issues and action plans associated with domestic violence legislation with simultaneous attention to criminal investigation and the use of protection orders for victim protection. Singapore provides an example of sexual offences training for women officers in investigative techniques and the rape trauma syndrome, while the Canadian report describes both the amount of time devoted to training and the integration of training across the criminal justice system. The Australian National Committee on Violence Against Women has produced an overview of police initiated training and university education for police officers. These examples all illustrate important developments in policy as well as training for operational policing over the past decade. In particular there is a growing focus on:

- the achievement of women's human rights through the curtailment of gender specific violence to the girl child and adult women
- a more integrated approach to work with other agencies in the criminal justice system and with social and welfare agencies, including the voluntary sector (NGOs)
- the relationship between the criminal and civil law in providing protection to women and children
- the development of specific legislation on domestic violence and multi-agency action plans
- the adoption of crime prevention strategies as well as improvements in crime detection and investigation of domestic based crime.

Overview of violence to women and sexual exploitation and abuse of children

Section 2 presents an overview of violence to women and the sexual exploitation and abuse of children, and includes a discussion of incidence and numbers reporting to the police, factors associated with violence and why men attack women and children. This section identifies police training as an essential part of the social transformation that is required to confront gender issues of power and control.

What is violence against women and children?

Violence against women and children is widespread, even in societies that have little formal knowledge of it. Globally, gender-based violence is a major issue. The United Nations Declaration on the Elimination of Violence Against Women adopted by the UN General Assembly in December 1993, defined gender-based violence as a form of discrimination that seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men. Gender-based violence is directed against a woman because she is a woman or it is violence that affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty. It includes rape, other sexual assaults, family or domestic violence, stranger assaults and wounding, serious threats of violence, sexual mutilation, attempted murder and murder. Sexual assault can be systematically used by military forces to attack the civilian population during civil unrest and warfare and, although less well organised, often continues after the conflict ends. Women and children are the largest group of refugees. They are less likely to commit crimes of all types, including inter-personal crime, even in conditions of war.

The abusers of women are more likely to be known to their women and children victims than not, although there are specific forms of violence, in particular sexual exploitation through prostitution, that involve trade in the bodies of women and children by men who may be strangers. Promises of legitimate employment or marriage can lead to families allowing their daughters to leave villages and cities to travel to another country, while in some jurisdictions, women are empowered to make the decision themselves. Because they often do not realise they are being trafficked and, once in a foreign country they are often unable to speak the language, their chances of obtaining assistance are poor. It is therefore unlikely that information from trafficked women and children is how the police learn about their plight. Also, when passports or other travel documents are taken from them and they are locked in brothels and beaten until they comply, escape depends largely on pro-active policing. Each country must become aware of the trafficking patterns that affect the women and children of their nation state. Examined globally, some countries are more likely to receive women while others are countries of origin. This is a highly organised international criminal activity with well-developed supply routes that can be interrupted by police in countries that send or receive women and children. This requires identification of the problem and international policing cooperation.

How common is violence against women and children?

Violence against women is a major human rights issue, a health and an economic issue. Even in countries where violence against women and children has been recognised for more than 25 years as important and relevant for policing, it is not diminishing in frequency or intensity. For example, a well-conducted, large-scale Canadian survey carried out in 1993 found that one in 10 women had experienced violence in the previous year. In this survey, violence included sexual and physical assaults and legally defined threats. The offenders were strangers, boyfriends, husbands and other

men known to the women. The survey found that the most prevalent forms of marital violence were pushing, grabbing or shoving, followed by threats, slapping, throwing objects, kicking, biting and hitting with fists. A significant number of women also reported being beaten up, sexually assaulted, choked, hit with an object, and having a gun or knife used against them. In addition, violence affects the unborn children of women who are attacked when pregnant, and miscarriage or foetal damage may occur. Women may also be forced to undergo abortion by the fathers of their children.

Both the Canadian survey and the British Crime Survey in 1992, found that repeated and ongoing abuse were more commonly reported in failed marriages. In one in three cases of wife assault the abuse or threats of abuse were so serious that women feared for their lives. In total, 2 per cent of all currently married Canadian women had at some point felt their lives were in danger. In those jurisdictions that have been attempting to respond more positively to violence against women and children, the numbers responding positively to research questions is increasing. This is less likely to mean that violence is increasing, but more likely that women now feel freer to share this knowledge with researchers.

Surveys of child sexual abuse suggest that one in two girls experience some type of sexual crime before adulthood. This can be indecent exposure, or flashing, or another less seriously regarded offence, such as touching. Research suggests one in four girls are seriously sexually assaulted on a longer term basis, including rape and incestuous assault. If genital mutilation is accepted as criminal assault, then in some societies 100 per cent of girls are sexually violated. Boys, too, are physically and sexually abused and their plight should not be ignored, although girls are in the greatest danger.

Rape and other sexual assaults are both seriously under-reported and commonplace. As with other crimes of violence against women and children, most rapists are known to their victims. In politically stable societies, the statistics on the total number of women who are raped vary from one in five to two in five. With political or social instability affecting the country as a whole or some groups of society, the proportion of women who are raped greatly increases.

What factors are associated with violence against women?

To summarise, survey research in various jurisdictions agree on the direction of violence, that is, violence to women is largely from men, and men are much less likely to be the recipients of violence. When they are, their assailants are often other men. Surveys agree on the repetition of violence, the existence of relationship between assailants and victims, differential rates by age and whether women do or do not have children, times in the day and week when assaults are likely to occur, where they will occur, how many assailants will be involved, and the under-reporting of incidence to researchers and agencies, including the police. Surveys agree that:

- victims perceive violence as serious even though they do not always report it to the police
- women often assume responsibility for domestically located violence upon them
- young women are more likely to be victimised than older women
- violence against women in all social classes, ethnic and religious groups is frequent
- political and social instability increases violence against women and children.

Altering the time scale has a profound effect on the number of women and girls who report experiences of violence. The Canadian survey showed that one-half of all Canadian women have experienced at least one incident of violence since the age of 16 years and that almost one-half of women have experienced violence at the hands of a current or past marital partner. A bodily harm definition of violence suggests that 30 per cent of women in Britain over their lifetimes have experience of repeated domestic violence from partners. There are approximately half a million married women who are the victims of domestic violence each year in England and Wales. While similar research has not been undertaken in all Commonwealth jurisdictions, smaller scale studies suggest the problems identified elsewhere are occurring in all societies.

How many women report to the police?

The number of women reporting to the police is only a fraction of those attacked. Studies suggest this varies between 2 per cent and 20 per cent. Physical attacks are more likely to be reported than sexual assaults in all jurisdictions where surveys have been carried out. In the Canadian study mentioned above, 27 per cent of physical attacks and 6 per cent of sexual assaults were reported. Research suggests women and children are assaulted many times before they report to the police, or else they never report and knowledge of their victimisation is brought to the attention of the police by other people, such as family, friends, neighbours and health workers. Occasionally, the attacks on women or children are so extreme that it is impossible to hide it from the police and other agencies.

Ethnic minority women, particularly when they do not speak the dominant language, require the police to consider ways of reaching this population group through specialist units or trained officers and the use of translators. Translators should not be men from the migrant or refugee group or members of the woman's family as this may limit women's ability to speak freely and/or the translations may not be fully accurate.

The homicide of women and children, including infanticide, is more likely to be carried out by men known to women and children than by strangers. In those jurisdictions that have begun to respond positively to violence against women and children, it is likely that previous reports have been made prior to death. If the killing of women who have been prostituted is combined with marital or family killings, then almost all the homicides of women and girls are accounted for in any given year. Refusals to undertake pro-active policing and to see all women and children as worthy of protection increases the danger to women and children from known men.

Why do men attack women and children?

Women identify five different behaviours in their self-definition of violence: mental cruelty; threats; physical violence with and without actual bodily harm; and non-consensual sexual relations, including rape. While not all these behaviours are criminal behaviour in all jurisdictions, in terms of the psychological harm to women it is incorrect to view these types of violence as lying on a continuum from less to more serious. For example, prolonged mental cruelty can have a greater impact than sporadic, isolated incidents of actual bodily harm. Mental cruelty can include behaviours such as verbal abuse, being deprived of money, clothes and sleep, and being prevented from going out or from meeting friends or family members. The longer women are in relationships dominated by mental cruelty, the greater the damage to their health and well-being is likely to be.

Women's lives provide information on how hierarchy and privilege is structured within families, how cultural boundaries apply to men and women, how individual women negotiate within and move beyond culturally and socially proscribed limits on their behaviour, and how individual men maintain their socially superior position without altering their behaviour. Women live in a web of relationship bound by family and culture in which expectations of correct behaviour for women and men differ substantially. When confronted with repeated violence, women describe how family members and others intervene in women's lives and how they attempt to use networks of family and friends to mitigate, if not resolve, problems with their men. Women's accounts demonstrate that men from varied cultural and ethnic groups have in common cultural and family advantages that come from being male, from being sons, husbands and fathers.

Research shows that it does not matter how marriages are entered into, whether arranged by others or not, between strangers or relatives. These differences are important to the lives of men and women, but domination, control and violence towards women and children occur whatever the preferred form of marriage. The advantages that men gain from violence to women have been

known for some time by both service providers to women and through research. These elements are usually described as forms of women's oppression, rather than personal or social benefits to men.

Described as benefits, violence gains for men:

- an outlet for their feelings, for example, 'After he had hit me, he would say, "sit here in front of me, if I see any tears in your eyes then see what happens". Then he would say, "laugh and talk to me". Children too can be involved; 'he said to the wife and mother, "you hit her; if you hit her you'll save yourself."'
- the servitude of another, for example, women's domestic labour is essential for maintaining family life and is an important aspect of women's existence as wives. The movement from 'normal' demands to excessive is a matter of degree. One woman in an extended family said, 'They didn't think anything of me. They didn't think I was a part of the household but like a servant, all day cleaning, washing clothes, doing everyone's ironing, all day doing the work.'
- financial gains through exploitation, for example, women from all cultural groups have their money taken from them, beginning with dowry or wages and moving on to child benefit or other state welfare entitlements where these exist, coupled with non-sharing of his wage with his family
- multiple sexual relationships, where wives are forced to agree to his relationships with other women, even when multiple sexual relationships are not culturally supported
- feelings of superiority over women and children, which may be reinforced through subordinating a woman or child.

Men use coercion and threats, intimidation, isolation of the woman, minimising, denying and blaming the woman for their abuse, and threats and harassment involving children, in order to maintain a position of privilege. Families may make little or no effort to intervene to protect their daughter and sister or alternatively, they may simply be unable to control the husband of their relative. Police intervention is particularly necessary when women and children do not have the support of their families and communities or when this is ineffectual. It is important to emphasise that unchecked violence to women and children is to be explained by complex social and personal beliefs, cultural values and permitted behaviours attached to men. These serve to sanction the violent behaviour of men. Explanations that focus on what those who are victimised do, or do not do, whether women or children are inadequate to explain why violence occurs.

Future social transformations

To demand social responsibility from men is to challenge the uniquely privileged position of men in families and in society. Creating similar expectations for men and women in relation to appropriate behaviour in family life inevitably involves a loss of social and personal privileges for men, including their ability to use violence against women and children without fear of effective intervention. Put another way, to establish women's rights as human rights is to seek social transformation. This cannot happen without considerable effort or without transformation of consciousness.

Policing violence against women and children, much of which is based in family life, requires police training to confront gender issues of power and control. The behaviour of officers at the scene or when responding to a female or child complainant demonstrates the extent to which these issues have been taken on board. This is the first, and most difficult step. Once achieved, however partially and unevenly in terms of the total number of officers, it becomes possible to move forward. For jurisdictions yet to begin offering training in these areas or those that do so in a very limited way, the first consideration is to train the trainers, who in turn will be able to take their knowledge to fellow officers. Jurisdictions with some or considerable training schemes already in place, need to constantly review the extent of the problem and the impact of policing endeavours in meeting the needs of victimised women and children.

Gender, human rights and the law

Section 3 provides an overview of the links between gender, human rights and the law. It presents the relevance of gender analysis to the administration of justice in general and the policing of violence against women and child sexual abuse in particular. The section begins with the efforts of the United Nations to articulate the principles of equality to govern the relationships within and between nation states, and moves on to how these are being furthered by Commonwealth ministerial meetings and specialist colloquia on law and judicial undertakings. It concludes with the mandate of the Commonwealth Secretariat to assist in achieving implementation of agreed policy documents.

Responsible policing

The police have a crucial role to play in ensuring that policies on human rights adopted by the United Nations and agreed by member states are achieved. Regarding policies on women's human rights, a gender perspective is required for the police to be able to successfully undertake this socially necessary activity. While the violation of the human rights of women may take the same form as the violation of the human rights of men, they are often family based and require police action in new areas of work. The subordinate position of women in society and family life should not be interpreted to mean that the police have no responsibility for responding pro-actively to violent and sexual crimes against women and their children. Police forces are encouraged to review their methods of work and to seriously consider whether, consciously or unconsciously, inaction is allowing men to behave in abusive ways towards women. One telling sign that this is occurring is widespread victim blaming, that is blaming the woman for the violence she suffers rather than taking action against the man.

The United Nations and equal rights

When the United Nations was established in 1948, human rights were enshrined in its Charter. The Universal Declaration of Human Rights affirms the dignity and worth of the human person and the equal rights of women and men. However, given that substantial inequalities and life threatening harm to women and children continued, particularly to the girl child, women's movements and organisations worldwide began to demand that the recognition of women's rights as human rights be reaffirmed by the United Nations. Major milestones in achieving this reaffirmation are the Convention on Elimination of All Forms of Discrimination Against Women (CEDAW) in 1979, the Convention on the Rights of the Child (CRC) in 1990, and the UN Declaration on Elimination of Violence Against Women in 1993. These call on national states to enact legislation and to develop integrated national plans of action to create the infrastructure necessary to implement law and policy based on these international human rights instruments.

CEDAW calls on all nations to take appropriate measures to modify social and cultural patterns of conduct of men and women with a view to the elimination of prejudice and customary and other practices based on the idea of the inferiority or superiority of either sex or stereotypical roles. Trafficking in women and exploitation through prostitution are specifically mentioned. CEDAW has an elected committee to oversee progress in achieving its aims, as does CRC. CRC requires all states to abolish traditional practices prejudicial to the health of children and to protect children from all forms of sexual exploitation and sexual abuse, including their use in prostitution and pornography. These instruments seek to ensure that the rights of women and children to personal security and well-being are no different from those that pertain to men. These instruments clarify that the

original Charter of the United Nations enshrined general human rights principles to be honoured by member states and applied to all without distinctions based on factors such as sex, 'race', ethnicity, religion, political or other opinion, national or social origin, property, birth or other status.

General Recommendation 19 of CEDAW (included in 13. Documents), recommends that states take appropriate and effective measures to overcome all forms of gender-based violence, whether by public or private act. CEDAW requires reports by states to be made on actions taken to implement the Convention. Reports are to include the extent of problems and the effectiveness of penal, preventive and rehabilitation measures, complaint procedures and remedies, including compensation. Information is required on sexual exploitation, sexual harassment, support services for victims of family and other gender-based violence, female circumcision, risks experienced by specific groups such as rural women, and coercion with regard to fertility and reproduction. The nature and extent of attitudes, customs and practices that perpetuate violence against women and the kinds of violence that result are to be reported. Reports are to include all available data on incidence of each form of violence and the effects of such violence on women who are victims.

The Convention requires its state signatories to act with due diligence in order to prevent violations of rights, and to investigate, punish, and provide compensation for acts of violence. States are required to take all appropriate measures to eliminate discrimination against women by any person, organisation or enterprise. Under general international law and specific human rights covenants, states may be responsible for private acts if they fail to act with due diligence. The police have a frontline role in ensuring that states met the requirement of due diligence.

States are to provide:

- effective protection of women against gender-based violence through the law and its enforcement, both penal and civil
- prevention through public information and education programmes to change attitudes regarding the roles and status of men and women, and
- protection to victims and those at risk through the provision of community resources of refuges, counselling, rehabilitation and other support services.

The purpose of the Declaration on the Elimination of Violence Against Women (included in 13. Documents) was to strengthen and complement the implementation of CEDAW as the equality, security, liberty, integrity and dignity of women are nullified by violence. The Declaration defines violence to mean any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, either occurring in public or in private life. Specifically named acts of family violence are battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other such harmful traditional practices, non-spousal violence and violence related to exploitation. Community or public violence is named as rape, sexual abuse, sexual harassment and intimidation at work, in education and elsewhere, trafficking in women and forced prostitution. National plans of action are called for in order to promote the protection of women, to prevent violence, to provide health and welfare services to women and their children who are victimised, including cooperation with non-governmental organisations, particularly those concerned with violence against women. Training to sensitise law enforcement officers to the needs of women is among the recommendations for action.

Women's organisations have led the demand for action on violence against women at all levels of government and world organisation. There have been four UN conferences on women, in Mexico (1975), in Denmark (1980), in Nairobi (1985), and in Beijing (1995), which have resulted in United Nations agreed Platforms for Action. Other international meetings have led to the creation of further social infrastructure to respond to the social inequality experienced by women. The World

Conference on Human Rights in 1993, for example, led to the appointment of a Special Rapporteur on Violence Against Women. Her responsibilities are to report to the Human Rights Commission on the problem of violence against women, to visit countries on specific issues of violence against women, and to raise issues with governments on behalf of individual women victims of violence.

CEDAW, CRC and the UN Declaration on Elimination of Violence Against Women, adopted by the United Nations General Assembly, draw attention to the specific nature of the violation of women's human rights. While these are multiple, violence against women and children is pervasive throughout the countries of the world. Nation states share similar forms of violence, particularly violence against women and children in their homes, but there are differences. Trafficking in women and children for purposes of sexual exploitation differs between nations, some of which send and others receive. Also, specific cultural practices, such as sexual mutilation through cliterodectomy or infibulation, to which girl children are particularly vulnerable, vary from country to country. For adult women, cultural forms such as marriage arrangements and widowhood practices may create vulnerabilities to violence for adult women. National plans are required to respond to the specific needs of each situation.

Universal human rights are not confined to civil and political spheres, but also include the social and economic spheres. These latter areas are of particular importance as the site of much of the human rights violations of women and girls take place in the so-called private sphere. Violence against girls and women establishes, reflects and reinforces their lesser position in society, furthering male dominance in family and public life. As a result, nation states pay both an economic and social price in allowing these abuses to continue. The personal cost to women and girls may be expressed, for example, through poorer nutritional and health outcomes and more generally to society through the corruption of family life and the reduction in the ability of women to fully contribute to economic development and civil society. Violence to women and children results in a poorer quality of life for females than males in many parts of the world, but this can remain unacknowledged and even invisible to societies.

The principle of universal human rights is one no nation has yet fully met. It remains an ideal to be obtained and should be approached in this way when considering the role of policing and the criminal justice system.

The Fifth Meeting of Commonwealth Ministers Responsible for Women's Affairs, 1996

The Commonwealth recognises that there is a connection between gender inequality, gender discrimination and violence against women and children. This inter-relationship was highlighted by the Fifth Meeting of Commonwealth Ministers Responsible for Women's Affairs in 1996 through their recognition that the elimination of violence against women is an indispensable part of the process of eliminating gender discrimination and inequality. Ratification of the United Nations Conventions and acceptance of the recommendations of the Declaration, without reservations, is yet to be fully achieved in all Commonwealth countries. Commitment to the principle embodied in these instruments that women's rights are human rights is a first step in effectively confronting violence against women and girls.

The forms taken by these acts of violence are not only endemic, but they also alter their forms, increasing and decreasing as a result of other factors. At their most extreme, these violations of the human rights of women and children permit very limited resistance. This may be because of the age of the child, for example, who may be sexually mutilated as a young girl, or social circumstances which intensify vulnerability to all forms of violence, in particular, armed conflict through war or civil disturbance. The commercial sexual exploitation of women and girls has become an

international trade in which force or trickery induct women and girls into sexual servitude best expressed through the term, slavery. Men in Commonwealth countries, as elsewhere, are involved as suppliers and sexual abusers of unfree women and children, particularly the girl child. Pornography is an aspect of this trade, and information technology a further vehicle for the intensification of exploitation. The World Congress Against Commercial Sexual Exploitation of Children held in 1996, produced a Declaration and a Programme for Action for governments to adopt and implement.

The Fifth Meeting of Commonwealth Ministers Responsible for Women's Affairs recognised these issues while drawing attention to positive measures introduced by many member governments in the Commonwealth and to what remains to be done. Integrated and holistic responses to violence against women and children remain to be introduced in almost all jurisdictions. Law reform on its own is insufficient as delivery of justice to women and children does not automatically flow from legislation, however sound. Securing the human rights of women and children to personal safety and security requires adequate resource allocation for policing and the criminal justice system and social and welfare agencies, including the voluntary sector providing direct services to women and children. The Ministers recognised that the lack of adequate resources is a major impediment to achieving effective intervention of current strategies.

Meeting of Commonwealth Law Ministers, 1996

In 1996, the Commonwealth Law Ministers introduced a proposal that outlined a number of practical measures to help eliminate violence against women. These measures included:

- a comprehensive review of the criminal justice system
- gender sensitive training for the judiciary and law enforcement officers, health workers, law and medical students and community leaders
- legal literacy programmes to raise awareness amongst the public.

Civil society too, is a vital element in eliminating violence against women and attention needs to be directed to altering gender discriminatory attitudes and practices. Community strategies are required as well as the institutional. This includes attending to the negative portrayal of women and girls in the media, as this may either reinforce or further promote a culture of violence against women and girls. It also requires education of both boys and girls in their families and formal schooling to achieve equality. The Ministers particularly drew attention to formally conveying the concepts of peace, conflict management and gender concerns.

Commonwealth Judicial Colloquia on Women's Human Rights

Since 1994, the Gender and Youth Affairs Division, in collaboration with the Legal and Constitutional Affairs Division, the Commonwealth Magistrates' and Judges' Association and the Commonwealth Foundation, have organised four judicial colloquia focusing specifically on the promotion of the human rights of women and the girl-child through the judiciary. The first, for the Africa region was held in Zimbabwe in 1994. This was followed by another colloquium organised at the NGO Forum during the Fourth UN World Conference on Women in Beijing in 1995. The third colloquium, for the Asia/South Pacific region, took place in Hong Kong in 1996. The fourth and final in the series, for the Caribbean region, was held in Guyana in 1997. These colloquia were attended by chief justices, judges of the supreme courts, courts of appeal, high courts and district courts, judicial officers, lawyers, academics, researchers, representatives of UN agencies and NGOs. Each colloquium has built on the work of the last, resulting in three major outcomes: the Victoria Falls Declaration of Principles for Promoting the Human Rights of Women; the Hong Kong Conclusions; and the Georgetown Recommendations and Strategies for Action on the Human Rights of Women and the Girl-Child. A Commonwealth Reference Group was set up comprising chief justices and

senior judges from the four regions of Africa, Asia, Caribbean and the South Pacific in order to follow-up the implementation of the Georgetown Recommendations. The principles that have been articulated are rooted in a recognition of the universality of human rights and the duty of an independent judiciary to interpret and apply national constitutions and laws with this in mind. This formulation permits the means by which these principles become applicable to differ between countries.

Commonwealth judicial colloquia noted that oppressive social, cultural or religious traditions and values led to many forms of violence against women and children being unnoticed and unrestrained. The subordination of women and girls continues to dominate social attitudes and behaviour because there is a lack of awareness of human rights as women's rights as well as economic dependence on men. Law enforcement has a particularly important role to play in securing justice for women in these cultural circumstances. Law enforcement and judicial sensitivity are called for in response to violations of women's human rights and to claims for asylum or refugee status. Violations of women's human rights frequently centre around nationality, citizenship, property and inheritance. Discriminatory practices in these areas increase women's vulnerability to violence.

Discrimination against women and girls can be direct or indirect and the Commonwealth Judicial colloquia noted that indirect discrimination requires particular scrutiny by the judiciary. The issue is not only formal, but substantive equality for women. This may require affirmative action. The 1993 United Nations World Conference on Human Rights also came to the conclusion that the human rights of women are as valuable as the human rights of men. Further, international instruments that seek to obtain human rights for women and girls result in constitutional guarantees of fundamental rights and freedoms that benefit all citizens. The judicial colloquia drew attention to the importance of domestic courts as a venue for promoting a culture of respect for human rights, and particularly those affecting women, and to the need to facilitate easier access to courts for women and non-governmental organisations when raising issues of human rights. The Convention on the Rights of the Child drew attention to the special vulnerability of the girl-child and the importance of the principle, the best interests of the child, to judicial promotion of her rights.

The judicial colloquia called on judicial officers in the Commonwealth to be guided by CEDAW when interpreting and applying the provisions of the national constitution and laws, including the common law and customary law when making decisions.

The Commonwealth Secretariat

The Commonwealth Secretariat was mandated by Commonwealth Ministers to undertake a range of activities to promote women's human rights. A major focus of their recommendations is the issue of violence against women and children. The Commonwealth Secretariat provides information to assist Commonwealth jurisdictions in implementing international instruments. With regard to CEDAW, the Gender and Youth Affairs Division produce resource and training materials for use by member countries to promote its increased use and to assist member governments in preparing their national reports. For example, *Assessing the Status of Women: A Guide of Reporting under the Convention on the Elimination of All Forms of Discrimination against Women* provides practical guidelines on reporting and implementation of the women's convention. The Gender and Youth Affairs Division has produced the following manuals to assist member countries in eradicating violence against women: *Confronting Violence: A Manual for Commonwealth Action*; *Curriculum Materials for Legal Studies*; and *A Commonwealth Annotated Bibliography on Violence against Women*. These materials lay the foundations for increasing understanding that violence against women is a human rights violation while also providing specific information to promote good practice.

This companion volume, the second edition of the *Guidelines for Police Training on Violence Against Women and Child Sexual Abuse*, aims to accomplish a similar task in relation to policing. Ensuring the rights of women and children require pro-active policing of violence, but to achieve this requires strategic planning based on gendered statistical data on violence against women and children. If few women and girls are reporting human rights violations to the police, then this information must be obtained from other sources, for example, the women and girls themselves through non-governmental organisations, statutory health and welfare services. Policing then becomes the means by which the criminal justice system can begin to fulfil the requirements of strategic plans to respond appropriately to violence as a violation of basic human rights against women and children of both sexes.

Police attitudes and sensitisation

Section 4 introduces the issues arising from police attitudes that restrict effective actions to control violence against women and children from male family members and others known to them. Suggestions are made on ways to sensitise officers so that their views can begin to change. To create effective training modules the relevance of formal policy, force organisation and management are discussed. As the Duluth model has become a regular feature of police and inter-agency training, this Section concludes with its importance for police sensitisation to the issues involved in domestic or family located crime.

Current issues

The role of the police in strategies to address crimes against women and children is crucial and central. However, research from many countries, such as Australia, Bangladesh, Britain, Canada, India and New Zealand, indicates that the response of the police is not always as satisfactory as it could be. Crimes against women and children tend to be treated with less seriousness than crimes against men or property. Even homicide of women in domestic relationships can be responded to as less problematic than public stranger crime by the criminal justice system, beginning with the police. The criminal justice system often is a last resort for victimised women and children when crimes occur within the home. While pro-active policing is taking place in some jurisdictions, at least some of the time, the police prefer to take on the role of conciliator or mediator, if indeed they become involved at all.

The unsatisfactory response of the police on the safety of women and their children remains a major problem. The most important effect is that women assaulted within the home are not confident of the response of the police. They may think that the police will not treat their complaints with the seriousness that they deserve or that they cannot take action. This means that women are wary of reporting crime against themselves to the police. This results in women suffering further victimisation and possibly also direct attacks on their children.

It is important that the police response is more sensitive and effective in order that the individual complainant can be assured of an appropriate and useful response and also to assist in refocusing societal attitudes towards violence to women and children as unacceptable behaviour. The police, with responsibility for maintaining civil order devolved from the state, have the potential to make a major contribution to the public perception of violence through responses that unambiguously identify violence both inside as well as outside the family as unacceptable behaviour. This will contribute to a recognition that the human rights of women and children in the home are no different from those of men. Police responses are the result of a number of factors, including the wider societal trivialising of violence in the household, but this can be ameliorated if the attitude of the police is more appropriate and if the police are sensitised to the particular crimes against women and children and their role in the elimination of such behaviour.

Fundamentally, attitude change within the police must stem from two strategies:

- the seriousness of crimes against women and children must be acknowledged by each police officer, both through informal force norms, or police culture, and through formal force policy
- the crimes must be viewed from a victim-centred perspective, where the question to be addressed is what actions should officers take to assist the complainants and to curtail the criminal behaviour of the offender.

Sensitising officers

The acknowledgement of crimes against women and children through informal force norms and formal force policy interact to produce a more sensitive policing system. The question is how to achieve this result. Different strategies are being followed in different jurisdictions. These include:

- the recruitment of women and ethnic minority officers
- recruiting officers with particular skills for responding to crime involving women and children. Women, for example, are being recruited not only as officers, but also forensic scientists and police surgeons
- raising the status of police work with these crimes by providing higher status to officers at all levels who reveal appropriate responses to training, these incentives can be financial and promotional
- gender-sensitive training at recruit level and later on in officer training, and in placing recruits with trained partners who can act as role models
- developing peer pressure within police forces to shape informal attitudes to reflect the seriousness of the formal force policy
- formal policy that acknowledges the seriousness of the behaviour, including evidence gathering approaches that remove the onus of laying a charge against the offender by the woman
- the adoption of a pro-arrest policy for offenders who commit crime in domestic settings
- formal policy that stresses the maintenance of careful records, so that the seriousness of the behaviour and the adverse effects on individual women and children and the wider community become clearer; record keeping that provides information for attitudinal change within the force, as the police will acknowledge the existence of a problem if it is revealed by records
- the introduction of victim-friendly systems for investigating and gathering evidence on crimes of violence, such as victim examination suites.

As these strategies suggest, successful training requires more than classroom inputs even when it is regularly followed up. Learning is both an informational and an organisational issue. In addition to these suggestions, some forces have:

- developed a system of defining annual objectives. These may, for example, directly specify greater attention to crimes of violence against women and children, such as domestic violence, or these crimes can be overtly recognised by forces through a more generally worded objective on violent crime. Objectives focus the organisation in directions that are in particular need of attention and can be altered annually as required. Defining policing objectives can be undertaken both at a force and local divisional level, thus allowing for overall responsibilities and specific local needs to be addressed at one and the same time
- set up domestic violence and child protection units. These facilitate the development of expertise in investigation and can provide a career move from uniformed to criminal investigation. Units that are fully integrated, in that they are staffed by male and female officers who can arrest, prepare statements, undertake further investigation as required, prepare files for court, develop reservoirs of expertise that can be shared within divisions as officers finish their assignment in the specialised units. This type of organisation provides apprentice-type training and cascades it outwards as officers are reassigned to other duties.

Training modules

The following should be taken into account when planning specific training modules:

- the economic, social and political context of each society
- sensitising high level officers to issues of family violence in order to encourage the adoption of a victim-centred approach to the investigation of such crimes

- taking advantage of help from the community, such as involving women's groups in police training
- using the police to train within the community, explaining their role and practice to the community groups and schools
- enhancing police training through methods such as video training, kits and protocols
- recognising that the recruitment and training of women officers will not change the perspective of all members of the force
- only training women officers places too much strain and responsibility on a limited section of the force. Where women are recruited they must be trained, but so must the male members of the force; training only women officers also marginalises the issue by portraying it as a women's issue rather than a crime that concerns and involves the entire police force
- training and appropriate recruitment is an ongoing and continuous process
- passing on new information regarding crimes against women, such as knowledge about and the effect of the rape trauma syndrome
- training needs to go beyond the job requirements and engage each officer at a personal level in order to change personal values, attitudes and practices. Only then will the assumptions, stereotypes and attitudes currently reflected in police responses to violence against women change.

These measures have been introduced in differing degrees in Commonwealth jurisdictions. In addition, some jurisdictions have:

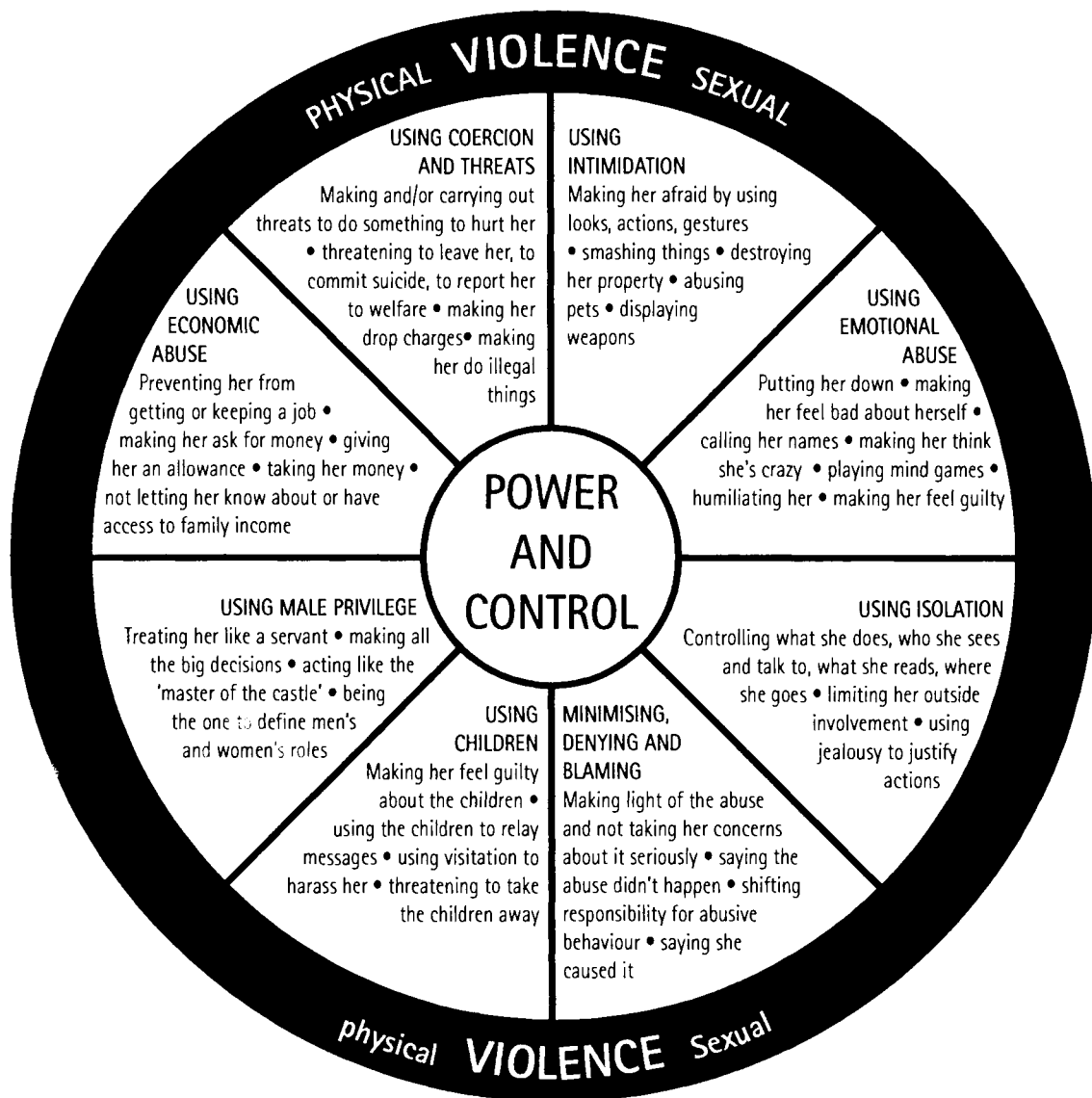
- introduced training of senior officers for management, supervision and inspection of work of individual officers in relations to violence against women and children
- included a historical perspective in training to show officers the background of current beliefs and practices and to draw attention to improvements in policing over time, and the remaining deficiencies
- adopted the Power and Control Model, developed by the Duluth Project (see Figure 1).

The **Duluth Model**, or wheel, demonstrates visually the forms taken by family violence against women. Children also may be victimised at the same or different times by the perpetrator of violence against their mothers. Women may experience all these forms of violence at the same time, or only some aspects, but research shows that the longer men are left unchecked by the criminal justice system and community, the more likely it is that the forms taken by violence will be extended. The reason for this is that violence against women and children is the result of behaviour that seeks to control through the exercise of power. The Duluth Model is therefore, called the power and control model.

It is highly recommended to begin training on police attitudes with this model. Allowing officers to discuss how they feel about the rights of men to control women through the exercise of power should be encouraged. What are legitimate and illegitimate uses of power? The formal policy can then be introduced along with what its systematic enforcement would mean to the disruption of the behaviours contained in the wheel. The duties of police officers can then be addressed.

Police attitudes are often a reflection of attitudes held within the community. Fundamental change and the acknowledgement of violence against women as serious will only occur within the police if it also occurs within the community. Community attitudes also must be addressed by education of a formal and informal nature occurring at all levels, from primary school to the professions and this is happening in some countries. It is critical that the legal profession receives sensitisation so that the seriousness of the issues is reflected in trial procedure and sentencing practice. Police training based on the Duluth model in inter-agency or joint training contexts is also required.

Figure 1: The Duluth Wheel



Domestic Abuse
Intervention Project
206 W. Fourth Street
Duluth, MN 5580
USA

Crime prevention approaches to repeated victimisation

Section 5 examines the concept of repeat victimisation drawing on work begun in Britain. While initially focusing on property crime, there are no crimes more likely to be repeated than those that are located in a domestic setting. This makes the concept of repeat victimisation particularly important for new approaches to policing violence against women and children. The section begins with the research data that enabled repeat victimisation to become a focus for police work. It describes how key performance indicators can be used to develop a focus on the repeat victimisation of the same woman or child by the same man. The challenges that are involved for policing in developing a repeat victimisation model are described next. Then an example is provided and the implications for training explained.

What is repeat victimisation?

As experience in obtaining information and undertaking surveys of victimisation has grown, so has the distinction between prevalence, the number of victims per head of population and incidence, and the number of crimes per head of population. Prevalence is always lower than incidence as women and children are often victimised more than once over time. This is true of all types of crime, and particularly so with violence in domestic settings whether against women or children. Information gathered by survey is often limited to the previous year and very different statistics are produced when there is no time limit, but whatever the time limit, prevalence is always lower than incidence.

This understanding has begun to be incorporated into operational policing and it reflects a growing acceptance that crime is not spread evenly; certain people and places are repeatedly victimised. Once victimised, a person or place is more likely to be victimised again than one that has not been, and the risk of re-victimisation continues to increase the more a person or place has been victimised. Patterns of repeat victimisation have been identified across a range of crime types including domestic violence, racial crime, burglary and car crime (Bridgeman and Hobbs 1997).

The Home Office for England and Wales defines repeat victimisation as occurring when the same person or place suffers from more than one incident over a specified period of time. Identification of repeat victimisation in terms of domestic violence needs further clarification, however, as there are three possible indicators of repetition: firstly, the woman's or child's account of previous incidents not reported to the police as well as those that were; secondly, the same woman or child/man incidents of violence reported to the police; and third, the man's previous violence to more than one woman or child as recorded by the police. The first indicator relates to incidents that are **personal** biographies whilst the second and third are **officially recorded** biographies.

When information on police attendance to domestic calls and/or responses to persons attending the station for assistance is collected then the amount of time officers spend on the same situations can be analysed and officers can be informed on how this is affecting their workload. Repeat victimisation has implications for the way resources are utilised and distributed. Diminishing the amount of repeat victimisation through more efficient policing can be a major contribution to the more effective use of finite resources.

Repeat victimisation: A British Home Office key performance indicator

Repeat victimisation is a British Home Office key performance indicator and police forces are required to develop strategy to address repeat victimisation demonstrating:

- how they identify or intend to identify repeat victimisation
- how they intend to reduce repeat victimisation where it is significant
- how they propose to evaluate their intervention.

The activities of identifying and evaluating require efficient record keeping while reducing repeat victimisation requires specific programmes of action.

Repeat victimisation models of intervention require consistency in the approach of officers as they are based on incremental increases in the type and amount of police intervention with repeat police attendances or reports of victimisation. When the aim is to affect change through cumulative approaches, every officer-victim/offender contact must follow policy that eliminates the disparities between good, indifferent and bad practice. Achieving this re-orientation, however, is not a simple step. In West Yorkshire, for example, this was aided by research that presented police response to violence against women as a crime prevention issue (Hanmer and Saunders 1993). This paved the way for the reconsideration of policy and action by challenging commonly held views on who is in danger and how large the problem is, and by theoretically recasting violence in the home as an issue of crime prevention. The theory is that as violence against women and children in their homes is always repeated, effective intervention can help to prevent another crime.

Major themes are fighting crime, protecting women and children and preventing crime:

- to fight crime it is necessary to focus on who commits crime against women and children and how they can be controlled
- to protect women is to consider how the rhetoric of protection can be turned into reality
- to prevent crime is to consider what needs to change in order to reduce the amount of violent and sexual crime against women and children. It also means considering what has to change in order to increase the range of strategies open to women and their children to ensure their personal safety in every aspect of life
- preventing crime is a way of fighting crime and protecting women and children.

Challenges involved for the criminal justice system

There are three major challenges for policing in responding effectively to repeat victimisation.

The first challenge in responding to repeat victimisation is effective leadership within the police force. This can only be obtained if senior officers understand the relevance of repeat victimisation to accomplishing the policing task:

- for the police to respond pro-actively to violence against women and children, violence must be seen as criminal behaviour and not private marital or family discord of little interest or relevance to policy or action.

Research shows that officers often think of marital violence as an argument that has 'gone over the top' and if the law is to be involved it is a civil rather than a criminal matter. The onus is seen to be on the woman to deal with the situation either by leaving the man and finding accommodation elsewhere, by using her common sense to avoid repetition, or to do something for herself – 'the action is hers'. Without training, officers are most likely to understand intervention in domestic settings as outside the realm of policing – more like social work. This may also apply to their views on child abuse.

When officers attend women victimised by violence more than once, they say it makes them annoyed, exasperated, impatient and gives rise to feelings of anger. Women are seen to have chosen their situation and therefore it is up to them to sort it out. A distinction may be drawn between children and adult women on the basis of 'choice', thereby creating more favourable attitudes towards assisting abused children. Even though women facing repeated violence are in the most dangerous situations, this is unrecognised by many officers.

This is the starting point senior officers may confront when attempting to introduce new policy and working practices in response to family-based violence. Meeting this challenge requires senior officers to take responsibility for adopting policy and promoting practice that recognise domestically located violence as crime and to provide effective leadership to the men and women who make up the force to enable them to correctly implement new ways of working. Effective leadership entails close attention to the behaviour of junior officers in relation to policy and law, and providing direction, including confrontation when bad practice occurs. It includes education on violence and instruction on good practice. Good practice means responding promptly and courteously to all requests for assistance, adopting appropriate investigative techniques, and consistent record keeping practices.

From experience in force areas, change in working practice is slow, although a strong lead from senior officers reinforces those below them who want to respond more appropriately and removes, however implicit, the support junior officers may feel they have when doing nothing, or very little, to assist women or child victims. Research demonstrates that after the introduction of new working practices, initial results are uneven, but some women begin to receive a better service. With consistent effort to improve practice, their numbers increase.

The second challenge is to achieve the re-education of officers:

- officer re-education requires acceptance that violence against women in their homes is often repeated over as many years as the woman remains, and early pro-active police intervention can prevent further crime from occurring
- women who are killed by their husbands and partners may have turned to the police for help before their deaths. Early effective intervention may not only prevent a further crime, it may prevent a homicide
- early effective intervention can also protect children in the household who are victimised as well, ie, sexually and physically as well as emotionally
- training sequences need to include what forms violence takes and why it is serious along with specific inputs on how to respond.

The third challenge is to systematically maintain records of attendances and their outcomes. The aim is to ultimately achieve completely reliable records:

- it is essential to record every request for assistance when the focus is on repeat victimisation. This is the only way the police will know if it is a repeat request.

In addition, under-reporting of child abuse and domestic violence is a major issue as it can encourage crimes of violence against women and children and can lead to repeated unchecked attacks on the same victims. Greater understanding of what it is that influences under-reporting can be used to improve the access of women and children to the criminal justice system. Decisions to report or to not report crimes to the police are rationally based on how women and others think officers will respond. If under-reporting is mirrored by under-recording, then forces will have a very inadequate understanding of how much domestically located crime against women and children there is. Believing crime volume of any specific crime to be small can further devalue it as an area appropriate for the devotion of resources, time and energy.

An example of a repeat victimisation domestic violence operational programme

In 1995 the Killingbeck Division of the West Yorkshire Police agreed to participate in a pilot project on repeat victimisation (Hanmer and Griffiths 1995; 1998).

- the rationale included developing approaches that improve responses to victims while gaining a more concerted focus on the offender
- gathering data on repeat victimisation directs attention to the victim and the possible perpetrator of a likely future crime. This helps to target scarce resources cost-effectively, both for the police and other agencies
- this pilot project was possible in West Yorkshire because of the previously established computer programme to record attendance to domestic violence, the Domestic Violence Index, as it provides information on previous calls for assistance. The pilot project is extending this data base by creating base-line data for the police against which subsequent years can be measured.

Figure 2: Repeat victimisation model

Level 1

At level 1, separate letters are sent to the victim and to the perpetrator. These draw attention to the Chief Constable's policy and the actions that can be taken. Women are told about other organisations that may be of assistance and how to contact the Domestic Violence Officer. They are also informed that a copy of the letter sent to the perpetrator can be obtained, which may be helpful if undertaking any civil law actions. The offender is warned that wherever possible it is police policy to make an arrest, which may result in charges, court appearance and imprisonment. If arrested and bailed, the letter informs the offender that regular checks will be made to ensure that conditions are not breached and the possible outcomes if they are.

Level 2

At level 2, letters are sent to the victim and to the perpetrator with additional information. The Beat Manager visits the victim and, with her consent, a cocoon watch is implemented amongst neighbours, family, friends. The cocoon watch consists of people willing to assist the woman by contacting the police if they see or hear anything of concern. The Beat Manager analyses need and seeks consent for other agency contact. A police watch consisting of two patrols per week for six weeks is implemented. If separated and there is property damage, improved security is addressed. The perpetrator is informed of these police actions.

Level 3

At level 3, letters are sent to the victim and to the perpetrator with additional information. The Domestic Violence Coordinator visits the woman to seek permission to implement the cocoon watch if not already in place, to discuss other organisations that may be able to help, to provide information on the offender if arrested and bailed, and the progress of any court case. Police watch is intensified and Voda phones (direct line to the station) are available if required.

Figure 2 (above) describes the actions taken by the police at each level of intervention. The model recognises the different situations of women who are living with or separated from the perpetrator, and the nature of the crime committed. These are divided into common law offences, where arrest is for the purpose of ensuring future breaches of the peace do not occur, and criminal offences where arrest and evidence gathering are mandatory police procedures. It is recognised that the first police attendance is likely to be to an already repeated incident. For the purposes of this model, repetitions are calculated in relation to police attendance in the previous 12 months. However, in assessing the

initial level of intervention the full police record of the domestic violence history of the man is reviewed along with information from the woman on previous unreported assaults, as individual cases may fall outside the three-stage progression. A first police attendance may warrant intervention at the second or third level.

The model involves input from all officers. As in the past, attending officers and others who may be involved as a result of arrest or supervision carry out the Chief Constable's policy. The only new tasks concern the work of the Domestic Violence Coordinator and, in a limited way, the Beat Managers (community constables). The Coordinator has overall responsibility for implementing the specific aspects of the model. She assigns the level of intervention, liaises with Beat Managers (who visit victims when incidents are repeated for the first time), and liaises with other agencies that become involved. After a second repeat the Domestic Violence Coordinator contacts the woman to explore what else can be done to assist her. With repeat attendance the level of intervention moves from levels 1 to 2 to 3.

At all levels of response there is no longer a category of intervention called 'no further action'. Police respond in a pro-active way through the provision of information to both the victim and the perpetrator, and arrest where possible. If men are present and arrest is not possible, they are warned that their behaviour could lead to arrest. With common law offences the perpetrator is arrested and removed from the home. When arrest is possible for criminal offences police respond pro-actively to the perpetrator and involve the other criminal justice agencies. Additional responses are possible when a woman is living independently as the man has no automatic right of entry to her home. This allows interventions identical or similar to those undertaken for burglary and other property offences when there is an attempted or forced entry.

The model involves increased inter-agency cooperation. It includes improved coordination between the police, probation services, Crown Prosecution Service and the courts in identifying and processing incidents. Repeat offence histories and pre-sentence probation reports are provided by the police to the Crown Prosecution Service, and the courts are informed of the intervention level and actions taken. Information on social and welfare agencies are given systematically to women by letter and by officers, and the Domestic Violence Coordinator liaises directly with specific agencies as appropriate.

The information sent out in letters at all three levels should emphasise that the victim (woman or child) has a fundamental right not to be subjected to violence and that it is the duty of the state to ensure that she enjoys this right.

Implications for training

The implications for training are more complex as repeat victimisation programmes involves all officers and other agencies in the statutory and voluntary sectors taking part in the process. Furthermore, a repeat victimisation programme relies on earlier developments in policing domestic crime and in gaining working relationships with other agencies. These agencies are in the criminal justice, the civil law and the social and welfare systems. They include non-governmental organisations providing direct services to women and children, such as refuges offering immediate, temporary accommodation, advice, assistance and counselling.

Training consists of:

- group meetings with agencies to explain the programme and allow for comment
- attitudinal and sensitisation training combined with training in the specifics of the repeat victimisation programme for every officer; training to be organised over a limited period to maximise the input. Through the training officers must be helped to understand how gender, socialisation and stereotypes of men, women and their relationships contribute to making repeat

victimisation highly probable. It is only then that they will understand why, for example, the victim finds it difficult to move out, even when options are available

- separate sessions for specialised officers, for example, in the Area Control Room
- additional training aimed at new officers which also offers refresher training for existing officers, incorporating earlier items with time for feedback on how well the programme is developing
- feedback meetings as the programme develops with Beat Managers and others as required

Conclusion

Responding to violence against women in Britain is now in its 27th year. Progress has been made but much more progress is needed to achieve the aim of ending violence against women and their children. Because violence against women is deeply embedded in cultural practices and because of values concerning the family and hierarchical social relations between women, children and men, progress is slow. But progress can be made, as Britain research, policy, governmental, community and professional interventions demonstrate. Each improvement in response to victimised women and their children lays the basis for the next. This is an incremental approach in which direct and indirect training are vital elements. Although it requires a solid foundation of policy, organisation, and record keeping, as an approach it is practical, achievable and it delivers results*.

* For further details: Hanmer, J. and Griffiths, S. (April 1998) *Domestic Violence and Repeat Victimisation*, Home Office Police Research Group Briefing Note No 1/98, Britain.

Hanmer, J. Griffiths, S. and Jerwood, D. (1999) *Arresting Evidence: Domestic Violence and Repeat Victimisation*, Police Research Series, paper 104, Policing and Reducing Crime Unit, Home Office, Britain.

Perspectives on offender profiling

Section 6 examines offender profiling and risk assessment both in relation to child sexual assaults, including paedophilia, and violence to women from known men. It introduces two different approaches. The first is to assess the likely characteristics of an unknown assailant, and the second is to assess the likelihood of further offending by one that is known. In the first instance, offender profiling is used in the investigation of crime, while in the second, the aim is to prevent crime. Both aims of offender profiling are becoming increasingly important when the assailant is unknown, because of the death of the victim or some other factor, such as age or mode of the crime or stranger attack. These can apply to children of both sexes and to adult women. When the offender is known to the victimised child or woman, then risk assessment of the likelihood of further offending becomes of particular relevance.

Offender profiling in relation to child sexual assault is discussed first. This is followed by the links between violence to women and children within the family and their relevance for risk assessment. Risk assessment factors associated with violence against women in the family are discussed last.

Child sexual assault and paedophilia

In some jurisdictions, registration of known sexual offenders after release from prison is mandatory. This is in order to protect the community, specifically the children within it.

Paedophilia manifests itself in a range of criminal behaviour from using the child as an object of pornography to murdering the child. Paedophilia is often an unrecognised, unreported and unaddressed crime, even among police. It underpins and is a common theme in child pornography, child molestation and child prostitution. The paedophile is predominantly male, although there are rare cases of female offenders. Three groups are identified:

- collector/toucher who collects child pornography and will touch children, in any way
- collector/abuser who collects, touches and ultimately abuses children
- collector/abuser/publisher who collects pornographic material, abuses children and publishes pornographic material himself.

In terms of offender profiling, the paedophile exhibits a long-term, persistent pattern of behaviour, the ultimate aim of which is the acquisition of child victims. Various strategies are used. For example, the offender may choose to target single mothers with young children or they may work in settings where access to children is easy, such as residential care or youth work. They may carefully plan a professional career and rise to senior positions in statutory and voluntary agencies and even become acknowledged experts on childcare. These carefully planned personally protective strategies coupled with sophisticated manipulative behaviours in relation to children and their caretakers make recognition of paedophiles very difficult.

There are factors, however, that should alert police officers to the possibility of a paedophile offender:

- convictions for indecency
- movement within the country or even internationally
- usually over 25 years old, sometimes married, but more frequently living alone
- sexual preference for younger persons
- acquaintance with younger persons
- attraction for professions involving children

- skill with victims, particularly young people who are neglected or in government care, who will be at a disadvantage if they attempt to make a complaint and are less likely to be believed than children with parental support
- although the offender may be a stranger, it is more likely he will be known to the victim; research reveals this in 75 per cent of cases
- the offender is skilled in the manipulation of child behaviour, resorting to competition, peer pressure and blackmail
- most offenders have a preferred child age group
- almost all offenders have collections of child pornography, which they will show the child to reduce his or her inhibitions and will produce using children they have attracted and groomed.

The paedophile is a particularly insidious offender, usually operating as part of a 'ring' which at its most basic level is local, but which has national and, ultimately, international, linkage, in that it will subscribe to national and international literature. The internet (or worldwide web), facilitates contact between paedophiles and the transfer of images. Downloading of material can be so quick that it is impossible to trace. When the 'ring' is very carefully bonded it is notoriously difficult to infiltrate, the offence being a way of life for the participants. When it consists of, or includes, highly placed professional men, even if suspicions are aroused, successful investigation is particularly difficult.

The paedophile frequently collects pornography and material, including academic articles, justifying his behaviour. He will also frequently be in possession of letters to and from other paedophiles. These collections serve a number of purposes including provision of sexual fantasy, a means to lower children's inhibitions, blackmail and material for exchange and profit. The collection will often be vast and have been kept for a long period of time, each item of the collection representing an instance of child sexual abuse.

Paedophiles may themselves have been the victims of paedophiles when children. It is, however, important not to overstate this trend so that it is assumed that an abused child will in turn abuse. There are three reasons for this. First, such a suggestion is counter-productive for victims of abuse, who will conclude that their behaviour is predicted for them. Second, the emphasis is on the victimisation of the abuser rather than the victim and finally, it suggests lower sentencing for abusers who were abused.

Paedophile or child sexual abuser?

In the past decade a discussion has begun on the usefulness of the term paedophilia as it implies men who seek sexual relations with children are abnormal and distinct from 'ordinary' men. However, given the widespread sexual abuse of children by fathers and other male family members, this is a dangerous illusion. So-called ordinary men also may sexually abuse their daughters and her friends and known children through paedophile rings. They also may abuse children from other countries through sex tourism to foreign destinations for the purpose of sexual exploitation of girls and boys, who may be very young.

Children can be targeted for sexual abuse at any age, from infancy upwards. In those Commonwealth countries where research has taken place, the average age of child sexual abuse is pre-teen. Most child sexual abuse takes place in families and is directed at girls, although both girls and boys may be abused or only boys. The widespread sexual victimisation of children and the multiple ways a child can be targeted is leading to a reassessment of the child sexual offender and how the police should investigate him. It should never be assumed that a sexual offender has only one victim even though initially the complaint may be on behalf of only one child. If the child is being assaulted by a family member, her/his siblings may also be victims. Unfortunately, research shows that victims often

erroneously believe they are the only one being abused in their family and a major motive for their silence and endurance of unwanted sex is a belief that cooperation with the abuser will protect sisters and brothers. The investigation of child sexual abuse, whether the victims are known or unknown, should always include a household search for child pornography.

There is an erroneous belief in some parts of the Commonwealth that sex with a young girl will cleanse a man who is HIV positive or who has AIDS. Not only is this belief incorrect, but it is a further inducement to commit sexual crime against a child. Child prostitution is not uncommon in Commonwealth countries and the importance of this needs to be more fully recognised. The focus should not be solely on the girl or boy, but also on the men who seek children to prostitute. For example, approximately one-half of female prostitutes in the UK entered into prostitution when under 16 years of age. Many were in government care or had been sexually abused in their homes when children. Their early inadequate or abusive life experiences create vulnerability and reduce their chances of a better life. Sensitising police officers to new definitions of child abuse to include prostitution is important in identifying so-called ordinary men who use their adult status and power to exploit and abuse children.

Linking violence to women and children

Domestic violence and child physical and sexual abuse are often linked. The mother of sexually abused girls and boys may be subject to physical and sexual abuse herself. Occasionally mothers are implicated as abusers, but a far more common pattern is a family with multiple victims, rather than multiple abusers. Police investigators should always enter the investigation with an open mind about who is doing what to whom and should not assume that 'everyone knows' what is going on.

Investigating child sexual abuse requires sensitive responses to everyone in the family group; the abused and the non-abusing as well as firm action in relation to the abuser. Child protection policies have traditionally resulted in the removal of the child, who is doubly punished by the abuse and by losing her home. Removing the abuser from the home is a more appropriate response to be carried out by the police.

Police in some jurisdictions also have begun to connect family child sexual abuse with the sexual abuse of unknown children. For example, in the UK when men are arrested for seeking under-age girls for the purpose of prostitution, checks are made on the welfare of children in his family through the social service at-risk register. Police in the UK also have begun to change policies regarding charging under-age girls with prostitution offences, rather the girls are treated as child abuse victims in need of care and protection. Prosecution is beginning to shift to the men who pay for sex with children.

Revealing child sexual abuse can be shocking and damaging to relationships between the non-abusing parent, almost always the mother, and the child. It is essential that the mother be allowed to express and work through her feelings while she is in a crisis state, ie, within the first few days of learning about the abuse, in order to safeguard the relationship between the child and the mother. For a girl to be betrayed by her father or other male relative is a major loss, for this to be compounded by a rupture in the relationship with her mother, is a tragedy. Women may find it easier to reject the child in favour of the abusing husband, especially when there are other children, housing and economic considerations. In order to understand the complexities and to be more helpful to direct and indirect victims of sexual abuse, investigating officers need training based on gendered sociological explanations.

Violence against women: domestic assault

Researchers at the British Columbia Institute on Family Violence have produced a Spousal Assault Risk Assessment Guide, known as SARA (Kropp, Hart, Webster, Eaves 1994). This presents a framework for assessing the risk of future violence when men are arrested for assault on their female partners. In using this Guide, it is essential to remember that any man can commit assault against a partner and that women may fear speaking out about their abuse because their partners do not fit profiles like that below. Also, they may not be believed by police officers for the same reason.

The Guide is designed to be used in pre-trial, pre-sentence, and post-sentence risk assessments and decision-making. It is a clinical checklist of risk factors aimed to provide an aide memoire to ensure that relevant information is considered and evaluated. Its authors are cautious, recommending that at this stage, in making decisions about individuals, it should be used by those with considerable forensic knowledge or experience as improper use could either unnecessarily adversely affect outcomes for offenders or victims. However, as a quality control list of potential factors to consider, it can be used for monitoring and review purposes.

These items draw on findings of research studies and mental health practitioner experience. The items are scored, although the authors are keen to point out that at this stage, SARA does not provide an absolute or relative measure of risk. Offenders who are more likely to attack family members and repeat their violence have the following characteristics:

- a history of violence to family members
- a history of violence towards non-intimate partners or non-family members
- violation of court ordered conditions, such as terms of conditional release or community supervision such as bail or probation orders
- unstable intimate relationships
- unemployment, low income and financial stresses or sudden negative changes in employment status
- victim of and/or witness to family violence as a child or adolescent
- recent substance abuse or dependence
- recent suicidal or homicidal thoughts or intent
- recent psychotic and/or manic symptoms
- serious problems with anger, impulsiveness or behavioural instability
- past physical assault on the same or other partners
- past sexual assault or sexual jealousy
- past or current use of weapons and/or credible threats of death on current partner or others, ie, men feared intensely by their partners
- recent escalation in frequency or severity of assault
- extreme minimisation or denial of assault history, particularly noted with attacks on wives where this is associated with an unwillingness to stop the assaults or enter treatment programmes
- attitudes that condone wife assault, for example, a male prerogative, hatred of women, violence as a way of resolving conflicts
- severe violence and/or sexual violence
- violation of civil or criminal court orders to not contact the victim.

The authors of SARA also suggest there are other risk factors that could be taken into account, such as:

- current emotional crisis requiring psychiatric treatment
- history of torturing or disfiguring their partners
- victims or witnesses of political persecution, torture, or violence
- sexual sadism
- easy access to firearms
- stalking, ie, the persistent harassment and intimidation of a past or current partner.

Several jurisdictions have recently passed legislation to prosecute stalkers as they do not always commit crimes of assault or criminal property damage, for example, persistent surveillance or persistent unwanted communications that do not contain obvious threat.

The authors suggest that detailed assessment procedures should include interviews with the alleged offender(s) and the victim(s), other victims, witnesses including children, other professionals such as probation officers, the use of self-report questionnaires, standardised measures of physical, emotional, drug and alcohol abuses, review of all available records such as police reports, criminal records, victim statement, and the use of standardised personality inventories and cognitive functioning tests.

Offender profiling and risk assessment are beginning to receive major attention both to prevent and to investigate violent crimes. These are based on a recognition of repeat victimisation of the same victim or multiple victims. Sexual offenders cause great anguish, permanent psychological damage, and even death to their victims.

Evidence and investigation techniques

Section 7 provides an overview of key issues in obtaining evidence and the associated techniques of investigation for rape and other sexual assaults, including both physical and sexual offences against women and children. In some jurisdictions specific police responses to these categories of offences and complainants have developed separately and there are special features in responding to each. However, there are shared elements in evidence gathering and investigation techniques, partly because domestic-based assaults against women may be either physical or sexual offences, and partly because the same attention to detail and respect for complainants, whether they are children or adults, is required. The quality of evidence obtained in the course of police investigations is vital to the outcome of any prosecution. Quality evidence can only be achieved through quality investigation and this is dependent on officers being appropriately trained.

Rape and other sexual assaults

Training must address the myths of rape and introduce officers to the rape trauma syndrome. It may be that negative attitudinal problems are reinforced by legal definitions for rape or outcomes of court cases, which suggest that only a very serious physical attack followed by sexual assault can be successfully prosecuted. A legal requirement of corroboration may have a negative effect on police attitudes. Training on policy and protocols, as well as law, in relation to rape and other sexual assaults on adults and children is an important part of improving responses to victims. Appropriate training should address the common assumption that women try to inflame men – a belief that influences the approach taken by many police officers in investigations of sexual assault. An appreciation of the psychological and social cost of sexual assault for a woman may minimise the perceived relevance of this view.

The investigation of rape and other serious sexual assaults of women and children is conducted by experienced officers in many jurisdictions. These may be detective level officers from the relevant local station or officers in dedicated units. The investigation may follow this pattern:

1. A preliminary interview with the complainant. At this point, no statement is taken. This interview is usually short and general, aiming to give the investigation offices an idea of the magnitude of the offence.
2. A lengthy interview with the complainant with a woman officer. This can take as long as necessary, the aim being a comprehensive, lengthy statement. If the report is early, a medical examination occurs. This is very comprehensive and will be framed by the statement. There should be a protocol to guide the medical examination.
3. It is the responsibility of officers to make sure the forensic specialists take the right samples. The scene of the crime and the woman's clothing are examined. Disposable clothing is provided and in most cases the statement and examination occurs in a special 'victim examination suites'. These may be in police stations or another designated space, such as health or community facilities. In order to provide the best possible response to victims, examinations are usually conducted away from police stations. The aim is to provide women with a comfortable, non-threatening place in which to make their statement and to conduct the medical examination. When police stations must be used, the best rape examination rooms are furnished as an apartment and include a place for the medical examination and showering and cooking facilities. Care is taken so that the complainant feels like an individual, therefore account should be taken of ethnicity and appropriate facilities provided. Any examination will be conducted, if possible, by a trained woman doctor, if the complainant prefers.

4. If the suspect is at the scene of the crime, he will be placed in a different vehicle from that of the woman when taken to the station. At the station they will be kept separated and he will be examined by a different doctor.
5. The suspect(s), when known, is(are) interviewed.

Alternative procedures need to be developed where the facilities listed above are not available or possible.

Physical and sexual crimes against women

The initial contact with the police is pivotal in determining possible outcomes. If met by rudeness or disbelief, or victim-blaming statements by officers, complainants may refuse to continue to cooperate. Because women and children are more likely to be assaulted physically and sexually by men whom they know, preliminary training of officers must include basic information on appropriate behaviour when individual members of the public wish to make a complaint about criminal behaviour from someone they know who may have legal authority over them. Officers require instruction on who should become involved once it is obvious that the complaint is about physical or sexual crime against a child or a vulnerable adult. Vulnerability is increased when the attacker is a known man and especially when he lives in the household.

While thorough investigation is necessary even if death has not occurred, when it does it is essential that the police investigate thoroughly, as non-prosecution of homicide can be interpreted as a licence to behave in the home and in society as offenders please. No crime becomes too extreme. Non-intervention by the police can act as an incentive to other men to behave in similar ways and it is re-interpreted in the community as reinforcing the rights of men in relation to women and children. Homicide includes infanticide and deaths of children and adult women. Writing off suspicious cases as accidents, which happens in some jurisdictions, encourages the commitment of crimes of violence against women and children. If a starting point is needed, then homicide investigation is the priority. Skills will develop that can be transferred to the investigation of survivors of attacks.

After the report of sexual or physical assault, it is vital that the victim continues to be treated with respect as the investigation proceeds, even if sufficient evidence cannot be produced to enable a case to go to court. Although the primary objective of the police officer is to obtain information and samples for evidence, the victim has other immediate needs, including psychological support, physical treatment, accommodation. Officers need to know how to deal with these or where to make referrals. The experience of police officers confirms that support of the complainant initially and during the investigation is key to continuing cooperation.

Victim witnesses require support prior to their cases coming to court. When crime is committed by known men, pressure on women to withdraw statements can be intense. The length of time a case can take to reach court may mean the victim witness has moved on with her life through divorce or separation or is moving away and no longer as keen to pursue the prosecution. Regular contact and keeping the victim witness informed of progress with the case are very important in ensuring she remains committed to prosecuting the offender. In some jurisdictions victim support is provided by special schemes which are organised in various ways. For example, in the UK, the Home Office financially supports an organisation for victim support for all types of crime. In addition, there are initiatives in the voluntary sector, such as Women's Aid Refuges, Rape Crisis Centres, and Incest Survivors' Groups. Other initiatives are financially supported by local government, some police forces and the probation service. These may be organised through inter-agency projects. The aims of these initiatives are to provide trained volunteer counsellors and/or practical support for victims.

Child sex crimes

Special techniques for investigation of sexual crime may need to be drawn upon where child sexual abuse is concerned. Police need to be aware of why children may be reluctant to report sexual abuse to anyone. When the child does disclose the abuse and the police are informed, a 'child centred' approach is required. Depending upon the age of the child, the investigative technique may include the use of puppets or comics, for example. Effectiveness of any technique will depend on the awareness and training of the investigating officer. As in sexual assault generally, the statement of the complainant is of crucial importance in obtaining sufficient evidence to proceed to a charge and a court case that will secure a conviction. Police must receive specific training so that they can provide the best statement possible. This should avoid inappropriate language, exclude irrelevant material, and be completely and accurately recorded. It should not paraphrase the child's verbal statement.

While in many Commonwealth countries there are no specialised units or procedures governing joint work with other agencies in cases of child abuse, the following is an example of the elements and procedures involved in working together. Some police jurisdictions work closely with other agencies, particularly health and social services, in the investigation of sexual crime against children and to ensure the protection of children after a report is made. This may be a statutory requirement, as for example in the UK. Here the working partnership between the police, health, social services and other relevant agencies is developed through joint training based on the document, *Working Together Under the Children Act 1989*. This provides statutory guidance for inter-agency cooperation for the protection of children from abuse. Each local authority has developed detailed written inter-agency child protection procedures jointly agreed between the agencies involved. The major reason for the development of close working relationships between agencies is to respond to the best interest of the child. Close working relationships avoids the child having to repeat his or her traumatic experience to numerous officials, ensures that each piece of evidence is collected by the expert in that area and, at its best, creates a focus on protecting the child and prosecuting the offender.

The procedure is that when a complaint is received from any source, which can be from parents, other family members, neighbours, teachers, doctors, or others including directly from a child, the social services is the lead agency. Social services have a statutory duty to investigate allegations of child abuse, both physical and sexual and to take appropriate action to safeguard or promote the welfare of the child. In practice, the social worker will contact the local child protection police unit for a discussion or possibly a meeting before investigating the complaint. The outcome is a decision on who will make the first contact. This can involve the social worker only or a joint initial visit or the police only, depending upon the details of the initial complaint. Depending upon the outcome of this initial investigation, the police may or may not become directly involved. The child may or may not be placed on the at-risk register maintained by social services. Health services will be involved if a medical examination of the child is required. In ideal circumstances, the police surgeon and a paediatrician jointly will conduct medical examinations for sexual abuse. The reason for this is that the police surgeon has received specialist training in forensic procedures, while the paediatrician has specialist skills in responding to children.

If initial investigations suggest a criminal act has been committed, the police then interview the suspect, if known. If not known, then the police investigation focuses on locating the man or men involved. Once a suspect is located, statements are taken by specially trained officers, other evidence obtained, such as pornographic photographs or videos or computer collections of images and text, which may or may not involve the child in question. Evidence gathered from child victims of other unsolved sexual crime may be reassessed for connections with the current investigation.

The interview with the child may be video taped. In the UK video evidence is admissible in court in cases involving children and it provides a permanent record of the evidence of the child if other agency staff need to know. This can overcome reluctance to continue with court cases, establish the child's evidence, and restrict repeated interviewing of the child by various agency staff.

Working together continues as immediate child safety is the responsibility of the social services. This can mean support for the non-abusing parent when the suspect is living with the child and her mother. Alternatively, legislation designed to protect children may mean the local authority will apply for a civil order to remove the child from the home, although removing the abusing man through police arrest and remanding in prison until trial is a better solution for the child. Health services, including psychological services, may be required for the child.

Confidentiality is a major issue and it takes time to develop working relationships between agencies. The information each agency collects is different because fundamentally, it serves different purposes. The police produce statements for court actions and maintain records of past offences. Social workers produce information on families and social factors, while health collects information on physical and mental well-being and disease and this can include family records. Education records and information from teachers is another type of relevant information. Sharing information does not mean that the police obtain this written material, but it does mean seeing it and making notes from it, if required. Each agency retains its own documents, but is knowledgeable about the information held by the others. This can assist police investigation by suggesting other aspects to be examined or to be taken into account when collecting evidence for a potential court case.

If charges are laid and the case proceeds to court, various strategies have been developed to enable children to give evidence and to avoid further traumatic experiences for them. Evidence may be given by video or the child may have a screen placed in front of her so that she does not have to see her abuser and be subjected to non-verbal threat through facial expressions or other body movements or simply be terrorised by the sight of her abuser. Cross-examination can take place via video link. The judicial permission to use these techniques to assist children in giving evidence depends on a recognition of the degree of vulnerability of victim witness. A major factor is the age of the victim with greater court protection offered to younger children. There may be court witness service which means the child (and adult) victim witness will have the layout of the court, who sits where and who does what explained before the case. Courts are very intimidating to victim witnesses who know nothing of the procedure prior to giving evidence for the first time. Each of the following guidelines requires training inputs.

Adult/child sexual assault

GUIDELINES

- Investigation and evidence collection in sexual assault cases are too often hampered by myths and beliefs surrounding such crimes, and in some jurisdictions legal provisions that impose unnecessary corroboration requirements, hence training should focus on demystifying such crimes.
- Quality evidence is essential for a successful prosecution. Upon receiving a complaint, prompt action is required, as medical and forensic evidence can be lost if there is delay.
- Evidence can only be acquired through accurate investigation. The quality of the evidence and investigation depends on the training of the investigator.
- The success of a prosecution for sexual assault may ultimately depend on the quality of the complainant's statement. Specific training is needed so that officers are able to provide the best statement possible. Specific problems of investigation and evidence collection and statement taking in cases of child sexual abuse may require the use of specialised techniques.

- Accurate packaging and labelling of samples are critical. Officers must be trained to appreciate the importance of the integrity of samples.
- Working together with other agencies is necessary in order to ensure the continuing support and protection of victims, both child and adult woman, and to assist the investigation. These agencies can include non-governmental organisations when responding to sexual assault of women and also in relation to the physical and sexual assault of children, if these agencies are formally recognised as appropriate to be involved.
- Maintaining confidentiality is a requirement for the release and receipt of information to and from a co-partner/partner agencies involved in the investigation.
- Investigation proceeds from a recognition that the human rights of vulnerable persons, whether child or adult, are to be protected.
- Support of victims by officers and any additional victim support services should be an integral part of police work.
- Witness liaison schemes to look after child victims after arrival at court should be part of the court services to child witnesses. If these are not provided by the court, then the following points need to be taken into account when the victim is a child. Victim witness schemes include prior visits to the court and explanations of the various roles played by different members of the court, eg, judge, jury, prosecution and defence. Children often have radically mistaken views on procedure and outcomes, including what may happen to them, that need to be clarified before their court appearance.

Medical and forensic evidence procedures

Section 8 presents good practice in relation to medical and forensic evidence procedures. In cases of sexual assault, forensic evidence is frequently critical in securing a conviction and it is always relevant to physical assault cases. Complainants of sexual assaults in particular can find the experience they are forced to undergo in order to provide this essential evidence can be as harrowing as the original assault. The aim of good practice procedures is to avoid this outcome.*

Medical evidence

A number of countries in the Commonwealth have attempted to ameliorate this problem, seeking to render the medical examination required for the gathering of the vital evidence as comfortable as practically possible. It is preferable that medical evidence be obtained in a health or other non-police setting in order to provide a more pleasant atmosphere in which to examine the woman or child. The aim is to provide the woman or child with a trained expert so that her examination produces the best possible evidence. When acting for the police and legal system, the doctor has a responsibility to the state, however, the role of carer remains. The doctor-patient relationship is paramount.

Many of the same procedures need to be followed, whether the assault is physical only or both physical and sexual or sexual only and whether the survivor is a woman or a child. Photographic evidence of bruising, for example, can be obtained three days or so after a severe beating, while other injuries can be recorded in detail by the doctor at the time of the initial examination. Even when sexual assault does not involve physical violence, the medical examination should look for all signs of contact, such as, soreness, bruising, lacerations and bleeding of the external and internal genitalia, bites and scratches on any part of the body, tears and lacerations of the anus and rectal bleeding. There are psycho-social effects of sexual and physical assault on women and girls, such as shock, feelings of numbness, withdrawal from communication with others, denial that anything took place, unnatural calm, detachment and fear. Effects on the psycho-social well-being include physical symptoms such as tension headaches, disturbed eating and sleeping habits, gastro-intestinal irritability.

Psycho-social effects are as important as the physical effects. Many women may not struggle, due to extreme fear. Further, attempting to fight back may not be successful and may result in greater injury and even death.

The tasks of the police surgeon or physician are:

- to offer treatment, primary level counselling and referral for the physical and psychological consequences of the assault, such as services for sexually transmitted diseases, pregnancy testing, and counselling
- to provide important evidence of the crime and help judges and juries understand the physical and mental condition of the woman
- to corroborate the woman's testimony in court, thus enhancing her credibility as a witness.

The purpose of the medical examination is to establish whether or not a sexual act has been attempted or completed and whether or not the woman has given her consent or if consent is valid, for example, if she was under the influence of alcohol or drugs administered to her, or she is mentally unsound or a minor, or any other legal bar to consent.

Requests for a medical examination can be made by the survivor of an attack, her relatives, a women's rights organisation, or the police. Examinations can only proceed with the consent of the woman or that of the adult with parental responsibility, if a child. Kits are available, or should be available, for doctors that contain relevant forms and materials for the collection of evidence for forensic examination. For example, the kit may contain the following forms:

- authority to conduct the medical examination, to be signed by the survivor of the assault or the adult responsible for the child
- details of the survivor's medical history, such as name, address, next of kin, relevant medical and surgical history, date and time of examination
- the sexual assault history, such as when, where and how assault took place, details of penetration, emission of semen, condom use, oral and anal sex, last date of previous sexual intercourse, and whether between the assault and the examination the survivor bathed or changed clothes or undertook any other action that could have destroyed or altered the evidence.
- the forensic examination, to include written details of individual items of clothing and body evidence such as oral swabs, seminal deposits and slide for motility check, vulval, vaginal and anal swabs, blood for alcohol and drug testing, nail clippings, and foreign material on the body of the survivor, for example, pubic hair, seminal stains on the skin, blood
- general examination, including estimation of age where this is not available from public records and the documenting of injuries to the body and sexual organs to be noted on diagrams
- a discharge slip when the survivor is admitted to hospital which includes tests undertaken for sexually transmitted diseases, pregnancy, treatment for injuries and counselling undertaken and required
- examination of the suspect includes forensic samples such as clothing, pubic hair of survivor on his body, and samples of scalp, pubic, beard, moustache hair, blood samples for grouping, alcohol or drugs, DNA typing, fingernail clippings, the examination of the genitals and evidence of injuries, sexually transmitted disease.

All forms are to be signed by the examining doctor. All forensic evidence is to be placed in correctly labelled bags that are provided with the kit and signed for by the police officer who receives them.

Forensic evidence

The forensic evidence is then sent to the laboratory where it will be examined. Evidence is sought of the suspect's body fluids or other traces on the survivor or her clothing and hers on him. DNA testing is becoming progressively more important in locating suspects and in obtaining corroborative evidence. Forensic evidence of all types corroborates the survivor's account and may assist the police in obtaining an admission of guilt from the suspect(s) or in locating the suspect(s).

Training issues

Qualified physicians and forensic scientists require specialist training to be able to carry out tasks required to gather adequate evidence for court. This begins with the definition of physical assaults, rape and other sexual offences. While definitions of rape, for example, vary between jurisdictions, it is usual that full penile penetration and ejaculation is not required for the offence of rape. Virginity or the lack of it should not be relevant to medical evidence of sexual assault, nor should previous sexual experience. The so-called finger test should not be part of the medical examination, that is the distensibility of the vagina as this test is often misunderstood and used to discredit the victim witness.

Countries with few police surgeons should consider introducing these issues into the curricula of medical and nursing schools. This will ensure that all doctors and health centre workers on their first contact with a victim of sexual assault will know what to look for and do.

Specialist courses for scientific support staff and police officers are available in some jurisdictions. These can be organised on a national basis and offer training on photography, fingerprinting, facial identification, crime scene examination, scientific support and its management, preparation and presentation of evidence in court. Medical and forensic consultants require training in giving evidence as cases can be lost because of inexperience. Delays in court cases, which can be more than two years in some jurisdictions, make it even more necessary that detailed records be compiled at the time of the examination.

GUIDELINES

- Medical and forensic evidence is often crucial in prosecutions for sexual offences and even for physical assaults.
- The circumstances in which such evidence is gleaned may affect the integrity of the evidence.
- Forensic and medical evidence may be easily lost. Police training must emphasise the importance of care in the collection of such evidence and the importance of continuity in the control of such evidence.
- The training of police, police doctors and of forensic scientists must be coordinated so that each profession is aware of the issues that confront the others.
- Medical personnel should be trained so they are a support network for the police.
- Police surgeons and other doctors who collect evidence for the police have a duty of care towards the survivor.

* See the excellent manual on the collection of medical and forensic evidence produced by: Lalitha D'Souza (1998) *Sexual Assault*, (Centre for Enquiry into Health and Allied Themes, 519 Prabhu Darshan, S. Sainik Nagar, Amboli, Andheri West, Mumbai 400 058, India. Fax: 91 22 620 9203; Tel: 91 22 625 0363; e-mail: lds@cehat.ilbom.ernet.in).

Liaison with non-police organisations and agencies using an integrated approach

Section 9 introduces liaison with statutory referral agencies and non-governmental organisations. There have been major developments in inter-agency liaison and coordination in response both to child physical and sexual abuse and domestic violence offences in some Commonwealth jurisdictions. In these jurisdictions liaison in relation to children is more formally organised and governed by legislation than liaison in relation to offences against adult women. Liaison regarding children is also discussed in Section 6.

Why is liaison with other agencies necessary?

The police have a crucial role to play and this can be assisted by the intervention of other agencies with a social and welfare remit. Complainants of child abuse and domestic violence are left with problems that are not solely legal. Abused children, for example, lose self-esteem and trust and possibly their home and family, and abused women require help with housing and income support as well as cessation of the violence. In sexual crimes too, follow-up treatment of the complainant is essential. Although an investigation will often appear to be completed and conviction acquired, responding to the issues of accommodation, income maintenance and personal support must proceed at the same time. Effective case management and investigation may require coordination with non-police agencies, such as social services and women's refuges or shelters where these exist.

Responding to social and personal needs are core responsibilities of other statutory and of voluntary agencies (NGOs) and community based groups. Without training in working with other agencies, law enforcement officials are not adequately prepared to confront interpersonal crime against women and children. This requires more than training by other agency staff on their work, valuable as this is. It also requires joint training with other agency staff. The police have significant experience of cooperation and coordination with hospitals and medical personnel, but this is more recent with other agencies. In some jurisdictions, coordination of agency investigation into child sexual abuse has developed into joint work between the police, social and health services. Coordination in other jurisdictions may be confined to referrals for counselling or to other agencies to help complainants come to terms with their experiences. In some Commonwealth jurisdictions multi-agency coordination is non-existent and remains to be developed.

Which agencies should police liaise with?

The agencies police should liaise with varies between jurisdictions and depends upon their availability. Where non-governmental agencies are available the police should consider developing working partnerships with those able to meet the needs of children and women victimised by violence and abuse. Agencies that offer continuing contact and assistance with practical problems are particularly valuable as they complement police action against the offender. Statutory health and welfare services are essential partners, when available. Jurisdictions may have good provision in cities and be less well provided for in rural areas.

Women's organisations offering services to women and children are of particular importance to police investigating family based incidents. These organisations provide accommodation, advice and counselling, and include women's aid refuges or shelters, rape crisis centres, incest survivors groups, and for more general support, women's centres. Women's organisations for specific migrant and refugee groups can offer valuable assistance to victimised women. Building up effective contacts

and working practices takes time and commitment, but the rewards for policing in terms of quality of service delivery cannot be over-estimated. Few jurisdictions will have all these types of supporting services, but even a single social or welfare agency can make a substantial difference when police effort is directed towards developing joint working practices.

The police, through community funding for crime prevention schemes, for example, can assist in the setting up of independent non-governmental groups with a remit to provide services for victims of violence. Women providing services for women and children are particularly valuable and any initial distrust can be overcome through sustained efforts to cooperate. This will involve the police listening to the experiences of victimised women and children and the recognition of inadequate responses by the police. Openness in building relationships with the non-governmental sector is one way of acquiring knowledge that can lead to good practice in policing.

Survivors of violence may need civil law actions to ensure their continuing safety, such as protection orders restricting their abuser from contact with them and, in some jurisdictions, it is possible to obtain an ouster injunction which means the man must vacate the matrimonial home even when the house is in his name. This latter civil law remedy means women and children are entitled to remain in the home until the last child reaches the age of majority. Non-governmental agencies may provide advice and assistance in enabling women to access civil law remedies. This complements the actions of the police in relation to criminal law actions.

Criminal law enforcement involves other criminal justice organisations; magistrates, prosecutors, probation, corrections. Joint training with Justice department personnel facilitates knowledge of how the work of each aspect of the criminal justice system fits together, how cooperation can be better organised, and provides a basis for raising problems and issues. For example, the prosecution can fast track crimes against children and women if these are identified by the police as in need of urgent action. Probation services can provide magistrates with pre-sentence reports. Local issues can be discussed and the improvements needed in any sector of the system identified. Good working relationships, even within the criminal justice system, take time and patience to develop.

What constitutes liaison with other agencies?

Jurisdictions vary in the number and type of agencies with which the police can undertake joint work. Every community will have community leaders, both formal and informal and both women and men, and are likely to have religious organisations, the media and research institutions. Some will have local offices of state provided social and welfare services and local voluntary agencies responding to violence against women and children. They will have lawyers, including some who are particularly interested in undertaking legal work on violence against women and children. However small the absolute or initial number of potential partners, a start can be made.

The extent of liaison can vary beginning with information sharing with victims, with other agency personnel, to actually working together on cases:

- information sharing with victims often takes the form of information cards with agency contact details, including relevant police personnel. These may be a brief one line description of what each agency can offer with telephone numbers or addresses, for example
- information sharing with other agencies can take place through multi-agency fora which meet on a regular basis. The aim is to enable people to meet each other, to learn more about each other's work and to discuss issues of particular relevance, including new legislation and its implementation. These fora require limited central coordination and funding in order to arrange meetings, their agendas and update mailing lists. Funding may be undertaken by local government and a neutral coordinating base by the department responsible for women's affairs

- training initiatives can be organised by the police with invited speakers from statutory and voluntary agencies to explain the services they offer and how these can assist the police when responding to inter-personal crimes against women and children
- joint training can be organised by another agency. This can include expanding understanding of the work of the other agencies and the causes and consequences of child and woman abuse while permitting closer relationships to develop between the participants
- the networks that result from joint training are informally as well as formally structured. It is not unusual for individual officers and other agency staff to contact someone they know in another agency, rather than making a general inquiry. Joint training facilitates personal network building between individuals who become a first point of contact for further information and assistance. The organisation and responsibilities of personnel in other large agencies can be opaque. Joint training provides a professional understanding of the work of other agencies and facilitates contact between agency staff
- when joint working committees are set up, these serve the same purpose and more formally structure the relationship between agency personnel.

A multi-disciplinary approach is very valuable in the context of sexual and other inter-personal crimes to women and children, but careful protocols must be introduced to prevent the complainant from being revictimised by having to repeat her complaint to a number of agencies.

Training of all agencies involved in providing assistance to women and children who have been victimised by violence is essential and, from a policing point of view, it is important that other agencies understand the police perspective. The development of agreed protocols to encourage sharing of information between agencies, while maintaining confidentiality, can follow on from initial training and liaison meetings.

Inter-agency approaches are rewarding for police work, but it is not easy to achieve more than superficial contact. This is because agencies have different remits and working practices. It takes time and effort to become familiar with these and to find constructive ways of working together.

GUIDELINES

- Sexual crimes require skills and interventions to complement those of the police. Both the police and survivors of sexual crimes benefit from a multi-disciplinary approach.
- Liaison with non-police agencies must be carefully managed both to protect the complainant and achieve the best results. This liaison can be important not only in the management of particular cases, but as a means to train the police and other organisations. For example, the perspective of rape crisis centres should be understood by the police and taken into account seriously.
- Liaison with other agencies requires face-to-face meetings to encourage inter-agency cooperation and to identify any misunderstanding that may develop between different disciplines and services.
- Police, non-police organisations and referral agencies should share as much information as possible, while at all times protecting the confidentiality of the complainant.
- Care should be taken to determine whether the concept of confidentiality is being used to the detriment of the complainant.
- While police should liaise closely with non-police agencies in the context of sexual crime and other forms of violence against women and children, it must not be forgotten that these assaults are criminal and must be prosecuted. It is essential, therefore, that the police retain control in their areas of competence and authority.
- When working together is mandated by legislation, then responsibilities of each agency needs to be clearly spelt out. If confusion or disagreements arise between agencies, these must be treated with sensitivity in order to avoid permanent damage to governmentally required joint working practices. Joint training is a basic requirement as are protocols for joint work.

Statistics, data collection and case management

Section 10 explores the relevance of data collection to policing and its importance for case management. Reliable data bases reveal the seriousness and extent of problems and provide a basis for meaningful statistics. Systematic data collection is essential for effective case management.

Why collect data?

Data should be collected at all levels – local, national and international. If possible, data should be systematically collected via networked computer programmes, but if this is not possible in all jurisdictions, paper records are preferable to non-recording. Data collation and analysis provide a basis for short- and long-term strategic plans and operational responses, so the easier and time-efficient the recording system is to use and to share results, the better it is.

For operational purposes data should be collected at all stages of the progression of individual cases beginning with the original request for assistance in order to establish the link with police investigative procedures. This will allow any weaknesses in police investigation and procedures to be identified. Collation of specific information across local forces provides regional and national data for policy, legislation, and resource allocation. To avoid misleading and ultimately meaningless statistics, well thought out definitions of the data to be collected are needed. Defining the data to be collected should arise from the purposes for which it is required.

Data bases on violence against women and children can be used simultaneously for a number of different purposes. These can be to:

- alert police, who often under-estimate the seriousness of the issues, to the extent and importance of the problems
- provide information on the aetiology of the abuse
- provide information for the deployment of resources
- identify repeat offenders
- identify repeat victims
- provide information for managers on individual and collective police responses
- justify the expansion of police operations
- justify funding and resources
- provide a basis for police input into law reform processes.

What data should be collected?

Relevant cases are all police attendances to requests for assistance from women and children, both when officers go out to calls and when requests are made for assistance by victims and others at the station. To enter every relevant case requires officers to understand which situations require entry. Correct identification codes must be given. The primary indicator is the relationship between the alleged perpetrator(s) and the victim(s). 'Domestic' requires an inclusive definition; boyfriends, partners, ex-partners, children living with and separate, and other household members. Where extended family is important, for example, multiple wives or in-laws, then they too should be included in the definition of domestic. All officers must be given training to ensure that they understand these definitions.

Relevant information on individual cases includes: name(s) of perpetrators, name(s) of victims, address of both, if different; brief description of reasons for attendance or call to the station; immediate outcome, identification of officer(s). Other data can be included, such as age, ethnicity/race, and subsequent action should be added or be kept in a form where it is easy to connect to the immediate response data.

Data collection issues

Police statistics and any data produced from them, however, will only be as valuable as the original information provided. Flawed data can result from

- not entering every relevant case
- relevant information not included
- incorrect information in entries
- inadequate collation and statistical treatment.

All of these errors are very easy to make.

It is not always easy to determine who is responsible for the entry of incorrect or missing data, particularly when more than one person is responsible, for example, when other officers or civilian staff allocate work to officers who make emergency responses and entries are jointly made starting from the initial request for assistance to the conclusion of the attendance. It is, however, essential that managerial checks on data entry are made on a regular basis in order to correct deficiencies.

Collation and statistical treatment of data should be considered at the same time as the planning for its collection. Consideration should be given to the production of frequencies, of cross-tabulations, and, for repeat victimisation data in particular, tests of significance and multi-variate analyses. Operational officers involved in cases and statistical collection should be given regular feedback on the collected data so that they appreciate the importance of their contribution to the process.

Another issue that needs to be addressed in data collection is the use being made of alterations and additions to criminal law. This will identify training needs and it should reveal the value of the particular reform strategy.

Data from non-police sources

Because most assaults on women and children are not reported to the police, other ways of assessing the extent and type of crime are needed. Some jurisdictions collect national data via victimisation surveys using large-scale survey techniques. An even larger number of jurisdictions have small-scale qualitative and quantitative surveys undertaken by agencies and academics. These can be very useful to policing as they often provide the victim's perspective, the extent and type of violence experienced, the help-seeking activities of victims, and the response of family, friends, workmates, statutory and voluntary agencies. Statistics also may be collected and collated by the social services, medical personnel and NGOs providing direct services to women and children, such as women's groups. These independent research studies provide data for the training of officers.

Sharing comparative analysis of information from whatever source is extremely valuable, as it assists in recognising the services required. Openness in sharing the results of police recording serves to give the police credibility and also serves as an informal monitoring process for the police, improving reporting and flow of information within the force. It also assists in the development of policy and good practice.

GUIDELINES

- Statistical data bases are essential to shape responses to the issues of domestic and sexual crime. Thorough information gathering also provides a basis to inform legislative change and to monitor the effectiveness of current and amended laws. This in turn, provides accurate information to shape appropriate legal changes.
- Clear definitions must be used when gathering data.
- Data should be collected continually and at all levels – local, provincial, national, regional and international.
- Data should be culled from sources other than the police.
- Data should be collected from the perspective of the victim and other concerned agencies, as well as from the perspective of the police.
- Data and statistical information must be shared with other agencies, and be analysed by qualified statisticians so that trends and areas requiring further research are quickly identified.
- A code of ethics governing the collection, use and sharing of statistical information and other data should be developed. This code should particularly reflect the importance of confidentiality to the victim.

Training Modules

Training Module on Child Protection, *Britain (West Yorkshire)*

Training Module on Rape, *Britain (West Yorkshire)*

Training Module on Sexual Offence, *Britain (West Yorkshire)*

Police Training on Violence Against Women and Child Sexual Abuse, *Malta*

Training on Violence Against Women in Relationships, *Canada (British Columbia)*

Family Violence Training Pack, *New Zealand*

Training on Human Rights and Policing, Vulnerable Persons, *South Africa*

Women and Violence: Training Modules for Police Officers, *India*

11.1

Training module on child protection

Country: Britain (West Yorkshire)

Introduction

Child abuse can be an emotive issue and the cause of much public concern. Searching questions are often asked of those responsible for its investigation.

- Is the incidence of child abuse increasing, or are we simply more aware of its existence?
- Who identifies that child abuse is occurring and how can we be sure that their decision is reliable?
- Where should the emphasis lie:
 - on investigation
 - bringing the offender to justice
 - or on the long term welfare of the child?

The police service has responded to many of these concerns by increasing training and awareness of the issue. Specialist units have been formed to develop higher professional standards within the service and to work with other agencies in a joint approach to ensure the welfare of the child.

The term child abuse is used to describe the sexual or physical abuse or neglect of children. At this stage in your service it is unlikely that you will investigate an incident or allegation of child abuse on your own. It is, however, essential that you are alert to the problem and are able to recognise the signs and symptoms that may be shown by abused children. You should also know what action to take on discovering or receiving a report of child abuse.

Child abuse may be dealt with by specialists, but early detection of children at risk is a part of your role. During foundation training you will have considered the powers provided by the Children Act to take a child into police protection. In these notes we will examine the causes of child abuse and the role of the police service and other agencies who have the responsibility for the protection of children.

Recognising the problem

Child abuse is a major social issue. There have been numerous tragic cases that have hit the headlines, but soon faded from the public's memory. Often the enquiries that follow the most notorious of these incidents reveal that there were warning signs that, if acted upon at the time, would have prevented unnecessary suffering.

As you patrol or respond to incidents, your role in recognising and reacting to potential abuse is as important as the role of Social Services, National Society for the Prevention of Cruelty to Children (NSPCC) and specialist units. It is not someone else's job – it's yours!

The nature of child abuse

We will consider child abuse under the four broad categories of:

- neglect
- abandonment
- non-accidental injury, physical abuse
- sexual abuse.

It may appear that these headings represent an escalating scale of events, although they can all lead to varying degrees of physical or emotional harm to the child and result in serious injury or even death. You are more likely to deal with situations involving neglect, abandonment and physical injury although you must be alert to signs of any form of child abuse.

Neglect

A definition of neglect is 'the persistent or severe neglect of a child (for example, by exposure to any kind of danger, including cold or starvation) which results in serious impairment of the child's health or development, including non-organic failure to thrive'. The essence of neglect is the failure of the person responsible for the care of the child to take the appropriate action to safeguard health, safety and physical well-being. 'Non-organic failure to thrive' is when a child fails to grow normally and there is no medical explanation for this failure.

Abandonment

This can be seen as a progression from 'neglect', in that a child is left to its fate when the person responsible for the care of the child does not fulfil their duty to ensure his or her safety and security. This can vary from parents who leave a child unsupervised for a few hours while they go out to work, to 'home alone' cases where a child is left without proper arrangements for its welfare while the parents go away on holiday.

Physical abuse: non-accidental injury

Physical abuse of children is commonly referred to as 'non-accidental injury' and, although it may be easier to detect than other forms of child abuse, it presents similar difficulties to the investigator. There may be some visible mark, or scar, which makes it obvious that a child has been injured. Unfortunately, what the mark does not generally prove is whether it was caused by an accident or an assault.

A definition of physical abuse used by the professional agencies working for the protection of children is:

'Physical injury to a child, including deliberate poisoning, where there is definite knowledge, or a reasonable suspicion, that the injury was inflicted or knowingly not prevented.'

This definition does not constitute an offence, but is used to ensure the agencies have a common approach to the problem. You already have considered most of the offences relating to physical assault during your training. All of these offences are, of course, applicable where children are the victims in same way as are adults. The offences and the powers of arrest may be used where the circumstances make it necessary.

There is an offence provided by the **Children and Young Persons Act 1933** which is intended specifically for cases of cruelty or abuse of children.

The offence is committed by any person who is 16 years or over who has responsibility for a child under the age of 16 years and who wilfully assaults, ill-treats, neglects, abandons or exposes the child in a manner likely to cause unnecessary suffering or injury to health (including any mental derangement, as well as physical harm). This offence can also be committed by a person who causes or procures the abuse of a child in the same circumstances. The offence carries a maximum penalty of 10 years imprisonment and is therefore an arrestable offence.

Sexual abuse

There has for many years been an awareness that sexual abuse of children occurs, although it has only recently become apparent how common these offences are. Organisations such as Childline and Childwatch have prompted increased media attention and have encouraged more people to come forward with their problems, but whether there has been an actual increase in child abuse is obviously difficult to say.

Why do you think this is?

One reason you may have identified could be ignorance, in that the child may not appreciate that what is happening is wrong. Fear, shame or pressure from the abuser could be others. All these factors mean that child sexual abuse is particularly difficult to detect.

There are many ways in which a child can be sexually abused and the following offences may be considered according to the circumstances:

- rape
- indecent assault
- incest
- buggery
- indecency with children.

What is your role?

There are measures that you can take to safeguard children and discourage possible offences. Patrolling in the vicinity of your local schools at times when children are arriving or leaving and spending time in parks and play areas where children congregate will build the confidence of children and parents alike and may dissuade the offender from seeking out the vulnerable.

As a beat officer you come into contact with children every day, you have access to where they play, their schools and the home. Your involvement with them may include supervising a school crossing patrol, dealing with them as offenders, missing from home or attending domestic disputes.

Do not underestimate the effect that the presence of an officer in uniform can have. Child abuse often comes to light as a result of a disclosure by the child to someone they trust. This may be a friend, relative, teacher or you!

Be observant and questioning.

'Why does that child always play alone?'

'Why is that child always getting into trouble?'

'Why is that child always running away from home?'

The sharp observer will pick up on these behavioural clues that a child may make. Be prepared to look beyond the obvious.

Who are the victims?

It is very difficult to gain an accurate picture of who are most likely to be the victims of child abuse. A number of research studies have been carried out which indicate that no particular age groups are more likely to be victims of child abuse. Generally girls are more likely than boys to be victims of child abuse. Perhaps the most significant factor in the research is that abuse is far more common than has been accepted in the past.

There are factors which indicate that some children may be at greater risk. Significant risk factors include:

- children of parents who were themselves abused as children
- children in a family where another child has already been abused, or in which a known abuser remains in the same house.

Who are the offenders?

While the abuse of children occurs commonly in the home, abuse from strangers accounts for a substantial proportion of known incidents. Offenders come from all sections of society and, although predominantly male, women also offend. It is important not to fall into the trap of stereotyping individuals or groups as the only people likely to commit such crimes. The image of the 'dirty old man' or 'dirty mac brigade' does not reflect an accurate picture of the child abuser.

The term 'paedophile' is used generally to describe people who sexually abuse children. A more specific definition is that paedophilia is essentially a state in which an individual is predisposed to use children for sexual gratification. There is a danger of using this term to classify one type of behaviour as research has revealed that there are many different behaviour patterns. These range from people suffering from a mental handicap or illness whose behaviour may be more readily compared to that of a child and who see children as non-threatening, to very sophisticated and calculating individuals who adopt a lifestyle and position in society that enables them to readily indulge in the abuse of children.

The important point to remember is that there is no easy way of recognising children at risk, victims or offenders. You must be alert to the possibility of child abuse in almost any situation.

What action should you take?

So what do you do if you suspect that a child has been abused?

It is impossible to provide strict guidelines for action that should be taken if child abuse is suspected. In some circumstances it may be essential that immediate action is taken and you may have to use your power under the Children Act to take the child into police protection. In other cases, it may be more appropriate to pass your suspicions to the specialist department responsible for child safety so that circumstances can be investigated with the help of other agencies.

It is your duty to act in the most appropriate manner according to the situation but remember that the overriding consideration must always be that the **rights and welfare of the child are paramount**.

The Children's Act 1989: A joint approach

This Act provides the framework for the care and protection of children. The provisions of the Act affect all organisations that have an interest in ensuring the well-being of children, including public bodies such as Social Services, Education, Health and Police, as well as voluntary organisations, particularly the **National Society for the Protection of Cruelty to Children (NSPCC)**.

The legislation establishes a number of concepts and principles, including:

- the welfare of the child is paramount
- parental responsibility is retained even though it may be necessary to establish a court order to ensure the welfare of the child
- all agencies should work together to ensure the best interests of the child are served.

It is the responsibility of every local authority to establish an **Area Child Protection Committee**. This committee consists of representatives of social services departments, the police service, medical practitioners, community health workers, the education service and others who share the common aim to protect a child who is at risk. One of the main roles of this committee is to ensure that all child protection cases are the subject of appropriate and coordinated action by all the agencies involved.

Child protection conferences bringing together the family and representatives of the agencies concerned in the care of the child, are held to discuss individual cases. The conferences do not decide whether a child has been abused (that is for a court to decide), but are intended as a forum to exchange information and plan for the future.

A Child Protection Register is kept in each area covered by a social services department and lists the children in the area who are suffering, or likely to suffer, from significant harm. This is not a list of all children who have been abused, but those who are currently receiving the attention of the local agencies. The professional staff who are involved in child protection have access to the register.

Child abduction

The failure of a relationship can result in children becoming victims of a dispute between parents. This can lead to civil action to establish who should have custody and other rights over the child. There are occasions when these rights cannot be established to the satisfaction of all the people involved and these may lead to disputes or 'tug of love' situations where parents take the law into their own hands. This behaviour can be distressing and disruptive for the child and where abduction takes the child out of the United Kingdom it can be difficult or even impossible to reunite the child and the parent or guardian who has custody rights.

In all cases it is essential to give the worried parent and family as much support and help as possible, but in cases where it is suspected that the child may be removed from the United Kingdom it is essential to act quickly.

The **Child Abduction Act 1984** provides two offences that deal with the situation.

The first offence is for the situation where a 'person connected' with a child under the age of sixteen takes or sends the child out of the United Kingdom without the 'appropriate consent'. A 'person connected' with a child is generally a parent, guardian or person with custody of the child and the 'appropriate consent' is that of the other parent, the guardian, person with custody of the child or of a court.

The second offence is where any person, without lawful authority or reasonable excuse, takes or detains a child under the age of 16, either:

- to remove the child from the lawful control of any person having lawful control of the child, or
- to keep the child out of the lawful control of any person entitled to have lawful control.

Both are arrestable offences so you have wide powers to deal with the situation. If the offence has been committed, and you suspect that the child is imminently being taken out of the country, it is possible to use the PNC (police national computer) to broadcast the information to all ports in an attempt to detain the offender. You should contact your supervisor without delay in order to ensure the appropriate action is taken.

There are circumstances when one of the offences above may not have been committed, but there is concern that a child may be abducted and taken out of the country. You may be approached by a

parent or solicitor for assistance. Your force will have procedure whereby the PNC can again be used to broadcast information and intercept a possible abduction. You should pass information to your supervisor without delay.

Follow-up activity

Identify your local procedures for notifying the appropriate specialist department of a child at risk.

Further reading

1. Johnson, P. *Child Abuse: Understanding the Problem*, The Crowood Press.
2. Mayers, G M et al. *Child Sexual Abuse: A Review of Literature and Educational Materials*, Scottish Academic Press.
3. Home Office. *Working Together Under the Children Act 1989*, HMSO.

11.2

Training module on rape

Country: Britain (West Yorkshire)

Introduction

In terms of age, race, occupation and marital status, ANY person can be raped. The appearance of an individual is usually irrelevant; elderly persons, young children and pregnant women can be raped.

The actual offence of rape is a very violent one. Even if no physical injury is inflicted there are many physical and psychological aspects to be considered.

The offence of rape

A man commits rape if he:

- has unlawful sexual intercourse with a person (whether vaginal or anal) who at the time of the intercourse does not consent to the intercourse **and**
- at the time he knows the person does not consent to the intercourse **or**
- is reckless as to whether that person consents to it.

Consent

Consent is an absolute defence to rape, but it must be a true consent otherwise the offence will normally be committed.

Consent would not be given if:

- force was used on the victim
- the victim was in fear of immediate bodily harm
- the victim was put under duress, eg, his/her life, or that of a child present, was threatened
- it was obtained by fraud
- the victim was insensible through intoxicants or drugs. If his/her understanding and knowledge of what was happening was such that a rational decision to consent to, or resist, intercourse could not be made, then he/she could not give consent.

A girl under 16 years of age or a boy under 18 years of age cannot in law consent to sexual intercourse, but it is not rape if he/she willingly participates. To understand what offence has been committed in this case, see the chapter on Sexual Offences.

The term 'unlawful' has the common law meaning of 'outside the bonds of marriage'. However there have been some cases in the 1990s in this country of husbands being convicted of raping their wives. Therefore, the word 'unlawful' is no longer of significance in rape.

The nature of the act of rape is difficult to prove and, although in law corroboration is not necessary, in practice corroborative evidence is required in all sexual offences (11.3 below).

This may be provided by medical evidence, forensic evidence, the evidence of a witness or by an admission by the accused.

To prove a charge of rape, sexual intercourse must have occurred. This is defined as penetration of the vagina or anus by the penis. the penetration need only be to the 'slightest degree'. Ejaculation is not necessary to prove the offence.

Penalty

The maximum penalty for rape or attempted rape is life imprisonment. It is a serious arrestable offence.

Until 1994 'rape' could only be committed by a man upon a woman, but now 'male rape' (ie, penetration of the anus by a man upon another man) is recognised in law. The possibility of a woman raping a man is not recognised in law in Britain. Anal intercourse between a consenting man and woman is now legal.

For the points to prove and police powers, see the Sexual Offences chapter (11.3).

Myths and realities of rape

- Why is rape different from any other crime?
- How do others view rape?
- Why do certain victims react differently from others?

Here are some typical myths about rape.

Myth Rape is usually committed by a stranger.

Reality Most victims know their assailant. A study of rapes recorded by the police in six countries found that 60 per cent of the victims could name their assailant as a friend, neighbour, work colleague, relative etc. Two-thirds of those cases involved relationships that could be described as 'close' and for the remainder, the parties were briefly or superficially acquainted.

This is based upon rapes reported to the police, but acquaintance rapes are less likely to be reported and therefore it is likely that the proportion could be even higher. Why are acquaintance rapes less likely to be reported to the police?

Some reasons could be that the victims suspect that they will not be believed, or that giving evidence in court may be more harrowing if the defendant is known to them.

Myth Rape is impossible without the use of severe physical force.

Reality Although most rapes involve the use of physical force to some degree, many people respond to threats of violence, whether explicit or implicit, by freezing and becoming unable to defend themselves. This does not make them willing partners. The view that it is impossible to have sex with another person who does not want to is totally inaccurate when fear is introduced into the situation. Fear of being hurt or killed reduces most people to a state of complete helplessness and takes away their ability to think or act rationally.

Myth If an individual really has been raped, the first thing she/he will do is tell somebody about it.

Reality Various studies have shown that rape is a very under-reported offence. Estimates suggest that only a small proportion of people who have been raped report it to the police.

There are many reasons why a person may choose not to tell anyone, least of all the authorities, that she/he has been raped. Some are too upset to consider it; others feel too embarrassed about discussing intimate details; some feel it will be easier to forget if they don't tell; some may have been threatened. There is also the fear of going to the police and not being believed, particularly when they have been raped by someone they know or have not been physically injured. Some heterosexual men who have been raped may feel that if

they report it to the police, they will be thought of as homosexuals. Considering the current stigmatisation of homosexuality in our society, this is a concern to many men.

Likewise, some homosexual men who have been raped may be unwilling to report the offence because they believe homophobic attitudes will be displayed towards them by the police. Research into this crime is limited due to the fact that some men may feel embarrassed about having been raped and believe that to disclose an offence of this nature may lead others to question their sexual orientation. Although the research into rape trauma syndrome (described below) was conducted with female victims of rape, it is professional practice to treat the male victim with the same care, respect and understanding.

Myth Rape is primarily motivated by sexual needs.

Reality Existing research, with both victims and convicted offenders, strongly suggests that aggression and power, rather than sexual needs, are the motives for rape. This does not mean that sexuality plays no part in offences of this kind. The fact that the offender chooses sex rather than any other form of violence to express his feelings is clearly of some relevance.

Myth Victims enjoy rape.

Reality Rape is a crime of sexual violence and humiliation. Most rapes involve some degree of physical force.

Rape is often experienced as a life-threatening event. Men can use the threat to kill to ensure the other's submission and silence. It is a brutal, terrifying act. How can it be compared with sex within a consenting, loving relationship?

Rape Trauma Syndrome

What is Rape Trauma Syndrome?

In the 1970s research was conducted into the feelings and reactions of 92 adult female victims of rape. The findings became known as Rape Trauma Syndrome.

Why will this help me?

It is possible that you will be the first police officer to arrive at the scene of a rape or serious sexual assault.

An understanding of Rape Trauma Syndrome may be of benefit to victims in ensuring that they are dealt with in a way which will not increase trauma and which may assist recovery, help to gain victims' confidence in police and encourage a willingness to participate as witnesses during investigations and subsequent court cases.

Victims' reactions to assault

The immediate responses to sudden and unexpected violence are normally shock and disbelief. The vast majority of victims then experience fright which can border on panic. This response is especially true when victims feel that their lives have been in imminent danger. In some crimes, particularly where there is prolonged contact with the criminal, the feeling of impending peril is often deliberately encouraged by the criminal. The reaction may be that all victims can think about is relief at having survived the assault.

Many police officers expect the average person to resist physically. However, a major study revealed that only a quarter of rape victims struggle with their attackers. When victims realise they cannot escape even those who do initially struggle cease to do so. This response can confuse everyone, even victims. This reaction is based on profound primal terror resulting in a frozen fright response. Victims submit in order to avoid being killed but this can be wrongly interpreted as consent.

The phases of Rape Trauma Syndrome

The reactions and recovery pattern of the victim can be broken down into phases. Each phase consists of physical, psychological and behavioural symptoms.

Crisis Symptoms

The immediate response of victims after assaults are shock and disbelief– ‘This can’t have happened to me’, or ‘Rape only happens to other people!’

The victim goes through three phases:

- the acute phase
- the adjustment phase
- the integration/resolution phase.

Victims may be experiencing the acute phase at the time of a report to the police. For this reason this phase will be described, but not the others. Further training will be available at a later stage concerning the other two phases.

The acute phase

Victims may exhibit two responses in order to cope with their emotions:

Expressive (visibly upset) where victims show their feelings quite openly. They will reveal these feelings by crying or by tearful sobbing. Their fear, anger and anxiety can be seen in their becoming visibly tense or restless. They may be subject to inappropriate laughter or smiling.

Controlled (hidden emotion) where victims may move from one coping strategy to the other. This phase may last for a few days after the assault or for several weeks.

Reaction during this phase are wide-ranging.

Physical symptoms

Victims may have soreness in the area of the body which was the focus of the assault, such as arms, throat or chest.

Victims forced to have vaginal sex may complain of vaginal discharge, itching, a burning sensation during urination or generalised pain.

Victims subjected to anal sex may suffer from rectal pain and bleeding.

Victims forced to have oral sex may describe irritation to the mouth and throat.

Some victims will ache all over. This is a typical shock reaction.

Many may suffer from general gastric disorders, often resulting in a decrease in appetite. They may complain of stomach pains or that food consumed does not taste right. Some may experience a feeling of nausea when thinking about the assault.

Psychological symptoms

The most prevalent symptoms suffered by victims are those of helplessness, powerlessness and disbelief.

They may feel humiliated and that their bodies have been violated. They cannot believe that this has happened to them. The refusal to accept what has happened and the overriding fear that no-one will believe them may culminate in denial.

They can become very irritable and depressed or even anxious that they may be pregnant or have contracted a sexual disease. Fear of retaliation from their attacker or member of the attacker's family may become a concern. This may be particularly so if the offender made threats of violence upon the victim, or upon the victim's family, in the event of the incident being reported to the police.

The needs of victims

As a result of this range of feelings, victims will have special needs at this time. A significant fear is that no-one will believe them. This is often one of the reasons which causes victims to delay the reporting of assaults and it is therefore important to make them feel they are believed. This will encourage them and help them to feel that they are believed, being heard and understood.

At the time of the assault they may have been, or may have felt, that they were powerless and may consequently be feeling extremely vulnerable with very low self-esteem. They will need reassurance that they handled the attack in the best possible way and that they are now safe because the rape may have taken away any feeling of control over events.

By offering victims choices at this stage, for example information about available medical care, counselling, professional agencies or police procedures involved, you can help to make them feel they are regaining control over what happens to them. But remember that all of the information may not be used or even absorbed at the time. It should, therefore, be made available again when victims are more able to make decisions.

A report of rape

Most forces have specialist departments which are called out to deal with such reports. It is unlikely, although not impossible, that you will be the first person to speak to a victim of rape. You must ensure that your supervisor is aware of the nature of the incident to which you have been called.

You may, or may not, be able to question the victim. You should recognise when it may be better to leave questioning to the specialists who will arrive soon.

Remember a traumatic incident has taken place and deal with the victim and, where necessary, any family with tact, consideration and understanding.

It may often be the case that the victim has been threatened with serious injury or even murder and may have an overwhelming fear of insecurity. It is vital to give reassurance about safety.

Practical guidance

Many victims of rape are anxious to wash themselves and change their clothes. This should be avoided in order to preserve forensic evidence which may be the only corroborative evidence available.

Make a note in your pocketbook of the victim's manner and appearance.

The timing of the complaint can also be useful. This is considered to be evidence of 'early complaint'. Although it is not corroboration, it is regarded as evidence of the consistency of the victim's allegations. The whole issue of 'early complaint' is one where the law perpetuates the myth that all victims will report the offence (see the section on myths and reality).

If you have dealt with the victim in any way, for example, visited them at home or transported to or from any location:

- do not return to the scene of the offence **and**
- do not become involved with the offender.

This is because of a fundamental principle of forensic science, the Exchange Principle: 'Whenever two objects meet, there is an exchange of material from each to the other'. Therefore allowing an officer who has been in contact either with the victim or suspect could lead to a contamination of evidence. This could also happen if the suspect and victim are transported in the same vehicle.

Bear in mind that a victim has been physically assaulted without consent. In order to show sensitivity and to aid recovery, it is important not to initiate physical contact yourself. If the victim lays her/his head on your shoulder, or grasps you by the arm, you may respond appropriately but avoid offering more comfort than is called for. This may be difficult for you to resist, as it can be a natural feeling to want to hug someone who is visibly upset.

Follow-up activities

Find out how many rapes and sexual offences have been reported in your division in the last year.

Speak to some of the investigating officers and ask them about the problems they encounter when dealing with incidents.

11.3

Training module on sexual offences

Country: Britain (West Yorkshire)

Introduction

Dealing with sexual offences is not an easy task, either for you or, more importantly, for the victim. Why is this?

We live in a society where certain types of sexuality appear to be flaunted on a daily basis. Hard porn sex magazines and videos are freely available to adults. Sexually explicit plays and films are a common feature on television and in the cinema. Popular newspapers also play their part in highlighting our awareness by frequently sensationalising sex and crime with newspaper-selling headlines.

So, are we affected by all this? Are we objective and rational in our thinking and feelings towards victims of sexual assaults? It is easy to feel a sense of disgust and outrage when reading of how a young child or respectable 'girl-next-door' victim was brutally raped or assaulted. But how clear-cut are we in our feelings when hearing of other cases?

Consider these statements:

'Men can't be expected to resist a provocatively dressed woman.'

'What does she expect when she goes drinking with the lads?'

'Most women say no when they mean yes. They shouldn't lead men on.'

Can you identify with any of these statements?

In these notes we will look at these issues and ways in which we may better deal with victims. We will also look at the practical problems you may face and at the law in relation to sexual offences.

Dealing with the victim

It is important that we are able to come to terms with our own inhibitions and feelings before we can empathise with the emotions of a victim of a sexual attack. So what can we do to make the trauma of disclosing intimate details easier?

Imagine things you have done, or things that have happened to you, that you would rather others did not know about. How would you feel if you had to disclose the details to someone you didn't even know?

Some people may feel afraid of being ridiculed or of the intimate details being disclosed to everybody, or even of not being believed. Telling in detail what has happened to them is what we, as police officers, sometimes require of a victim.

What behaviour from a police officer would you find most disturbing? Remember, not all victims will react in the same way. Some will react with feelings of shame, anger, embarrassment. Others will not show it. Your notes dealing with rape describe the emotional effects upon a victim who has been sexually attacked.

Your role

The nature of dealing with sexual offences places a high demand upon your sensitivity, your ability to empathise with the victims and your ability to investigate the offence.

It is not easy. Be prepared to seek the assistance of your supervisors or a member of your Specialist Unit.

Bear in mind how the victim may feel after your investigations are complete. How will your victim cope afterwards, what advice can you offer? You should be aware of what other agencies exist to offer this help and support and where their point of contact is.

Bear in mind, also, that the victim's family may be deeply affected by what has happened to a member of their family. These people may need specialist help in expressing their feelings and may feel guilty or resentful if the victim appears to be the focus of police attention.

Do you know where your local Victim Support Agency is based?

Could Criminal Injuries Compensation be of help to the victim?

Indecent assault: Sexual Offences Act 1956

Section 14: It is an offence for a person to make an indecent assault on a woman.

Section 15: It is an offence for a person to make an indecent assault on a man.

On summary conviction, the maximum penalty is 6 months' imprisonment.

On conviction to indictment, the maximum penalty is 10 years' imprisonment.

On your foundation course you covered the subject of assaults. Before we look at the offence of indecent assault, it is worth looking at the subject of assaults again. You may remember that:

An assault includes the intentional – or reckless – application of force to the person of another without their consent, or has the threat of such force by any act or gesture if the person threatening has, or causes the person threatened to believe that they have, present ability to effect their purpose.

An assault is battery if the force is actually applied.

The reckless element of the offence is best explained as follows:

'A person who recklessly applies physical force to the person of another' was deemed guilty of assault in (R v VENNA 1975).

Indecency

The assault element of the offence is now covered, so let's look at the indecent aspect of the offence.

If an assault occurs accompanied by circumstances of indecency, then the offence is complete.

The element of indecency is objective, ie if an average person thinks that the circumstance are indecent, then the indecent aspect is complete.

Examples:

A man walks up to a woman in the street and squeezes her breasts. She thinks he is rather childish in this behaviour, but says nothing and does not report it to the police.

In this case, an assault has taken place, ie the squeezing of her body, accompanied by an indecent aspect, ie the fact that her breasts were squeezed would be considered indecent by an average person. Therefore, the offence of indecent assault is complete.

A woman walks past a man in a queue at a bank counter and deliberately rubs her bottom against his thighs. The man is embarrassed and shocked and moves away from the queue in order to get away from her.

In this case, bodily contact has taken place and there are accompanying indecent circumstances, ie the buttocks being pressed against the man's body. The offence of indecent assault is complete.

A man gets sexual gratification from women's shoes which have been recently worn. In order to satisfy himself, he accosts a woman in the street, pushes her over and steals her shoes. The woman is terrified and upset.

There has been an assault, in that the man touched the woman's legs and feet in pushing her over and taking her shoes. But an ordinary person would not say that the circumstances were indecent and so the offence of indecent assault is not complete. The circumstances of this case are of a stated case *R v COURT* 1989.

A woman is sitting in a park reading a book. Another woman walks up to her and kisses her on the mouth against her will, saying 'let's go to bed together and make love.' The woman is shocked and does not want to do this.

All the elements of the offence are complete here and it shows that a person of either gender can indecently assault a person of either gender.

Consent

Consent cannot be a defence to indecent assault under the following circumstances:

- The person assaulted is under 16 years of age.
- The person assaulted is known to the assailant to be mentally defective.
- The assault consented to was intended or likely to cause bodily harm.
- The consent was obtained by fraud.

Examples:

David, 17, asks Jane, 15, if he can fondle her breasts. She agrees and the fondling takes place.

This is an indecent assault because Jane cannot lawfully consent, being under 16. Had David genuinely and reasonably believed Jane was over 16, it would have been no offence.

Stephen knows his neighbour, Julia, to be mentally defective. He asks her if he can feel inside her vagina with his fingers. Julia agrees.

This is indecent assault. As Julia is a mental defective, she cannot in law give consent. The prosecution would have to prove that Stephen knew or had reason to suspect that Julia was a defective.

Harry and Susan, both 30, are married. Harry asks Susan to tie him up and beat him on the buttocks with a leather belt for their mutual sexual gratification. Susan agrees and they do this, both enjoying the experience. As a result, Harry has bruises round both his wrists and swollen, red welts on his buttocks.

This is an indecent assault, as bodily harm was caused to Harry.

Gillian, 17, goes to the doctor as she has a bad cough. Her doctor informs her that there is a new procedure in force which cures coughs. This involves Gillian sucking the doctor's penis. Gillian agrees to do this.

This is an indecent assault, as the consent has been obtained by fraud.

Indecency with children

Now consider these examples.

1. *A man is taking indecent photographs of a 13 year old boy. He touches the boy's arms and legs to position him for the photograph. Has an indecent assault taken place?*
2. *A man is masturbating in front of some young children. He is aware the children are present and is deriving gratification from them watching him. Has he indecently assaulted them?*
3. *A man invites a child of 8 to touch his erect penis. The child does so and is unafraid. Is this an indecent assault?*
4. *A man encourages two young children to touch each other indecently. He touches neither child, nor does he use force to threaten them. Is this an indecent assault?*

In example 1 a court decided that the touching of the boy was to position him, so the touching did not amount to indecent assault. In other words, the touching was not in itself of a sexual nature.

In example 2 the man has simply exposed himself, there is no touching, no assault or attempt to do so and therefore, there can be no indecent assault.

No offence of indecent assault has occurred in example 3.

The answer in example 4 is that no offence of indecent assault has been committed by the man.

For an assault to be an indecent assault, there must first of all be an assault or hostile act. This can either be by touching or by moving towards and approaching the victim. Mere invitations to touch are not enough.

It was to close these obvious gaps in the law and clear up uncertainty that the Indecency with Children Act 1960 was passed.

Section 1 of that Act states that it is an offence for any person: 'To commit an act of gross indecency with or towards a child under the age of 14, or to incite a child under that age to such an act with them or another.'

Acts of 'gross indecency' can include masturbating in front of children, exposure of private parts to children and the gentle caressing of children in an indecent manner, even if the child does not feel upset or frightened by it.

Now applying this definition, has an offence of indecency with children been committed in examples 1 to 4?

Police powers

Indecency with children is not an arrestable offence. However, the general power of arrest under Section 25 Police and Criminal Evidence Act 1984 applies and it may be that one or other of the following conditions are met in such cases:

- protection of the child from the suspect
- preventing the suspect from committing an offence against public decency
- preventing the suspect from causing physical harm to some other person
- preventing the suspect suffering physical harm.

If none of these or the other general arrest conditions apply, then you should report for summons.

Unlawful sexual intercourse

Think back to your notes on Indecent Assault. Who cannot give consent to such an assault?

A person aged under 16 cannot give any true consent to an indecent assault. In the same way, a girl under the age of 16 cannot give any true consent to sexual intercourse. There are two offences in respect of this:

Section 6, Sexual Offences Act 1956: 'It is an offence (subject to a defence that is explained below) for a man to have unlawful sexual intercourse with a girl under the age of 16'.

Police powers

Unlawful Sexual Intercourse (USI) with a girl over 13 years, but under 16, is not an arrestable offence.

There is a power of arrest available however, as, where an offence of USI is committed there will also be an offence under Section 14 of the Sexual Offences Act 1956 (Indecent Assault) which is an arrestable offence.

Section 5, Sexual Offences Act 1956: It is an offence for a man to have unlawful sexual intercourse with a girl under the age of 13.

Police powers

This offence is punishable by up to life imprisonment. It is a Serious Arrestable Offence.

Explanatory note

The offence of USI covers situations where the girl has, in fact, given personal consent, but the law seeks to protect such under age girls by ruling that they can give no true consent. If the girl gave no consent to intercourse, the offence of rape has been committed.

Let's first look at what some of the phrases within the definition mean.

Unlawful sexual intercourse

This phrase is used in several places in the Sexual Offences Act 1956. It means any intercourse outside marriage. However, such intercourse does not become an offence unless there are other factors involved, such as an underage girl, or a lack of consent.

To prove the 'intercourse' it is necessary to show that there was penetration, no matter how slight, of the vagina by the penis. In practice, evidence would be obtained by interviewing the victim and

from a medical examination. You should refer to the separate notes on rape for a fuller account of the forensic evidence that is required.

Offences of unlawful sexual intercourse under Section 6 are quite common, usually coming to light as a result of worried parents suddenly discovering that their daughter is pregnant, or after interviewing girls who have been missing from home. This can be very distressing for both the parent and child, not only in relation to the offence itself, but also in having to disclose the details in front of their parents. What can you do to ease this distress?

Statutory defences:

There is no statutory defences under Section 6 where:

1. The couple are 'married', but the marriage is invalid because the girl is under 16 years, the man will not be guilty of an offence if:
 - he believed the girl to be his wife, AND
 - he had reasonable grounds for the belief, eg, where a girl, who appeared to be over 16, gave false details to her 'husband' and officials, who then believed her to be over 16.
2. A man will not be guilty of committing this offence with a girl under 16 years if:
 - he is under 24 years, AND
 - he has not been charged before a court with a like offence before, AND
 - he believed the girl to be 16 years or over, AND
 - he had reasonable grounds for the belief, eg, when a man of 18 years who believed that a girl of 15 years, who appeared older, was over 16, had intercourse with the girl, he could use this defence had he not in the past been charged in a court with a 'like' offence. A 'like' offence is one of unlawful sexual intercourse or attempted unlawful sexual intercourse under Section 6 or Section 5.

Incest

The law of incest prohibits sexual relations between blood relatives.

Incest by a man

Section 10: It is an offence for a man to have sexual intercourse with a woman whom he knows to be his granddaughter, daughter, sister (includes half-sister) or mother.

Incest by a woman

Section 11: It is an offence for a woman of the age of 16 or over to permit a man whom she knows to be her grandfather, father, brother (includes half-brother) or son to have sexual intercourse with her by consent.

Incest is an arrestable offence

The offence is still complete regardless of whether the relatives are born inside or outside marriage. This crime remains fairly common and is openly talked about in the press. Children's charities and telephone helplines have encouraged an open, approachable attitude towards discussing this offence. If you attend the scene of such an offence, it is unlikely you will be left alone without supervision for any length of time. Always seek advice if you receive a report of this offence.

Gross indecency

Section 13 of the Sexual Offences Act 1956: It is an offence for any male person to be any way concerned with an act of gross indecency between males.

Explanatory notes

'Gross Indecency' is not defined, but is suggested that it includes masturbation between men, physical connection involving the sexual organ or oral intercourse, but not buggery as that is a separate offence. Physical contact is not necessary as the act may be 'against' or 'directed' towards the other male.

Police powers

If a man over 21 commits an act of gross indecency with a man or boy under 21 it is an arrestable offence. If an offence is committed in any other circumstance your general conditional powers of arrest may be used.

As a patrol officer, you may encounter this type of behaviour on your beat and you will need to know how to deal with it. If you receive information which suggests that further investigation and observations to gather evidence are necessary, you should seek advice from your supervisor.

Buggery

Section 12 Sexual Offences Act 1956: It is an offence for a person to commit buggery with another person or with an animal.

Buggery is a term which incorporates sodomy and bestiality.

Sodomy is sexual intercourse per annum with any man or woman. Buggery with a man or woman is not an offence if it takes place in private and both parties have attained the age of 18 years (See also Lawful Homosexual Acts).

Bestiality is sexual intercourse per annum or vagina by a man or woman with an animal.

Lawful homosexual acts

Under certain circumstances it is lawful for men to engage in homosexual acts. The circumstances are defined by Sexual Offences Act 1967, Section 1, and are that:

- the act takes place in private
- only two persons are present
- both parties are over 18 years
- both parties consent to the act.

The word 'private' is not defined; however, a locked cubicle in a public lavatory is not private.

Fair treatment

It is vital to appreciate everyone's rights. Lesbians and gay men are assaulted, terrorised and abused by homophobic people seeking to express their prejudice through violence and abuse. Many of the victims of such crimes are reluctant to report these offences to the police. Treating somebody less favourably due to their sexual orientation is just as unprofessional as treating somebody less favourably due to their ethnicity or gender.

The Home Affairs Select Committee Report on Police Complaints Procedures of 26 February 1992, stresses the need for sensitive and fair treatment of lesbians and gay men.

'It is quite possible that homosexuals are reluctant to complain of unfair treatment they receive from the police because they are not confident that their complaints will be taken seriously. There is a clear need for an improvement in communication and mutual understanding between the police and the homosexual community.

We recommend that all police forces, as well as the Police Complaints Authority itself, make special efforts to gain the support and trust of the gay community'.

Most forces now include sexual orientation in their equal opportunities policies.

There are obvious links between equal opportunities within the service and public confidence in the police.

Summary

Discussing sexual matters with others requires sensitive handling. When dealing with victims we must show this sensitivity and awareness for their feelings.

Consideration should also be shown to offenders. This is necessary to show an understanding of their situation and respect for their feelings. As a professional police officer it is vital not to show embarrassment or awkwardness towards them.

At this stage of your service it is unlikely you will be left alone to deal with an allegation of this nature and will almost certainly have a more experienced officer to guide you.

Follow-up activity

Contact a local lesbian and gay support group in your area and find out what kind of contact they have with the local police.

11.4

Police training on violence against women and child sexual abuse

Country: Malta

Training of police officers

Police officers in Malta get basic and theoretical training on violence against women during their recruitment and in-service refresher courses. The training is conducted during one session, by members of the Domestic Violence Unit, a government funded agency, which falls under the responsibilities of the Minister for Social Welfare.

The curriculum of the ongoing police in-service training consists of the following:

- an introduction on the Domestic Violence Unit and on social work
- definition of domestic violence
- the importance of helping victims of domestic violence
- dispelling myths on domestic violence
- reasons why abused women stay in their relationship
- effects of abuse, especially on children
- best ways of handling domestic violence.

In July 1997, two senior officers from the London Metropolitan Police conducted a week-long training programme, with the aim of creating greater awareness of domestic violence among police officers, and to help them identify ways to support victims.

The police officers attending the training programme included junior police inspectors and members of the Victim Support Unit, within the Police Vice Squad.

The training programme was carried out on the initiative of the Unit on Domestic Violence in conjunction with the Malta Police Academy. While in Malta, the two Metropolitan Police officers addressed another seminar, for social workers and other professionals working on the elimination of domestic violence.

Guidelines for police

During the Seminar organised for police officers, the conclusion was reached that the Police needed clear guidelines for effective intervention in situations of domestic violence. Thus, the officers present proposed the following guidelines for police.

Person who reports by phone that she is being abused:

1. Caller's particulars must be noted such as name, address, date of birth, identity card number.
2. Any observations should be recorded, eg, background noise.
3. Explore whether caller can speak freely. Direct questions should be asked, 'Is aggressor next to you?', 'Can you speak freely?'
4. Ask caller what is going on?
5. Ask closed questions: are you safe? Yes No

6. Empathise, support and show understanding to caller.
7. Ask if person requires medical assistance, ambulance.
8. Assess danger of situation.
9. Safety advice, for example, if caller is in the kitchen ask her to move to another room where there aren't any knives or other things that can easily be used to harm the person. Ask person and children to move away from aggressor.
10. Try to calm person down.
11. Send officer immediately.
12. Advise officer of risk to self.

Person who reports abuse at police station:

1. Ensure privacy so that person making report feels comfortable to talk about his/her situation.
2. Police should be sensitive.
3. Police need to listen to person making report.
4. Validate and show understanding to person's experience.
5. Police should determine whether person needs medical assistance and if necessary should help him/her to access medical services.
6. Person should be helped to calm down.
7. Listen to person and write accurate and detailed report. It may help first to listen to person and then to write report. It is important to check that the final written report is true to her verbal report.
8. Verify complaint, ie speak to aggressor and investigate facts.
9. Ask complainant what actions she would like police to take.
10. Provide referrals where appropriate.
11. Provide necessary arrangements if she wants to leave home.
12. Escort person to her home to collect her clothes if she is at risk.
13. Escort person to shelter if necessary.
14. Consider a female officer being present during interview.

Police intervention at scene of domestic violence:

1. Separate parties.
2. Ensure safety of person reporting abuse and children.
3. Explore whether medical attention is necessary.
4. Remove aggressor from home.
5. Interview victim in suitable place.

6. Help person consider options – referral to other agencies as appropriate.
7. Address longer term safety.
8. Carry out complete investigation, including speaking to neighbours if necessary.
9. Ensure officer's safety.
10. Insist on entering the household if there is reasonable suspicion that a crime will occur or that someone is in danger.

11.5

Training on Violence Against Women in Relationships (VAWIR)

Country: Canada (British Columbia)

The Royal Canada Mounted Police (RCMP), Municipal Police, Crown Counsel, corrections workers and victim service workers receive training on the VAWIR Policy. An emphasis is placed on the proactive charge and prosecution aspects of the policy, plus the dynamics of power and control that are inherent in crimes of violence against women in relationships. Victim safety, offender accountability and the dynamics of violence are emphasised in all training. Training is provided both at a basic and at an enhanced level.

Basic training emphasises awareness and knowledge and is sector specific (ie, designed for delivery to either police, Crown Counsel, corrections and victim services).

Enhanced training emphasises both knowledge and skills. It is designed for more experienced justice personnel and delivered on an interdisciplinary basis (ie to police, Crown Counsel, Corrections and victim services). A team approach to case management is emphasised.

Basic 'core' training: All Justice personnel are encouraged to review the video *It's a Crime* which highlights the policy content and rationale and is used in basic training. The Basic Core Training Curricula for Violence Against Women in Relationships consists of individual learning modules for Victim Service Workers, police, Crown and corrections. Training is delivered by experienced justice personnel. Basic Core training was offered to all justice system personnel in 1993 as part of a travelling 'roadshow'. This training is repeated in six regional interdisciplinary training sessions.

Victim service worker training: *It's A Crime* video and curriculum includes rationale for the policy and revisions, highlights changes to policy, impact on service provision, reluctant witnesses, victim impact statements and safety of victim.

Municipal police training: All police are encouraged to review the video *It's a Crime* during roll-call training. Individual detachments manage their own training and development utilising available curricula and local resources. Detachments produce training bulletins which members are advised to read, eg, Vancouver Police Department's *Training Bulletin on Spousal Violence and Intimidation*.

Corrections training, probation officers and Family Court counsellors: The Corrections Module on the VAWIR policy addresses the following:

- policy highlights and implications for corrections
- community coordination
- interagency approach to resolving the problem of violence in relationships — the dynamics, its effect on the victim, interviewing skills and ability to screen for violence
- diversion
- victim notification
- sentencing
- parole hearings
- supervision
- counselling and treatment for assaultive men
- breaches of court orders
- pre-sentence reports
- role of Family Court counsellors
- impact of violence on children.

Probation: spousal assault risk assessment training: All probation officers receive training in the use of the Spouse Assault Risk Assessment Tool (SARA). This tool assists Probation Officers with case management and facilitates the identification of risk factors related to violent behaviour. (see pages 35-36)

Crown professional development: In 1993, the Criminal Justice Conference focused on Violence Against Women in Relationships and included:

- an overview and rationale for the policy
- dynamics on violence against women in relationships
- impact on children and effectiveness of proactive policy to arrest and charge
- offender profiles and effectiveness of treatment
- re-victimisation of the victim
- power and control/cycle of violence
- safety of victim
- Section 810 of Criminal Code
- importance of coordination and use of protocols
- witness management and reluctant witnesses
- trial preparation; and
- sentencing and probation.

Crown interviewing and preparing reluctant victims and witnesses: In 1995 a Video and Self-Study Guide were produced to provide Crown with techniques and strategies to deal effectively with reluctant victim/witnesses during the interview process and at the trial stage. A video dramatisation demonstrates an interview, direct examination and cross-examination of a victim/witness who is reluctant to testify against her spouse. Copies of the video and self-study guide are made available to all Crown throughout the Province.

Enhanced investigating and interviewing skills in violence against women in relationships (interdisciplinary): A two-day skill-based workshop for senior police and Crown counsel who are involved in investigations and prosecutions related to violence against women in relationships. This training builds on existing knowledge of the psychological and behavioural dynamics of violence against women in relationships and addresses key social, legal and psychological issues that influence or impact upon the victim interview process. Specific approaches to work with traumatised, resistant and special needs victim/witnesses are practised.

Upon successful completion of the training, participants will be able to:

- build on existing knowledge about psychological and behavioural dynamics of violence against women in relationships
- apply the changes to the VAWIR policy to their current work
- use improved and enhanced investigative and interview skills to respond to reluctant and resistant witnesses
- apply threat assessment approaches to increase the safety of women and children
- incorporate new approaches to support witnesses from diverse cultures.

Criminal harassment training (interdisciplinary): A one-day interdisciplinary training curricula developed for police, Crown Counsel, corrections and victim services. Training focuses on legislation (Section 264 amendment to the Criminal Code on Criminal Harassment), investigation (case management and threat assessment), prosecution, victim support and offender typology, using short lectures, case studies and small group discussions.

Upon successful completion of the training, participants will be able to:

- describe the history of criminal harassment legislation in Canada
- identify and describe the essential elements necessary to prove a charge of criminal harassment

- describe investigative strategies and techniques to be used in criminal harassment investigations
- describe the effects of criminal harassment on the victim
- describe statistics relevant to criminal harassment, offender typologies and victim-offender profiles
- identify safety tips for victims so that they can incorporate changes into their lives
- explain why some victims may be unwilling to report or proceed with charges
- explain some of the dynamics involved when investigating criminal harassment occurring against people of diverse cultures, people with disabilities and between people of same gender.

Dispatch/communications/first-line responders training: A one-day workshop for first responders (police, communications operators, dispatchers and front line desk staff) to inquiries and requests for service. Building on the existing knowledge and experience of first responders, the workshop skill building opportunities and knowledge of the services needed by women and others facing violence in current and former relationships. The workshop focuses on the dynamics of violence, power and control, and the needs of victims.

RCMP training: recruit/basic training (103 hours): Includes awareness of the dynamics of violence against women in relationships, domestic violence, elder abuse, criminal harassment, cycle of violence, spousal assault (RCMP Policy), spousal assault – collaborative approach.

Individual Instruction Modules (Funded by Ministry of Attorney General): Home study course on violence against women in relationships. The course is made up of three modules and covers the law, history and policy, procedures and practice unique to violence against women in relationships cases:

Module 1 reviews dynamics of violence within families and between people in close relationships; policies developed to deal with conflicts, serious nature of the problem and changes that have occurred to the Criminal Justice System.

Module 2 covers the law.

Module 3 provides guidelines to support the policy and the law, including interaction with different agencies and the value of a team approach to investigation.

Field coach programming: Once assigned to their postings, cadets are assigned a Field Coach for six months for on-the-job training. The Field Coach ensures that the cadet is fully orientated to operational policies including VAWIR Policy.

RCMP advanced training: At the three to five year mark of their careers, RCMP investigators are scheduled to attend an in-service 'Investigator Course'. This is a two-week session held at the Vancouver Headquarters and covers:

- one half-day on VAWIR and Family Violence presented by Dr. Steve Hart from UBC
- one half-day on Criminal Harassment
- one half-day on mentally disturbed offenders
- one half-day on human behaviour.

CD-Rom training package: The RCMP Ottawa training Branch have developed a CD-Rom *Family Violence-Not a Private Problem*, which includes issues related to family violence. The CD Rom has been distributed to all RCMP detachments and includes indicators of violence such as recent separation, custody and access of children.

Interdisciplinary training and 'road shows': In 1993, a travelling 'road show' comprising senior staff from RCMP, Crown Counsel and Victim Services, held regional workshops throughout the Province on the VAWIR Policy.

Monitoring the effectiveness of training

Individual police detachments or departments monitor their own members training to ensure that it is accessible and completed by individual officers. Quality assurance is the responsibility of detachment commanders and includes basic training on Violence Against Women In Relationships Policy.

As of 1 April 1997, all detachment commanders monitor centrally and priorities will be reviewed as they arise. Senior RCMP and police personnel participate on the provincial VAWIR policy implementation committee and are involved in identifying training priorities for RCMP and municipal police in conjunction with justice system personnel.

Local Violence Against Women in Relationships Coordination Committees are instrumental in ensuring that a coordinated approach to violence against women in relationships is followed. Local committees include representatives from the RCMP and/or municipal police. They address issues of accountability to the VAWIR policy as well as promoting initiatives to educate committee members, justice system personnel and the public.

Continuum of key initiatives

Policy directives

20,000 copies of the Violence Against Women in Relationships Policy Updates distributed, due to new federal provincial legislation to clarify operational procedures. (1996)

Development of an Information Bulletin to assist police in responding to calls involving violence against women in relationships and criminal harassment. It also includes consideration of calls that relate to the victim's family members, friends or supporters. (1997)

Established a 24-hour Registry of Protection Orders for use by police to check for current protection orders and gun registration. (1995)

Senior level committee on Violence Against Women in Relationships meets on a regular basis to discuss issues related to policy and address dysfunctions in flow of services to abused women (ongoing).

Established Electronic Legal Information Project for prosecutors with cases involving violence against women and children who require sources of information to assist in case preparation and resource with access to current law and policies (ongoing).

Monitoring and review

Completed a review on the effectiveness of violence against women in relationships implementation strategies. (1995)

Report completed on *Survey of Spousal Assaults Reported to Police in B.C. 1993-1994*. (1996)

Provided funds for Vancouver Police Department to conduct a file survey of spousal assault and firearms cases. (1996)

Corrections established a review process to assess all Assaultive Men's Treatment Programmes for compliance with the Guiding Principles for AMT. (1994)

Conducted an exploratory research pilot project on the impact of violence against women in relationships policy for victims and to determine how the policy is being implemented by different components of the criminal justice system. (1997)

Training

Trained police, Crown, corrections and victim service staff on VAWIR policy. (1993)

Core curriculum on VAWIR and dynamics of abuse for crown, police, corrections and victim services. (1993)

It's A Crime video – VAWIR video and manual for justice system personnel. (1993)

Interviewing reluctant witnesses and victims video and instructional guide for crown prosecutors. (1993)

Funds for conferences to bring in experts from other jurisdictions such as the London coordinating Committee to End Violence Against Women and Duluth Abuse Intervention Programme. (1993)

Advanced skills training for investigation, prosecution and interviewing. (1997)

Criminal harassment interdisciplinary training for justice system personnel. (1996-97)

Advances training for crisis responders to violence against women and children. (1997)

Community coordination

Fund seven community coordination programmes to coordinate justice system, health and social services responses to VAWIR. To improve protection of women and implement VAWIR policy. (1989 to present)

Creation of Framework Document of Community Coordination to support policy implementation, protocol development and enhance local accountability. (1993)

Protection strategies research which involved interviewing 100 abused women on their experiences with the justice system, and the development of guiding principles on women's safety.

Planning a 'Moving Coordination Forward' Forum to review what has worked to support implementation of the Violence Against Women in Relationships Policy and regional networking. Developing a start up kit with sample protocols for participants. (1997)

Public education and awareness

Media campaign-wife assault, *It's a Crime* video, TV, radio and public information. (1992)

Pamphlets:

- *Information on Your Rights* (1986)
- *Peace Bonds and Restraining Orders* (1986); revised (1995)
- *Protection Order Registry* (1995)

Poster campaign: *Working Together to Stop Violence Against Women*. (1994)

Working on public education campaign on criminal harassment. (1996)

Provided funds to support community driven public education programmes and video production called *One Hit Leads to Another*.

Contributed funds to support the Immigrant Information Programme which provides information and referrals to victims/witnesses at Vancouver courthouse in Chinese/Spanish/Vietnamese and at Surrey courthouse in Punjabi. (1995-96)

Victim services

Sixty-three police-based victim service programmes serving victims of all types of crime.

Forty-six community-based victim service programmes specialising in supporting women and children who are victims of family and sexual violence, including 19 sexual/woman assault centres.

Seven community-based aboriginal victim services programmes.

Twenty-four Crown-based victim/witness services which work with Crown prosecutors to serve victims of serious crime as they go through court.

Seventy-nine counsellors to work with women who are victims of violence.

Transition houses and safe homes in more than 70 communities to provide shelter to women and children who are assaulted/threatened by the woman's partner or ex-partner.

Forty-nine programmes to support children who witness violence against their mothers.

Victim notifiers who work in 15 Provincial Correctional Centres to keep women victims of violence in relationships informed about the offender's court-ordered conditions and release.

A Victim Information Line which is a province-wide, toll-free information service available to victims of crime.

Criminal Injuries Compensation funds for pain and suffering.

Victims of Crime Act proclaimed. (1996)

Assaultive men's intervention

Forty-four programmes for assaultive men who are court ordered offenders; several non-government funded voluntary programmes exist for men. (1993 - present)

Guiding principles for assaultive men's treatment and intervention to be used by all programmes. (1992 and revised for institutions in 1995)

Some communities assign specialised probation officers to VAWIR cases. (1994)

Risk assessment tool for offenders - funds to BC Institute of Family Violence to develop and test. (1995)

Safety assessment strategies being reviewed to prevent risk escalation, manage safety, reduce isolation and increase collaboration. (1997)

For further information contact:

Jane Coombe, Policy Analyst, Victim Services Division, Ministry of Attorney General, 8th floor, 1001 Douglas Street, Victoria, BC, V8W 2C5 CANADA, Tel: (604)356-6567 Fax: (604)356-1092, e-mail: jcoombe@galaxy.gov.bc.ca

11.6

Family violence training pack

Country: New Zealand

Introduction

Family violence is not a new problem in New Zealand. Changing attitudes in society have seen law changes that have empowered victims of family violence who are in or have recently left violent relationships.

The Domestic Protection Act 1982 introduced new measures in dealing with family violence. However, this Act did not cover all the relationships that are now recognised within society. The orders that exist within this Act (Non-Violence, Non-Molestation) are still valid, although where required further tools are available to protect victims and hold offenders accountable for family violence.

The New Zealand Police have developed a more positive approach when dealing with family violence. Victims of violence are provided with appropriate and timely support and offenders are arrested. Prior to this policy change, the police endeavoured to mediate between the parties and reconcile interests. This mediation approach was short-term and did not challenge the underlying causes of family violence.

The Domestic Violence Act 1995 has been designed to provide greater protection for victims of family violence. This legislation, along with the Police Family Violence Policy Guidelines, promotes and acknowledges that the protection of the victim is paramount.

This package has been designed as a training resource to enable trainers to deliver sessions focusing on the positive and practical applications of the Domestic Violence Act 1995 and the Family Violence Policy Guidelines. The PHRIS coding for persons who complete this training is 1616.

How to use the training pack

The Domestic Violence Act 1995 and the Family Violence Policy Guidelines training pack has been designed to provide the material for a four-hour presentation.

The training pack can be presented by the district trainer, or the district family coordinator. The family violence coordinator should be present during the training to answer any questions on areas not covered in this package, and to advise on what measures the District has taken in relation to policy implementation.

District trainers should be aware that there are outside agencies who have an interest in family violence incidents and who are prepared to assist with this training in order to get across the family violence message. A list of these agencies can be obtained from the District Family Violence Coordinator.

The training pack is designed to be presented in three parts.

Part One deals with the Domestic Violence Act 1995. The relevant sections that relate to frontline policing have been identified.

Part Two deals with the Family Violence Policy Guidelines. These guidelines are due to be signed off by the Commissioner. The guidelines have been broken down into areas that also relate to frontline policing and police administration.

Part Three deals with the video Domestic Protection Orders. A video on how to use court orders for protection orders against family violence is included. This is an educational presentation that ties in the new Domestic Violence Act 1995. This session should also include a presentation from a family violence support agency. The district family violence coordinator should be able to assist with a list of suitable agencies and speakers.

Domestic Violence Act 1995: Family Violence Policy Guidelines

Objectives

At the end of this training session, the trainee shall be able to:

- outline the relevant section of the Domestic Violence Act 1995 as it relates to:
 - powers of arrest, detention and bail
 - protection orders
 - police responsibilities relating to firearms
- outline the Family Violence Policy Guidelines relating to:
 - family violence issues
 - victims
 - reporting family violence offences
 - arrest, bail and case disposition.

In-service training: Domestic Violence Act 1995

Part One: sample lesson plan

Duration: 60 minutes

Duration	Training section	OHP transparency numbers
5 minutes	Introduction Self and topic: domestic violence legislation. Brief history on family violence. Focus on a positive attitude	
5 minutes	Definitions	1-8
5 minutes	Protection orders	9 -12
5 minutes	Powers of arrest, detention and bail	13
5 minutes	Protection orders and weapons	14-18
5 minutes	Firearms, and service of protection orders	18
5 minutes	Police responsibilities	19-21
20 minutes	Practical exercise (syndicate exercises)	
5 minutes	Summary Stress importance of a positive attitude and perspective and professional action based upon the intention of the Act.	

In-service training: family violence policy guidelines

Part two: sample lesson plan

Duration: 75 minutes

Duration	Training section	OHP transparency numbers
1 minute	Introduction Topic: Family Violence Policy Guidelines Focus on a positive attitude	
5 minutes	General principles, Multi-agency approach	22
5 minutes	Children and effects of family violence	23
5 minutes	Support and information for victims, privacy	24 – 25
5 minutes	Protection orders and Arms Act responsibilities	26
5 minutes	Reporting family violence offences	27
5 minutes	Recording protection orders	28
5 minutes	Investigation practices, arrest, diversion, police bail and custody	29 – 34
5 minutes	Firearms, standard action	35
5 minutes	Case disposition	36
5 minutes	Firearms and members of police as respondents	37 – 38
20 minutes	Practical exercise (syndicate exercises)	
5 minutes	Summary Handout: Family Violence Policy Guideline in-service training: family violence training	

In-service training: family violence training

Part three: sample lesson plan

Duration: 75 minutes

Duration	Training session
34 minutes	Video: A video on Domestic Violence Protection Orders is included as part of the package. The video explains what domestic violence protection orders are, how they can be obtained and how they shall be enforced.
40 minutes	Support Agency: A presentation from a domestic violence support agency should be included as part of the training. The District Family Violence Coordinator should be able to assist with a list of suitable agencies and speakers.

11.7

Training on human rights and policing, vulnerable persons

Country: South Africa

This booklet forms part of the Human Rights and Policing training package, which is a Reconstruction and Development Programme (RDP) project launched at National level on 27 March 1998. In turn, the project will be launched in the provinces on the first day of Constitutional week. Workshops will be provided to all functional police officials.

The Human Rights and Policing training package will be provided to all South African Police Service (SAPS) trainers, SAPS legal advisors and to all the police stations of the SAPS. It will also be sent to NGOs and international organisations involved in education and training in human rights in the SAPS. The programme was developed in line with the South African Constitution 1996 (Act No 108 of 1996), the South African Criminal Procedure Act, the Universal Declaration and other International Human Rights Instruments. The package is available in English and the SAPS is in the process of negotiations with foreign donors for translation into the other official languages in South Africa. The training package consists of the following:

The Resource Manual for Trainers or Human Rights and Policing module will serve as the source document for trainers, facilitators and educators during workshops and work sessions. The manual contains the theoretical basis for the training programme on Human Rights and Policing.

The Presenters' Guide for Trainers will provide assistance to trainers, facilitators and educators during workshops and work sessions. The presenters' guide contains guidelines on the presentation of workshops and work sessions, lesson plans, goals and objectives, case studies and other information necessary to present workshops and work sessions.

The Information Book/Workbook on Human Rights and Policing forms the basis for the education programme. The booklet is a full colour photo story with theoretical explanations and questions on some relevant human rights issues. The book is written in a language that is easy to understand and yet detailed enough to explain some of the skills and knowledge needed for Police officials to fulfil their usual daily activities. The booklet will be used as an information booklet (500,000 copies were printed) and will be provided to all the members of the South African Police Service, reservists and to members of the community through the Community Police Forums (CPFs). The booklet will also serve as a workbook during human rights workshops for police officials.

Six videos of approximately 10 minutes each, were developed to serve as an extra tool during workshops. The videos contain case scenarios/role plays and theory on relevant issues relating to human rights and policing.

A set of five posters was developed, the topics of which are:

- arrest
- rights of detained persons
- good policing
- community policing; and
- equality.

Each SAPS police station and training facility will receive a set of the five posters. The posters will be used to provide basic information on each of the topics and can also be used as a training tool during the workshops.

11,8

Women and violence: training module for police officers

Country: India

Target group

Police inspectors and sub-inspectors

Duration

Five days

Recommended composition of the target group

Thirty police officers (equal number of male and female officers if possible) drawn from rural and urban police stations. Minimum experience: five years service.

Contents

Course outline – objective, sub-objectives, contents, sessions and methods

Briefing Notes

Objective I: Part 1 – Status of women in India; Part 2 – Gender relations

Objective II Violence and women – gender relations framework analysis

Objective III Legal provisions for handling violence against women

Objective IV Developing skills to handle women victims of violence

Objective V Support services and women's organisations

Bibliography

Annexures I + XI

COURSE OUTLINE: OBJECTIVES, SUB-OBJECTIVES, CONTENTS, SESSIONS AND METHODS*

Objective I

To sensitise participants to Gender Relations.

Sub-objective 1

Assessment of the present socio-economic status of women with three key variables of health, education and employment.

Contents

1. Comparative study of: (gender/year-wise):
sex ratio, infant mortality rate, nutrient intake, maternal mortality ratio, life expectancy, education, literacy, enrolment, higher education, employment, workforce, female employment in household and non-household industry, sex-wise distribution in different professions, sex-wise earnings of wage labourers, membership of trade unions.

2. Analysis and inferences from the data as above, with regard to status of women.

Sessions

Two (90 minutes each)

Methodology

1. 1st Session
 - Introduction (15 minutes)
 - Short exercise: Perception of status of women with regard to health, education and employment (30 minutes)
 - Discussion (45 minutes)
2. 2nd Session: Lecture/discussion (90 minutes)

Sub-objective 2

To study the existing situation in gender relations (roles, power relations, discrimination, access to resources) with specific reference to the institutions of family and market (work place).

Contents

1. Gender relations in the household in the following manner:
 - 1.1 Practices – lineage, birth ceremonies, feeding practices, female infanticide and amniocentesis, dowry, puberty, marital arrangements, sexual division of labour within the household, cultural practices, inheritance, practices of community bodies, panchayats.
 - 1.2 Rules underlying each of these practices.
 - 1.3 Implications for women's access to resources.
2. Gender relations in the work place:
 - 2.1 Practices
 - entry of women in the labour market – restrictions on.
 - nature of employment and work for women (side jobs).
 - organised/unorganised segments of labour market (biased in favour of man).
 - 2.2 Rules underlying each of these practices.
 - 2.3 Implications for women's access to resources.

Sessions

One (90 minutes)

Methodology

1. Short exercise: Their perception of gender difference, inequalities as evidenced in the household and work place (30 minutes)
2. Presentation and discussion (60 minutes)

Sub-objective 3

Introduction to Biological Determinism. Social relations theories. Bargaining with patriarchy.

Contents

1. Continuance/justification of practices/rules/reasons/implications in sub-objective 2 by employing the arguments of biological determinism and patriarchy – as it is done to maintain status quo.
2. Looking at the underlying assumptions of these arguments and examining their viability.
3. Bringing out the fallacies of the assumptions made.
4. Introduction to the social relations theory.

Sessions

Two (90 minutes each)

Methodology

Lecture and discussion

Objective II

To critically examine violence against women through the gender relations framework.

Sub-objective

Unpacking through institutional framework (ideal and real) in household, community, market and state.

Contents

1. Ideology and practice with regard to family, community, market and state.
2. Locating violence in the four institutions.
3. Analysing institutional factors that cause/support/enable/perpetuate violence.

Sessions

Three (90 minutes each)

Methodology

1. Group exercise regarding ideology and practice in the four institutions (30 minutes)
2. Presentation and discussion (60 minutes)
3. Lecture and discussion (180 minutes, extendable by 45 minutes)

Objective III

To understand the legal provisions for effective handling of violence against women.

Sub-objective

To discuss law on domestic violence and sexual harassment/rape.

Contents

1. History, provisions, critique of the following laws:
 - dowry law
 - laws on domestic violence
 - laws relating to rape
 - Indian Penal Code, Criminal Procedure Code and Evidence Act.

Sessions

Four (90 minutes each)

Methodology

Session 1 and 2: Introduction to domestic violence

Sessions 3 and 4:

1. Lecture
2. Case studies
3. Lecture on laws regarding sexual assault
4. Case studies

Objective IV

To develop skills of handling women victims of violence.

Sub-objectives

- To understand the physical and mental state of women victims and their needs.
- To learn communication skills of working with people.
- Role of police in handling women victims of violence.

Contents

1. Theory of violence cycle
2. Theory of learned helplessness
3. Emotional and physical needs of violated women
4. Principles of the helping relationship
5. Communication skills
6. Pointers for crisis interventionist role
7. Interview skills with special reference to sexual assault victims

Sessions

Four (90 minutes each)

Methodology

1. Introduction to the theories through lecture/discussion (90 minutes).
2. Role play on domestic violence and sexual assault case followed by discussion (90 minutes).
3. Communication skills and theories of helping relationship. Lecture and discussion (90 minutes).
4. Replay of roles after learning skills and discussion (90 minutes).

Objective V

To familiarise participants with women's organisations and relevant support systems.

Sub-objective

- To reiterate the need for government and social organisations to unite in working with violence against women
- To appraise the police of the existing support systems available

Contents

1. A brief history of the women's movement in India, specifically Maharashtra.
2. The influence of international agencies and the women's movement.
3. An introduction to women's organisations working in the field and their contribution to policies, laws, support services and consciousness raising in women and the society at large.
4. Responses of the government to the demands of the women's movement.

Sessions

Two (90 minutes each)

Methodology

1. Exercise to assess (a) the information available to police on existing services and (b) images of activists and women's organisations in the minds of the police.
2. Lecture and discussion.
3. Dialogue (open forum) with women's organisations.

BRIEFING NOTES (Objective II)

Violence against women: gender relations framework

The social institutions of the family, the community, the market and the state are not usually as perfect as we would like to believe. The ideal concept of the Indian state, for example, is that of Ram Rajya, where everyone is free, equal, prosperous and happy – a land of plenty. This vision is of course far removed from reality. Likewise, the 'perfect' community or family does not exist in reality, much as we would all like to believe that it did.

The following exercise will help us to identify the qualities attributed to these institutions in an ideal world, and the way they are in reality.

Family

Official picture	Unofficial picture
• based on principles of cooperation • sharing, trust • give and take • warmth • caring, affection • haven, sacrosanct • loyalty, security • freedom to let hair down • protected place • unity, through blood ties • pulled resources for members • space for the weak and disabled • acceptance • sacrifice for the good of the family • provides good citizens • nurture children for tomorrow • complementarity	• tensions over money, affection tasks, roles, space • scapegoats • jealousy, suspicions, competition • unequal distributions and access to resources • dominance and submission • physical and mental abuse, cruelty, battering, child abuse, incest, marital rape • creates powerlessness

Community

Official picture	Unofficial picture
• support to family and individual • fair • socially supportive systems such as panchayats, common training grounds, welfare • common sharing • brotherhood! • collective good – united against threats from outside the community • sanction • creator norms, rules, a kind of culture and identity protector • kinship ties	• ostracisation • intolerance of deviance • rigid • maintains status quo • imposes sanctions • side of the powerful • rape, sexual harassment, teasing, molestation, sati, dowry • composition of committees, etc • mobility

Market

Official picture	Unofficial picture
• trading, production of goods and services • neutral, just, equitable distribution of resources • opportunity for growth • best use of resources of the community • equal opportunities to generate profits • based on the principle of demand and supply	• gender blind working environment, trade unions, closed shop • monopoly, hoarding, cartels • unfair practices • 'may the best man win' mentality • survival of the fittest • decisions taken by the powerful • MNTs controlled by the powerful • competition • creates inequitable distribution of resources • manipulation • non-starter for women, limited access to resources • based on unequal terms • segregated nature of market • entry only if basic capital present • amniocentesis, rape, pornography, prostitution, commodification, sexual harassment • protective laws

The State

Official picture	Unofficial picture
• well-being of individual communities • impartial, unbiased • collective good • policy and programmes for the needy and 'under dogs' • equality, justice, opportunity • freedom, protection of rights • empower people • duty-bound • create infrastructure	• rule-bound, monolithic • gender-blind policies and programmes • powerful • overriding • hierarchical • custodial rape, gender-blind laws, capital punishment, violation of civil liberties • repression through physical force, institutions, such as the police, the army • rules/laws rigid and not conducive to change • trial

Since the official versus the unofficial picture shows the existence of violence in each of the institutions, we may now question why there is violence in these institutions. Who commits the violence? What are the resources that aid and abet violence?

Revisiting gender relations

It is evident from the gender analysis framework and statistical data that subordination of woman exists in our society. As paraphrased by Marx and Rubin, 'What is a domesticated woman? A female of the species. The one explanation is as good as another. A woman is a woman, she only becomes domestic, a wife, a chattel, a play-boy bunny, a prostitute or a human dictaphone in certain relations. Torn from these relationships she is no more the helpmate of man than gold: in itself is money...' It must be reiterated that a woman can not be viewed in isolation.

Let us now define the scope of violence for the purpose of our present session, looking at mental, physical, and fear/threat of violence. As well as violence, there exists dominance and subordination, the powerful exploiting the weak, and an uneven distribution of resources and authority.

We have seen the forms of violence that can take place in a family. A closer look at the institution of the family and the general beliefs surrounding it is required if we are to understand how violence is caused, supported, enabled and perpetuated within the family.

The family is considered society's basic unit. Be it the common man or the Government, when it comes to development or any other welfare measure, the smallest unit considered is the household. It is this way of thinking that leads to the notion that the household is a castle – whatever happens within is not anyone else's problem.

Within the family, since the male is the normally the main breadwinner, it is he who tends to control the money and resources. Other family members depend on him for their survival, which in turn gives him considerable power over them. Since he decides how money is spent, he also indirectly decides what each one of them can or cannot do, by giving them money or withholding it.

But it is not only economic power that the male wields over the family members. His role as the breadwinner also makes him the head of the family, giving him the power to physically control and chastise his subjects. He may choose to spend all his earnings on drinking or gambling and not give anything to the family, or he may decide not to pay for his children's education, or a family member's medical treatment. Because male children are seen as the future breadwinners, they tend to get priority over food, nutrition, health care, and education. Total control of resources also gives the male total control over other family members. He can treat them as he chooses, can be violent, and this would be seen as the family's private affair.

Male dominance is explained and supported by biological differences. Men are physically stronger and therefore are expected to go out and hunt (now work) whereas women are expected to stay at home and tend to the household chores and rear children. Because labour has always traditionally been divided, with certain tasks performed by men and others by women, the qualities required for these roles have become attributed to either of the two sexes. Men are therefore perceived as strong, thinkers, managers, fighters, good at finances, disciplinarian. Women are seen as weak, caring, nurturing, emotional, sentimental and not capable of decision-making. These misconceptions are used to support and perpetuate male dominance.

Violence against women in the home can range from verbal abuse to physical violence and murder. The reasons are many – it could be that the woman has not been obedient, her fidelity is under suspicion, she has brought insufficient dowry into the marriage, her husband has come home drunk and she has objected, or simply because he needs a punching bag to take out his frustrations.

Wife beating was not recognised as a social problem until the early 1960s when it was brought out 'into the open' by the women's movement and feminist activists. Wife battering is still considered a family matter, often by women themselves, who see it as a fault in their own behaviour which invites violence as a disciplinary action. A belief ingrained through the process of acceptance of subordination, wife beating is just one more example of unequal relations between women and men in public and husband and wife within the home.

A female child born into the family is seen as a drain on household resources. Female infanticide appears to have direct relation to the practice of dowry. Posters advertising amniocentesis can be found in many cities and towns – 'Spend Rs.500/- now and save Rs.50,000 in the future'.

In the community

Family relationships are determined by the community's ideal of the family. It is in fact the community's acceptance of patriarchy, the male dominant role, and the division of labour between men and women in the household that gets translated into their different roles in the family. If, therefore, the woman is considered the property of her husband, by the community, the men naturally have the community's sanction to treat them as they wish.

If a woman faces injustice, or degrading treatment or violence at home, she can only turn to the community for relief until recently. (Now, of course, the state intervenes in some cases on behalf of the woman, but that will be discussed later.) If the community, however, has the same values as the man, there is no chance of the woman getting any relief. She would not only be pressurised to accept her situation but may in fact be censured for trying to transgress the accepted norms. Practices such as dowry, which leads to a lot of violence against women, and sati, can continue in spite of the law against them only because of the community's tacit acceptance of these customs.

In the market/work place

The assumption that a woman's major role lies with the household affects her entry into the job market. She is seen to have marginal value in the labour force and a supplementary earner, with the male being the main breadwinner. And yet studies have shown that while all of a woman's earnings go towards running the home, men generally contribute less than 50 per cent of their wages.

Women mainly find work in 'unorganised' sectors, such as seasonal or domestic labour, or when the job has (often biologically defined) requirements such as nimble fingers, patience and perseverance, ie, monotonous and routine jobs not requiring great skill.

To keep their jobs, women have often to combat sexual harassment. This can range from verbal abuse with suggestive overtones or physical manhandling and fingering, to accidental jostling. Even teasing makes out sexual harassment to be an innocent or a frivolous activity.

Sexual harassment is a display of power used to coerce and degrade women. Employers, bosses and co-workers usually make sexual advances to women below them in the hierarchy (or in the unorganised sector where there is no security of work). Others in the hierarchy and the trade unions do not help them because, since the woman has dared to enter the workforce, she should be able to handle these problems. This, in turn, restricts their entry into the work place, making them fearful and frustrated and often inefficient. Sexual harassment has also been called 'psychological rape'.

The idea that women are a sexual property, to be bought or sold or taken by force – a tradable commodity – is reinforced by their economic powerlessness. Although women are often forced into prostitution by poverty, it is mostly men who benefit from it. The pimp takes her money, controls her movements and usually gives hardly any protection from her violent clients. Devdasi, a form of

prostitution, has the sanction of religion, the community and the family – an example of all the institutions combining to be a powerful force for the woman to reckon with.

'Pornography is at the extreme end of the range which begins with obscene advertisements. It is the use of words, visuals and sounds to show women in explicit sexual situations that are degrading, violent and abusive'. Films, TV, theatre and beauty contests all reinforce and perpetuate sexual stereotyping of women by highlighting physical beauty, devaluing women's individuality and intellect (mindless), exploiting women commercially (female figure for promoting products), thus portraying her yet again as a commodity.

The State

When we talk of the role of the state in violence against women, what is meant is:

- that the state does not intervene or do enough to prevent violence against women
- the guilty do not get punished
- that the state machinery may be unsympathetic to women victims and may not give them the justice and support required
- some of the state functionaries (in authority) themselves may commit acts of violence against women.

The state and its agencies have always been reluctant to interfere in what are considered 'family affairs'. The violence in households, escapes unpunished because it was considered a private affair, and the state kept out of it.

Recently, however, in response to demands from various women's movements and humanitarian organisations worldwide, the state has stepped into the sacrosanct domain of the household and has taken upon itself to intervene in cases of domestic violence, particularly those of a serious nature. Other social customs such as dowry, etc, have also been considered serious enough to require state intervention because of the gross misery that these customs have caused.

While there have been changes to the laws relating to violence against women, nothing much has been done to address the social structures that enable, justify, support, and perpetuate violence. The basic power inequality in the household and totally unequal distribution of resources that enables violence and causes its unchallenged acceptance by the victim, are not being addressed.

Even in the application of the existing laws, the state agencies sometimes take a very unsympathetic view, thus defeating the purpose of the legislation. The courts require independent corroboration, which in cases of domestic violence is hard to find since the violence very often takes place in private. This means that cases of violence all too often get acquitted, the accused go unpunished, and violence continues. If the laws are to work, rules of evidence need to be changed.

Both during police investigations and at a judicial trial, the woman has to relive the trauma of being violated. In attempting to prove violence against her, the woman experiences new instances of violence. The victimisation process continues, with the first assailant being her 'near and dear ones', ie, family members, and the second assailant being the state and the criminal justice system.

It is necessary, in addition to the legislation, that the state provides support systems for the victims. The victims cannot take their husbands/other accused to the criminal justice system since in most cases they do not have any other place to go or anyone else to support them. If they want the accused to help them or continue to support them financially, they often have to compromise and withdraw the case. Unless the state provides support systems, where victims of violence can take shelter and get sustenance, enacting laws alone would be a pointless exercise.

Conclusion

We began with the basic insight that violence against women is inherent in all social institutions (family, market, community, the state). Class, caste, religion, ethnicity also contribute to violence against women. Throughout we have seen the social relations between men and women as ascribed by society.

The position, status, power and powerlessness of women derive from both socially and biologically determined factors. This, in turn, influences the rules and ideologies, practices and access to resources. Women are subjected to violence because of their lack of resources and their economic and emotional dependence. Thus, this analysis helps us to understand that women are not the problem and thus the only solution. Seeing it through the gender 'lens' sharpens focus that inequality is not only between men and women.

Women in the police structure

An example of women in the police structure

Let us now see how does all our discussion up to now translate into our daily work life. We shall take the police structure and examine it in the light of the gender relations framework and see if a similar situation is to be found here.

In which departments of the police are women found? The answer is Juvenile Aid Police Unit (JAPU), women's VIP duty, law and order, escorting women, criminals, traffic, wireless, airport security, missing persons bureau, women's cells and a few in the police stations doing the above mentioned jobs. None of these jobs are part of mainstream policing. Here again, the jobs assigned are a continuation of what women are considered best at in the household – carers, nurturers, of the young and the old. Their primary role being in their family, the postings are mainly in departments that keep 9am to 5pm hours. Thus, what we find is restricted entry and female segmented jobs (biologically determined).

Women's restricted access to household and community resources for education in technical skills, means they qualify mainly for jobs in the constabulary. There are few women in the state official cadre and even fewer at Indian Police Service (IPS) level. This means vertical mobility is also affected. This is not only due to limited resources but also translates in the areas of promotion. Women police officers also tend to be promoted in the same jobs. They are rarely promoted into mainstream policing.

Women's entry is restricted at policy level itself, with a restricted number of posts available for women, and the duties they are to carry out are strictly laid down. Both of these restrictions appear to be based on a woman's sex rather than her capability or the skills required for policing. The state policy perpetuates the myth of determining women's roles, responsibilities and control over their own lives through their gender. (A transparency would be used to illustrate the influence of the four institutions on each other and the creation of a stronghold of beliefs, faith, norms which can be a stranglehold to women's efforts at regaining control over their lives.)

Use the note on 'Equal Opportunities to Women in Police'

For a group discussion to draw out participants' response (90 minutes)

BRIEFING NOTES (Objective IV)

Skills

Domestic violence

Violence includes behaviour that is against the law and also that which falls short of a legally defined criminal statute, but is nonetheless detrimental to the victim. The violence may take the form of physical, sexual, financial, emotional or psychological abuse by a partner within a marriage, or other close relationships. These behaviours include:

- punching, slapping, throwing objects, pulling hair, choking and other forms of physical assault
- use of weapons
- threats and intimidating behaviour
- sexual assault
- intentional deprivation of basic needs, such as food, or contact with others
- verbal abuse of a kind that impairs the women's self esteem and ability to function normally
- pressure to accept behaviours that violate the woman's rights.

Domestic violence or abuse is a serious misuse of power in a relationship. The result is the damaging control by one of the partners, usually the man, over the other.

Cycle of violence

When violence is part of the way that people interact there is a pattern which tends to recur. This pattern has many variations, but after listening to many women who are still in, or who have left violent relationships, it is becoming clear that the underlying emotions are very similar for most of them. The pattern consists of several phases.

The buildup phase

This phase occurs where tension builds up in a relationship and the people involved cannot overcome it by talking it out or defusing it in a way which is acceptable to both parties. One partner begins to dominate the situation while the other feels under stress and begins to try to please the other. As the resulting anxiety and tension in the family builds up to reach debilitating proportions, this phase merges into the control phase.

The control phase

This phase in the cycle of violence can be long or short. The dominant partner seems determined to control the actions of the family in general and/or his partner in particular. They in return are frightened to do anything that will precipitate the next stage in the cycle, in which there can be a violent outburst. The phrase 'walking on eggshells' is commonly used to describe this period.

The violent outburst

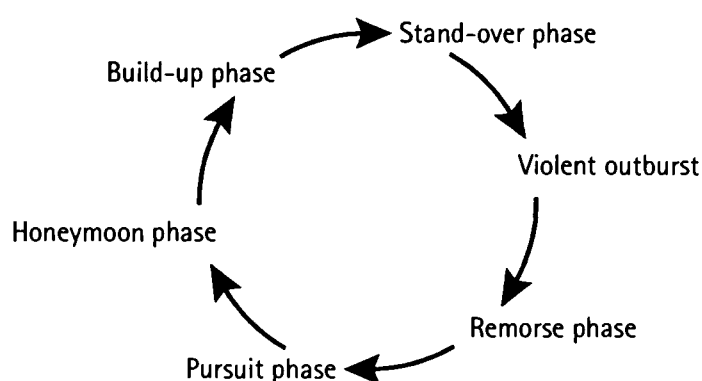
Violence can take many forms, and may not always be physical. The outburst may involve extreme physical harm to the victim, or emotional scarring which is not observable to the casual observer, but can have long-lasting effects on the personality of the victim. The benefit to the abuser is a release of tension, and the compliance of the victim, but there are costs as well.

The pursuit phase (this may/may not happen)

Often the abuser will feel true remorse and sorrow for what he has done. He may be frightened about his perceived lack of control over his violence and may be fearful that his partner will leave him. So he may attempt to recover lost ground by asking forgiveness, giving presents, making promises about the future and his behaviour.

The honeymoon phase

The time after the violence, when forgiveness has been sought and given, may be a time of great closeness for the couple. Hence the name. However, inevitably, given the usual problems of daily life, tensions will arise again, and if the couple have not learnt ways to avoid it, these tensions will gradually lead them back into the buildup phase, and the cycle will begin again.



How does the cycle vary?

1. The control phase can be so extended that it becomes the usual way of life in the family. If the abuser can achieve sufficient control during this phase, an outburst rarely follows. This pattern may be reached after several turns of the cycle, when the memory of the violence is enough to control the behaviour of the whole family. Just an occasional reminder of that will be enough to enforce compliance. The effect on the rest of the family is severe. They will usually become isolated from outside activities which may interfere with the demands of the abuser, and may show signs of chronic tensions, anxiety and depression.
2. The form and extent of the violence will vary, sometimes within the same relationship. Once a particular pattern has emerged, the victim may be able to predict an outburst. If not, this will add further stress. There may be other threats of violence. Given the history of violence, these threats have a credibility which can be controlling and draining.
3. The emotions immediately before and after the violent incident may be very different:
 - the abuser will probably feel not only remorse and guilt, but also a relief from the frustration and fear that fuelled the outburst
 - the victim may also feel a release of tension because at least the control phase is over, but this is tempered by the shock and loss of trust in her partner. Later in the relationship, disillusionment will follow when the victim realises that the violence has recurred, despite all her efforts to stop it
 - many men feel especially close to their partners after violence has occurred and attempt to 'make it up' with her by 'making love'
 - the victim's reaction may be very different and few women welcome sexual contact with the person who has just been abusive. Yet she will cooperate, either through fear of more abuse, or in an attempt to show that she is prepared to stay with him.

- 4 The cycle will also vary in the time taken to complete it. In some relationships it may take years to reach the violent state. Others will become violent almost immediately afterwards. Initially it is usual for all stages of the cycle to be present, even if only for a short period. As the cycle becomes more and more a pattern of behaviour for that couple, the time taken for each phase may shorten and/or phases can be skipped. The first to go will be the times of greatest happiness, the honeymoon phase. The cycle may shorten until there is virtually no time other than that in the control phase, interspersed with violence. The time to complete the cycle will vary from years to sometimes only a few hours. It will tend to shorten, the violence to become more controlling and the effect more severe on the victim.

How to stop the cycle

1. If he wishes to break the cycle, the abuser must take on a more difficult and demanding behaviour pattern that involves him changing his attitude and increasing his communication skills, not relying on force in his relationships.
2. The victim needs to change ingrained beliefs and to:
 - believe that she is able to manage to live without the control and 'support' of her partner
 - be prepared for life alone which in some ways will be harder, initially than life in the known and predictable pattern it was before
 - feel that the emotional health of the family is not entirely her responsibility
 - accept that by staying in a violent relationship, she is allowing her partner to continue in a behaviour pattern which is destructive to them both, and certainly destructive to their children
 - know that her action in leaving the relationship may be the only way of bringing home to her partner that he must make a change in his behaviour. The crisis that she precipitates in this way may be a turning point for him.

The woman's safety is of prime importance at this stage. The man may attempt to take control in the only way known to him – by force – and the woman may need protection.

Myths, facts and values

There are a large number of beliefs related to the abuse of women. Some of these beliefs have little factual foundation and others are based on deep-rooted culturally based values. The following list of some of these beliefs are arranged in two sections, one on myths which can be disputed by facts and the other in which contrasting values are set side by side. The facts cited as rejoinders to the myths are derived from the collective experience of women in the Asia and Pacific Region who have worked with abused women and their families.

Myths and realities

<i>Myth</i>	Marriages which are not based on love frequently result in quarrels and end up with wife-beating.
<i>Reality</i>	A love marriage does not guarantee freedom from abuse. Wife-beating occurs in love marriages as well as in arranged marriages.
<i>Myth</i>	Women provoke violence by their intolerance and nagging.
<i>Reality</i>	Women are often beaten for reasons beyond their control. They have been beaten because they were unable to accommodate their husband's sexual desires, or because they could not prove that they were not

seeing a lover while picking the children up from school. A women who had been a dutiful wife for 30 years was beaten by her husband who was in a bad mood because of things that happened outside the family.

Myth Only men who are mentally ill beat their wives.

Reality The incidence of mental illness among men who beat their wives is the same as that in the rest of the population.

Myth Only men who fail in other aspects of their lives beat their wives.

Reality Often men who have successful careers beat their wives. Wives of successful men are more reluctant to expose a husband who has a high profile, in case this threatens his social standing, his business or employment, and often her only source of income.

Myth Only poor and uneducated men abuse their wives.

Reality Men from all social backgrounds beat and abuse their wives. Domestic violence may appear to be a problem primarily of the poor, because middle and upper class women often have the resources to hide the violence. Abused women with fewer resources are more visible since they must turn to public institutions, such as the police and hospitals, for help. Furthermore, they often reside in over-crowded areas where it is difficult to keep anything from neighbours.

Myth Asian men don't beat their wives. Violence in the home is a Western problem.

Reality Violence against women cuts across geographical, cultural, socio-economic and religious categories. Examples of wife-beating have been drawn from all Asian countries.

Myth Women who remain with a violent husband are masochistic, they stay because they enjoy the violence.

Reality Women will remain in a violent relationship because they are economically dependent on their partners. They lack marketable skills and cannot afford to move. An Asian woman is also often trapped by the 'good woman' ideology by which she has been instructed to suffer and accept male aggression and violence as inevitable, while acceptance and docility are prized virtues. She might feel ashamed at having failed to fulfil her traditional role as housekeeper, mother and faithful and supportive wife. She is made to feel guilty about 'breaking up the family unit'. She fears losing custody of her children, and of being ostracised by family and friends.

Myth Drunkenness, drugs and gambling cause domestic violence.

Reality There is no evidence of a causal relationship between these factors and abuse. Some men may have been drinking when they are violent to their wives, but many are violent when sober. Similarly, some men may have been using drugs when they are violent. Many do not. Some gamblers are violent, many are not.

<i>Myth</i>	Women can always leave.
<i>Fact</i>	Women often stay in destructive relationships because they feel guilty about leaving, because of fear, and sometimes, for the sake of their children. Their financial dependence is often a major factor in their decision to stay.
<i>Myth</i>	Children need two parents even if their relationship is violent.
<i>Reality</i>	There are severe long-term detrimental effects on children who live in families where violence is a frequent occurrence.
<i>Myth</i>	Violent men are violent in all their relationships.
<i>Reality</i>	A minority of men who are violent towards their partners exhibit violence in other relationships.

Most abusive men appear very reasonable and respectable outside the family.

Values

Culturally based value:	Husbands have the right to do what they want with their wives.
Our value:	Marriage does not give a person the right to be physically and emotionally violent to another person, whatever their legal relationship.
Culturally based value:	No one should interfere in the domestic affairs of husband and wife.
Our value:	Violence by one human being towards another is everyone's business.
Culturally based value:	It's her fault.
Our value:	He is responsible for his own violence and only he can change his behaviour.

Wife battering is a term that does not fit easily into the criminal justice process, and it also forms a part of the cycle of violence. Medical definitions not only describe physical systems but also include psychological abuse. Studies have documented the terrible toll upon the victims of such abuse. Women as victims suffer beatings, broken bones, bruises, injuries to internal organs, brain damage, and, too often, death at the hands of someone who at one time said they loved them. They are raped and sexually abused by their mates and left lonely, unprotected, defeated, insecure and isolated – often lacking support by officials, friends and family alike. Children in such families learn early that violence by one partner against the other is the way to control the partner. Women – most often the victim and men most often the attacker – perhaps establish a pattern for their children to learn.

Indian society has failed to understand the predicament of abused women, or to address the issue of the abuse of power when a male ill-treats a woman. The fear, loneliness and lack of support has made her a virtual prisoner without bars, held by her conditioning, society's lack of support, economic inequities, legal, religious and moral judgements and by a standard of expectation about marriage and family which virtually makes it impossible for many women to break free.

Women, victims of wife battering need:

- protection from further assault
- a home or shelter, food, security, and continued care for their children
- to be listened to by people who understand
- counselling, job training and often help to find how to cope under new conditions
- the hope that help is available to their partner so he can stop his abusive behaviour
- understanding if they decide to go back to the abusive relationship.

The needs of women and children who are victims of violence create the necessity for many changes within traditional organisations and suggest the need to support the creation of new organisations.

It is necessary for the police to emphasise the importance of bringing cases of family violence before the court. The police may also have to be given the legal authority to intervene in cases of domestic violence, where the offences are presently not cognisable. However, judges also need to be sensitised to the victims' plight. They also need to be given legal powers, on hearing the evidence, to order counselling or treatment for the offender, or to legally provide conditions to be applied for the release of the offender, or to incarcerate the offender when no other remedies are possible.

Government action on violence against women cannot, however, stop here. The problems facing both the victim and the offender have been created over many years and a solution will not come easily. Shelters and crisis homes for victims are needed. Training coordination and perhaps protocol of agreement for action between the police, social workers and the medical professionals are important aspects of a comprehensive approach to this problem.

It may not be possible for us to change the law or to set up the social institutions required for dealing with the domestic violence properly. However, these are a lot of expectations from the police, and the victim of violence would firstly approach the police for succour and relief.

What is the role of the police?

The police role requires an officer who understands the issues and who performs three functions:

- to investigate and gather the facts about the case in the same way as for any other criminal matter
- to provide protection for the victim. In far too many cases, the victim is beaten again or even killed after the police leave. The protection role of the police needs to be greatly enhanced
- to ensure proper referral to support agencies, medical help, or counselling.

What do the police do in cases where they cannot investigate a case and send it to court?

Whether it is investigation of cases that the police may register with respect to domestic violence, or whether the police cannot register a case but are only attending to a complainant who has come to the police station, the police need to know how to help the complainant.

The following are the principles of the helping relationship:

Individualisation: This means treating a person not just as a human being, but as a person with individual thoughts, feelings, needs and experiences. The officer therefore needs to overcome his/her own biases and not to make assumptions or stereotype women who come for help.

Purposeful communication of feelings: The officer should listen purposefully to the expression of the women's feelings, neither discouraging nor condemning her. In fact, he/she ought to actively stimulate and encourage the victim to speak freely about herself and the situation. The officer needs to convey empathy, ie, feeling *with* the woman, rather than sympathy, which is feeling *for* her.

Examples: expressing sympathy – I feel sorry for what has happened to you'
expressing empathy – I feel depressed over what has happened to you'

Acceptance: This does not mean approval of her behaviour but means that the helper should not reject or judge her. This means to accept her strengths and weaknesses, her positive and negative feelings, her constructive and destructive attitudes and behaviour.

Self-determination: The victim must be allowed to make her own choices and be responsible for her own decisions. The worker does not hold power or authority over her.

Non-judgmental attitude: A battered or violated victim should never be blamed for the abuse she has suffered. Society often blames her for it. She may be blaming herself for it in the first place, so she does not need it from you! The worker should never ask questions like 'What did you do to set off his anger?', 'Didn't you resist him?' 'Why didn't you leave your spouse earlier?'

Confidentiality: There are two types of confidentiality:

- relative confidentiality: such information about the woman which can be shared around professional staff only
- absolute confidentiality: information not to be shared with anyone or recorded anywhere.

Communication skills

The most important skill a worker needs in the process of helping is that of effective communication. Fundamental to good communication is good listening.

Good listening means:

- sticking to the women's chosen topic
- trying not to interrupt.

Listen for:

- verbal messages – what is said, actual facts described, feelings communicated
- non-verbal messages – silence, hesitation/difficulty in speaking, identifying what is not said, body language (not applicable in phone counselling).

ACTIVE LISTENING

Active listening combines sensitive understanding of what is communicated with finely tuned responses. Active listening is not only listening with the ears but is listening with the heart. It is to feel with the woman rather than to feel for her.

Skills Involved

Minimal encouragers are single words or noise, eg, 'Yes', 'I see...', 'mmm', or repetition of key words.

Function of good communication skills

- it indicates that you are involved with the woman, that you are listening and following what she is saying
- it is effective in keeping the woman talking and enhances self-exploration
- allows you to get a good picture of the problem(s) involved.

NOTE: THIS IS VERY IMPORTANT DURING THE INITIAL STAGES OF WORKING WITH THE WOMEN.

VERBAL FOLLOWING

Verbal following means responding to the women's last comment or to her preceding comment without changing the subject.

Function of verbal following

It reassures the woman that you are attending to her and allows her to go on exploring the topic.

QUESTIONS

Questions consist of two types – close-ended and open-ended

Both types of questions:

- allow you to find out more about the woman
- allow the woman to explore the issues more deeply
- facilitate the flow of conversation
- allow the feeling of caring to be expressed to the woman.

Close-ended questions

- require a 'Yes' or a 'No' response
- start with 'Is...', 'Are...', 'Do...', or 'Did...'. For example, 'Are you afraid to go home?'

Function

The function of close-ended questions is to:

- gather information
- clarify
- focus on/change focus of a topic and narrows the area of discussion
- stop the woman from straying from subject.

A note of caution, however. When used too frequently:

- the sessions become an interrogation
- the women may be overwhelmed
- she may become less communicative.

Note: It is better to use open-ended rather than close-ended questions unless absolutely necessary.

Open-ended questions

Open-ended questions cannot be easily answered with 'Yes' or 'No', but require an explanation and invite the woman to talk. Start with 'What...', 'How...', 'Could...', 'Would...' and 'Why...'. For example:

What?	Asking for facts and information ('What would you like to tell me about the situation?')
How?	Allows conversation to go from one sequence to another, as well as to explore emotions ('How do you feel about that?')
Could/Would?	Allows maximum self-exploration from the woman ('Could you tell me about how your parents would react if you left your husband?')
Why?	Elicits reasons.

Caution: 'Why' questions are not recommended for new workers because it involves the woman to justify her behaviour – she might be defensive. It is also often very hard to answer 'Why' questions.

NOTE: Avoid asking only one type of open-ended question, or you will get a very one-sided view of the problem, eg, only asking 'What' questions will only give you facts and information.

Reflection of feelings (not content) means to:

- identify the woman's feelings
- reflect/throw back these feelings to the woman
- understand that one feeling (eg, anger) often covers up for another feeling (eg, fear)
- also understand a woman's ambivalent feelings, for example, fearing/hating her husband yet being concerned about him.

Function

- it tells the woman that you are trying to understand what she has said
- it allows you to clarify your understanding of her feelings
- it reassures the woman that you accept her feelings, and that it's okay for her to have such feelings
- it facilitates the woman's self-awareness and self-understanding.

NOTE: Focus on present feelings and behaviour.

PARAPHRASE

Paraphrase means restating in your own words what the woman has said, for example, 'I understand from what you said that you sometimes get so upset that you feel like ending your life.'

Function

- it allows you to clarify what you have heard
- it allows you to bring together/synthesise what the woman has said
- it allows her to explore the issues further.

CONFRONTATION

Confrontation means honestly and directly:

- pointing out discrepancies in the woman's attitudes/thoughts/ behaviour
- suggesting that the woman's description of herself/her situation does not match how you see it
- making it clear that what you've said is expression of your own point of view, rather than the woman's point of view.

Function

- to deal with strengths/weaknesses that a woman refuses to acknowledge, or reluctance to put a stated intention into action
- to overcome a block or barrier.

Important: In order to effectively use this skill of confrontation, you, the worker, must:

- recognise your own feelings – confrontation should not be used to unload your own feelings
- state the discrepancy clearly and simply
- state your reasons for reacting to the discrepancy noted
- allow her to respond to your confrontation.

GIVING DIRECTIONS

This means telling the woman to do something, to say something or to act in a specific way.

Note: Make sure your directions/instructions are clear and understandable. Make sure the directions are very specific and concrete. Give step-by-step instructions.

Important: Check to see that she understands your directions. Get her to repeat what you have just told her. These directions must not destroy or take over from her capacity to function as the decision-maker in her life.

Sexual assault cases

Rape victims are usually ashamed, guilty and afraid of how other people will react to them. Some are humiliated, scorned, and stigmatised by police and social workers, and treated with hostility and suspicion by their family and friends. Indeed, the victim is often stigmatised more than the rapist.

Negative responses to victims stem from attitudes to women, rape victims and rape which can be traced to myth and prejudices. Women are believed to provoke rape by the way they dress, where they go, the way they move and behave. They are considered to be responsible for their own protection and must ensure that they do not arouse male sexuality which is traditionally portrayed as an uncontrollable force. Women are also believed to subconsciously desire rape. These myths stem from the belief that any woman can avoid rape if she wants to, a belief that is difficult to support, in view of the fact that most men are significantly stronger than women. Rape has also been portrayed as the vindictive cry of the woman scorned or the girl who regrets intercourse.

The police are particularly at risk of being misinformed by these stereotypes. They are often suspicious of complainants, especially if there is no sign of injury, if the woman knows the offender, if she delays reporting the rape or if she appears unnaturally calm or unemotional. If the woman is seen as morally dubious – as she will be if she is living with her boyfriend, is sexually experienced or is a prostitute – the allegation will be completely in doubt.

Police suspicion manifests itself in various ways. Firstly, the initial complaint may be totally disbelieved and the woman discouraged from pursuing her complaint at the outset. Secondly, police investigation may consist of insensitive, bullying interrogation of the victim. This may involve a succession of officers interviewing the woman or a medical examination in unpleasant or threatening surroundings. Furthermore, she may not be supplied with even the most basic information that might lead her to agencies offering comprehensive victim support service.

Police stations are the traditional rape reception agencies. Police response to complaints of rape and assault require priority attention. The police should be unbiased, unprejudiced and adopt a professional practical approach to the complaint. They must also understand that rape victims often suffer from what is known as the 'rape trauma syndrome' – behaviour the woman may exhibit after rape, which departs from expectations held about victim behaviour. Officers also have to be very well versed with procedures for collection of evidence of the offence.

In Canada, an inexpensive sexual assault examination kit has been introduced. It is used in the examination and treatment of a rape complaint, its aim being to collect and preserve evidence in the most sympathetic manner possible (also see D'Souza (1998) p.44). It cannot be used until the victim completes a consent form and it contains an information guide for her which explains legal procedures, medical examinations, the trial and victim services. It also contains guidelines for the police officer and the examining physician, as well as various forms to be completed by the examining physician. Receptacles are provided for the collection and preservation of physical evidence such as fingernail scrapings, swabs, hair and clothes. Use of the kit continues the work of training and educating officers, making them more meticulous in their evidence collection techniques and directing their inquiries in ways which are less heavy handed than in the past.

In the United Kingdom, the police have developed 'rape suites', which are specially designed interview rooms, equipped with a bathroom and an examination couch. The victim is interviewed and examined in the 'suite', which is separate from the main station interviewing area. It is not uncommon for initial police examination to last up to eight hours and the introduction of the suite means that the complainant is less threatened and certainly more comfortable than previously.

It may not always be possible to provide facilities such as 'rape suites'. However, there are several things that can be done to reduce the victim's trauma.

1. Wherever possible, female police officers should interview complainants.
2. The complainant should be allowed to be accompanied by a supportive individual during police questioning and examination.
3. A female medical examiner should be provided, if the victim would prefer this.
4. Questioning and examination of the victim should take place in a discrete area, so as to reduce her distress and humiliation.
5. Police officers need to forget their biases, prejudices and stereotypes when talking to victims.

Interview techniques in sexual assault cases

1. Maintain a victim-focused interview – consider the victim's age, class, religion, social position, education, exposure, etc.
2. Remain supportively objective – avoid preconceived agendas.
3. Avoid suggestive questions and gestures – have the victim narrate as much as possible and throughout – elicit the victim's information rather than confirming the interviewer's information or belief.
4. Avoid manipulation, for example, by suggesting negative consequences.
5. Seek information that confirms the complaint from the victim (and eventually others), for example, details that can be confirmed externally.
6. Be aware of the Criminal Justice/Protection mandates.
7. Develop and follow a structure to the interview: (i) pre-planning; (ii) introduction; (iii) rapport-building; (iv) background; (v) the interview core; (vi) closing the interview.

BRIEFING NOTES (Objective V)

Support services and women's organisations: objectives

In order to meet practical gender needs of violated women such as shelter, refuges, protection and legal aid, it is important that the police are well acquainted with existing support services so that referral is facilitated.

This session therefore provides an introduction to support services as well as the scope of non-governmental organisations (NGOs) on the issue of violence against women.

Step 1

Given the popular conception of women's organisations as radical/aggressive/destructive, it is imperative that the participants reflect upon their images/the role of women activists and women's organisations.

Exercise: Images of good women, bad women and women activists.

Participants break up into small groups. Their responses will be put in negative and positive perceptions and stereotyping.

Step 2

We begin with a brief introduction to the evaluation of the women's movement in India. The emergence of domestic violence as an issue following the Mathura rape case, will be highlighted.

The session will incorporate a brief historical review of social reform movements led by Maharshi Karve and Jyotiba Phule, the relative exclusion of gender issues in the agendas of other social transformatory movements and the formation of autonomous women's organisations as a response to address the issue of gender equality.

Step 3

Moving to the present, we provide a brief overview of women's organisations and women's activists:

- marxist groups
- socialist feminist groups
- political party volunteers
- training social workers/professionals
- liberal voluntary social workers.

The approach of each category based on various ideologies will be explained by their contribution in the area of gender issues:

- understanding of class-related issues
- the importance of academic and field-based work in influencing the change in rape laws, 498A, Dowry Prohibition Act and government programmes for women
- community-based NGOs with field action projects
- service-based NGOs providing sponsorship, fostercare, shelters, refugees.

The section will end with a summary of the role NGOs play in terms of direct implementation, research and in influencing policy change and formulation; NGOs as a means by which the State can access the grassroots.

Step 4

This section summarises the response of the government to initiatives taken by NGOs in the setting up of structures that address gender issues at national level vis. National Commission for Women.

This report was prepared by :

Shridhar Joshi, Yeshwantrao Chavan Academy of Development Administration, Pune, Maharashtra

S Chakravarty, Police Department, Aurangabad, Maharashtra

Poornima Chikarmane, SNTD Women's University, Pune, Maharashtra

Anjali Dave, Tata Institute for Social Sciences Mumbai, Maharashtra

K K Maheshwari, SVP National Police Academy, Hyderabad, Maharashtra

For additional information, please contact: S Chakravarty, Indian Police Service, 4 Avanti, Marayan Dabholkar Road, Malbar Hill, Mumbai, 400 006, India. Tel: (00 91 22) 3637486/3693939. Fax: (00 91 22) 2026651.



Country Reports

Department of Justice activities: violence against women and child sexual abuse, *South Africa*

Family violence policy, *New Zealand*

The role of women police officers in dealing with victims of sexual offences, *Singapore*

Learning together, working together: integrated justice system training to enhance the safety of women, *Canada*

Police training: A review of internal and external courses, *Australia*

12.1

Department of Justice activities: violence against women and child sexual abuse

Country: South Africa

The Department of Justice has embarked on a number of initiatives in order to carry forward and realise its commitment to effectively and holistically address the problem of violence against women and children. The initiatives set out below seek to protect and improve the quality of life of these vulnerable groups. They are one of the priorities on the agenda of the Department.

SADC declaration on the prevention of violence against women and children and accountable framework

A strategy developed in the past year aimed at improving regional collaboration resulted in the SADC Conference on the Elimination of Violence Against Women, held in March 1998. At the conference, all SADC states committed themselves to implementing a number of agreements within the context of collective monitoring. A Draft Declaration on the Prevention of Violence against Women and Children, to be signed by Heads of SADC States was the result, and was accompanied by an Accountability Framework, to monitor the Declaration's process and progress. The Framework also provided a holistic outline of priority interventions required to deal effectively with various types and aspects of gender based violence and violence against children.

National policy guidelines for victims of sexual offences

The policy guidelines and a brochure for victims were launched on 26 September 1997. The guidelines were developed intersectorally to help sensitise services provided to help survivors of sexual violence.

There is an ongoing awareness that will be intensified and reviewed. Training on the guidelines will continue to be offered to relevant personnel within the criminal justice.

The guidelines are used by service providers to promote an efficient, effective and responsive service delivery to victims of sexual violence. They also promote the reduction of secondary victimisation often experienced by victims of sexual offences within the criminal justice system.

Gender Policy Considerations document

A draft Gender Policy Considerations document has been developed, and consultative workshops were held with civil society and focus groups including religious groups, traditional leaders, legal profession and organised labour. The policy is in the process of finalisation. Justice personnel will be given training on Gender Analysis, diversity awareness, and on violence against women, with an emphasis on integrated approaches.

Domestic violence

A Domestic Violence Bill has been tabled in Parliament. It addresses inadequacies in the Prevention of Family Violence Act of 1993. Improvements include strengthened early intervention measures by way of outlawing stalking, removing financial constraints (waiver of fees for interdicts) and making it easier to obtain protection orders and secure arrest when such order is violated. The bill also

provides that the court may order that the abuser leave the common home and still be responsible to discharge mortgage or rental payments.

Special courts

Courts that specialise in dealing with sexual offences have been set up as pilot projects in the Western Cape province. The conviction rate at these courts is estimated at 69 per cent. These courts are currently set up in Wynberg, Mitchell's Plain and Parow. In collaboration with key role players, the office of the newly appointed National Director of Public Prosecutors will develop a national policy on prosecutions relating to all forms of violence, which includes violence against women and children.

Family courts are in the process of being set up. These courts will have jurisdiction in all family related matters, including domestic violence. Victim empowerment and support is a priority of these courts.

Equipment in the courts

Closed circuit televisions and one-way mirrors have been installed in approximately 200 courts countrywide in order to protect witnesses under the age of 18 years, who may well suffer emotional distress if made to testify in an open court. Such witnesses testify through an intermediary in a separate room adjacent to the court.

Pre-trial services

Pre-trial services have been established as part of victim empowerment at a number of courts. Victims are supplied with information brochures that inform them about their rights, responsibilities and the law. Victims receive trauma counselling and are assisted with the completion of family violence interdicts.

Bail management, which entails monitoring if the accused complies with bail conditions and providing necessary information to the police in case of non-compliance, is also part of the functions of the pre trial services.

Information desks

Some courts have established information desks that offer legal information, advice and referral to appropriate agencies. These desks are staffed by personnel with specialist knowledge of the law. They are also trained to receive complaints on poor treatment received in courts. Victims can approach these desks for information and advice on their rights.

Sexual offences against children

An Issue Paper on sexual offences against children has been produced and disseminated to the public for input. The SA Law Commission also has a mandate to include adult victims in the investigation. The envisaged legislation will promote the protection of all victims of sexual offences.

Commission on Gender Equality Act No. 39 of 1996

It provides for the establishment, powers and functions of a state institution supporting constitutional democracy, the Commission on Gender Equality.

This independent Commission has responsibility for:

- monitoring and evaluating policies and practices of state departments, statutory and public bodies and authorities, private businesses and enterprises and institutions, in order to promote gender equality and to make any necessary recommendations
- developing, conducting and managing information and education programmes in order to foster public understanding of matters pertaining to the promotion of gender equality and the role and activities of the Commission
- evaluating Acts of Parliament, systems of personal and family law or custom, systems of indigenous law, customs or practices, or any other law in force, that affects or is likely to affect gender equality or the status of women.

The Commission on Gender Equality has already been established.

Criminal Procedure Act No 85 of 1997

The Criminal Procedure Act restricts the granting of bail in certain circumstances. Before granting bail, there are several things the court must consider, including:

- the nature of offence
- did the offence induce shock or outrage in the community?
- whether the release of the accused will put peace and security of members of the public will be put at risk
- whether the release of the accused will undermine or jeopardise public confidence in the criminal justice system.

Criminal Law Amendment Act No 105 of 1997

Minimum sentences for offences such as rape where a firearm or dangerous weapon was used or assault with intent to do grievous bodily harm on a girl under the age of 14 years:

- a minimum sentence for a first offence is 15 years
- a minimum sentence of 20 years for a second offence
- a minimum sentence of 25 years for a third or subsequent offence.

Witness protection legislation

Legislation establishing the National Witness Protection Directorate has been enacted. More than 700 witnesses and their family members are currently being protected under the Witness Protection Programme. Victims of gender-based violence as well as child victims also benefit under the Witness Protection Programme.

National Prosecuting Authority Act No. 32 of 1998

As contemplated in the Act, the National Director of Public Prosecutions has been appointed and is attending to the development of a National Prosecutions Policy and guidelines.

The National Director of Public Prosecutions is expected to play a pro-active role in promoting the institution of prosecutions in cases of violence against women and children.

Training

Attorneys-General's offices have distributed to prosecutors copies of the National Policy Guidelines on Victims of Sexual Offences, to assist them in dealing with cases of sexual violence against women and children.

Training on substantive procedural law relating to violence against women is offered by Justice College. A 'train a trainer' programme started in June 1998 for service providers within the Department of Justice, namely prosecutors, clerks, interpreters and magistrates. The aim of the strategy is for the training to filter down from the trainers to all service providers who come into contact with victims of violence. Discussions are under way to implement similar initiatives for providers in the other departments involved in the National Crime Prevention Strategy, namely South African Police Services, Department of Health, Department of Welfare and Department of Correctional Services.

Public outreach campaigns

A number of public outreach campaigns on violence against women and children have been launched. These include the Campaign on the Prevention of Violence against Women, the Constitutional Week Campaign on Children's Rights and Child Abuse (with a special emphasis on Violence against the Girl Child) and Open Court Days. The purpose of these activities was to educate the public about court procedures, the law, their rights and duties.

The Constitutional Week Campaign on Children's Rights and Child Abuse included information sessions by judges, magistrates and prosecutors at schools countrywide. School children were informed on how courts protect the rights of child victims of violence, particularly sexual violence.

12.2

Family violence policy

Country: New Zealand

The policy has been divided into two parts:

Part I outlines the broad range of Family Violence including protocol development, investigation and arrest, bail, firearms, support for victims and reporting practices.

Part II outlines procedures and practices associated with the Domestic Violence Act 1995 and the enforcement of protection orders.

PART I: Family violence issues

Introduction

In 1987 the New Zealand Police adopted a more positive approach when dealing with violence arising out of domestic incidents – victims of violence were provided with appropriate and timely support and offenders were arrested. Prior to this policy change, the Police endeavoured to mediate the parties and reconcile interests. This latter approach was short-term and did not challenge the underlying causes of family violence.

The term 'family violence' includes violence that is physical, emotional, psychological and sexual abuse. It includes intimidation or threats of violence. The term 'family' includes such persons as parents, children, extended family members and whanau, or any other persons involved in relationships. Examples of such relationships include partners, caregivers, boarders, flatmates and persons in same-sex relationships, but does not include neighbours. This definition has the same meaning as sections 3 and 4 of the Domestic Violence Act 1995 relating to the meaning of 'domestic violence' and 'domestic relationships'.

This policy promotes and acknowledges that the protection of the victim is paramount. Victim protection is best attained by stopping the violence, and implementing a process that brings the offender into the criminal justice system.

The policy recognises developments in family violence policy and practices, and the benefits of positive intervention. Policy and practice are based upon three core principles:

- protection of victims (including children who witness family violence)
- holding assailants accountable
- consistent practices across agencies and groups.

An inter-agency approach

Successful models for responding to family violence suggest the implementation of a coordinated and inter-agency approach within a framework of locally developed protocols. The principles of 'consistent messages' and 'no gaps in services' should underpin local responses. Protocols must include reference for appropriate support and protection for victims, suitable programmes to rehabilitate offenders, and procedures for local monitoring and evaluation of services. 'Fast-track' options for court hearings are an option.

Where resources are available within local communities, an inter-agency network should include representation from the following:

- Women's Refuge
- Victim Support
- Perpetrator 'Stopping Violence' Programme
- New Zealand Children and Young Persons' Service
- Community Corrections
- Family Court
- District Court
- Maori/iwi Family Violence Service Providers
- Safer Communities Councils
- Police.

The above list is not exclusive and the composition of any inter-agency network must also recognise the demographics, cultural and ethnic populations within the different communities.

Where no existing inter-agency networks have been established, and where Safer Community Councils are unable to facilitate such networks, police must take action to initiate discussions and the development of local protocols and networking arrangements.

Children and the effects of family violence

Research suggests that in about 70 per cent of reported family violence cases, children or young persons have been present or have witnessed the incident. Children and young persons are often victims of family violence-related assaults, or can suffer trauma from witnessing family violence. (The term 'child' includes young persons as defined by the Children and Young Persons and Their Families Act 1989 from this point).

As a matter of best practice, attending police officers must ascertain whether children are involved as victims or have witnessed the incident under investigation. In the interests of child safety, it may be necessary to speak to the children directly.

When support agencies receive requests for crisis intervention from attending police officers, they must pay full cognisance to the safety and protection of any children present.

In most instances, the interests of the children are best met by a child advocacy service or agency. Such service or agency as a matter of good practice, is required to liaise with the police, New Zealand Children and Young Person's Service, and other family violence service providers.

The child advocacy service is responsible for ensuring full consideration of the child's interests and that appropriate interventions are established to afford maximum protection. Such consideration must reflect the principles of the Children and Young Persons and Their Families Act 1989.

Where the immediate safety of the child is considered to be at risk, attending police should liaise directly with the New Zealand Children and Young Person's Service for appropriate action to be undertaken in accordance with existing child abuse protocols.

Where required, details of the child's involvement should be made available to the New Zealand Children and Young Persons' Service, support agencies or child advocates, as agreed by local protocols.

Investigation practices

Family violence offences and incidents have the potential to include a wide range of crimes. These range from homicide, sexual offences, assaults, threatening behaviour, wilful damage, trespass and

burglary, to incidences where no criminal offence has been committed, but still require some police involvement.

Police called to attend situations involving family violence as outlined in Appendix 1 must treat such situations seriously and action taken must focus on:

- protection for victims (which includes children who may have witnessed the violence)
- identifying and investigating offences; and
- arresting officers

Sound response and investigation techniques must be followed, including:

- querying the family violence database to obtain information relating to previous complaints, the existence of orders, and any access to firearms – a staff safety imperative
- asking the direct question, 'Are there any firearms or weapons in the home? Does the offender have access to firearms or weapons?'
- having the victim identify the offender and the nature of their relationship
- having the victim outline the complaint in front of the offender
- noting the offender's response
- establishing the identity of all parties present during the offence or incident and interviewing those persons
- noting injuries to the victim or damage to property
- photographing the victim and requesting the victim undertake a medical examination, if required.

Arrest

Offenders who are responsible for family violence offences shall, except in exceptional circumstances, be arrested. In the rare case where action other than arrest is contemplated, the member's supervisor must be consulted.

Police bail and custody

Where an arrest has been made, the offender should be kept in custody until the next available Court hearing.

If circumstances indicate that it may be appropriate to bail the offender, full consideration must be given to all of the issues, including the safety of the victim, together with provisions of the Bill of Rights Act 1990. The authority of an NCO must be obtained before an offender is to be released from police custody. Before the offender is released, Police must ensure that the victim is informed of the intention to release and is afforded appropriate protection and/or support.

Conditions of bail, including the imposition of non-association clauses, residency clauses and curfews, may be applied, pursuant to amendments to the Summary Proceedings Act 1957. The victim should be given an opportunity to discuss any conditions that may be imposed. Care must be taken when imposing bail conditions. Conditions must be practical and where possible, must not interfere with the offender's ability to remain in employment.

Victims must be advised of any conditions of bail pertaining to the offender. This can be achieved by providing victims with a copy of the bail bond. Breaches of bail are to be regarded as serious. Offenders who breach their conditions of bail shall be arrested and kept in custody until the next available Court hearing.

Support and information for victims

Police believe that all victims of family violence must have access to appropriate and timely support and information about services and remedies.

All agencies responsible for the delivery of local community family violence services must negotiate protocols establishing responsibilities, expectations and boundaries for service delivery.

District commanders must ensure that appropriate responses to family violence cover the entire district and are not limited to urban areas. Gaps in support services or resources should be identified and strategies developed among agencies to provide appropriate and timely support for victims. They must also ensure that local protocols identify how appropriate support agencies can be readily contacted.

The Women's Refuge is the primary agency delivering support for victims of family violence. In districts where other agencies deliver victim support, police shall ensure local protocols and agreements between support agencies are in place.

Privacy

Unless the victim has already indicated that he or she does not require support, attending Police shall take action to ensure immediate notification of the relevant support agency, in accordance with locally agreed protocols. In developing local protocols, attention must be given to the Privacy Act, Victim of Offences Act and General Instructions: Victims of Crime.

Support agencies must operate within the framework of 'one victim-one referral' with referral meaning 'actual contact with the victim'. Disclosure of victim information to a second or subsequent support agency is permitted in certain circumstances, eg, the agency giving initial support has reasonable grounds to believe that such disclosure is necessary to ensure the victim receives the highest level of support.

Firearms: standard action

When attending situations involving family violence, members of police shall always consider firearms may be involved. Attending members of the police shall always endeavour to establish if the offender has access to firearms.

In all cases involving family violence, and where there are grounds under the Domestic Violence Act 1995 for the making of an application for a protection order against the offender, police shall consider the seizing of all firearms, ammunition, or explosives, in the possession or control of the offender pursuant to Section 60A (b)(i) of the Arms Act 1983 (refer Appendix 2).

When members of Police exercise powers of seizure pursuant to section 60A (b)(i) of the Arms Act 1983, section 60(3) requires a report to be submitted to the Commissioner within three days by sending a *FIRE message.

Following seizure of firearms, enquiries including the views of the victim, shall be completed to determine whether any licenced firearms holder is considered to be a 'fit and proper' person to hold a firearms' licence. In appropriate cases revocation action pursuant to section 27 and 27A of the Arms Act 1983 should be taken.

Family violence coordinators

District commanders shall ensure a person with suitable communication skills and family violence training is appointed to the position of district or area family violence coordinator.

Family violence coordinators have responsibilities for local inter-agency liaison, problem resolution, monitoring staff compliance with local protocols, and family violence-related training.

Although the position of family violence coordinator may not be full-time, district commanders shall ensure that family violence coordinators are available to respond promptly to requests from local agencies at appropriate times.

Due to geographical factors, it may be necessary to appoint several members of police to take responsibility for coordination or monitoring functions within a district. For administrative purposes, one person will take overall responsibility for family violence issues.

Reporting family violence offences

All family violence offences, incidents, and breaches of protection orders (including existing non-molestation and non-violence orders) will be reported using the 'Family Violence Report' (Pol 400). This form is the basis of the 'Family Violence Database' which is the subject of a separate policy guideline (Refer Ten One 1994/01).

District commanders must develop procedures to ensure in all cases of family violence, a Family Violence Report is submitted whether or not an arrest is made. Family violence cases must only be resulted as K%, K6 or K9. The Family Violence Report replaces the Offence Report or Short Report (101) as the originating file document.

The original copy of the Family Violence Report should be forwarded to the district or area family violence coordinator. One copy should be made available to an agreed victim support agency and one copy retained on file.

Recording protection orders

Each district must enter details of persons who have protection orders (or non-violence or non-molestation orders) against them on the Persons of Interest Sub System, as a 'Prohibition' (record type 'P'). Police must receive written confirmation from the Department of Courts relating to the status of protection orders before any amendments are made to the Person of Interest records.

Police must ensure that Courts provide relevant details for applicants and respondents on protection orders. These details must include name, date of birth. In the case of respondents, occupation must be included.

Case disposition

In appropriate family violence cases the specific offence 'Male Assaults Female' section 194, Crimes Act 1961, shall be used. In other cases the specific charge will relate to the seriousness of the particular case.

When a breach of a protection order (or a non-molestation or non-violence order) has occurred and an assault is also detected, the offender is to be charged with the assault as well as the breach of the order.

Prosecutors must ensure that bail conditions set, or sought, are adequate to ensure protection of victims. In general, the views of the victim shall be obtained in relation to any conditions of bail. Non-association conditions should be standard where the parties do not reside together.

Victim Impact Statements form an important part of any decision made by the Court. Staff must ensure accurate and current reports are available. Victim impact statements must be prepared as part of the prosecution file when first submitted. If necessary, Victim Impact Statements shall be updated after 21 days of being made. Women's Refuge, Victim Support or representatives of other agencies providing initial support to victims may be able to assist.

An essential element of the prosecution, consistent with the Victims of Offences Act 1987, will be the need to keep victims informed of the progress of Court cases. They must also be given suitable advice for their protection, including access to Court orders.

The majority of offenders in family violence cases will appear before the Court. There may be rare cases when diversion might be considered, providing it is not seen as the 'easy option'. In such cases, the Police Diversion Policy (27 September 1994) must be followed. Commissioned officers authorising diversions must be satisfied there are suitable local programmes in place offering a 'stopping violence course' with a code of practice and an appropriate monitoring mechanism.

Monitoring and evaluation

To achieve and maintain an effective and appropriate response to family violence, local services and protocols will need to be monitored, evaluated and, where necessary, modified. Monitoring of compliance with protocols and policies must include standardised internal police performance measures (which may involve victim surveys). External monitoring within the framework of an inter-agency approach could be offered.

Protection orders: general

For the purposes of this policy, the terms 'protection order', 'domestic violence' and 'domestic relationship' have the same meaning as defined in the Domestic Violence Act 1995.

The Domestic Violence Act 1995 provides for one protection order to cover a wide range of situations for an extended group of applicants (sections 7-18).

Protection will be afforded to 'specified person' who may include children of the applicant. The order may also be stated to specifically provide protection to a particular person with whom the applicant has a domestic relationship.

Non-molestation orders and non-violence orders existing at the time the Domestic Violence Act came into force, will be treated as though they were a protection order under the new Act. The exception is that they will not contain conditions pertaining to weapons. Breaches of orders taken out under the Domestic Protection Act 1982 will be prosecuted under the appropriate provisions of the Domestic Violence Act 1995. Police must ensure that non-molestation orders prosecuted after the introduction of the Domestic Violence Act were still valid at the time the Act came into effect.

Protection orders can only be discharged by the Court

Parents cannot take out a protection order against a child or young person. Violent children or young persons should be dealt with under the provision of the Children and Young Persons and Their Families Act 1989.

Powers of arrest, detention and bail

Offences involving breaches of protection orders are detailed in section 49 of the Domestic Violence Act 1995.

Where a protection order is in force, police may arrest without warrant, any person whom the member of police has good cause to suspect has committed a breach of the order. In considering whether or not to arrest, the member of police must take the following matters into account:

- the risk to the safety of any protected person if the arrest is not made
- the seriousness of the alleged breach of the protection order
- the length of time since the alleged breach occurred
- the restraining effect on the person liable to be arrested of other persons or circumstances.

Given the provisions, offenders responsible for breaches of protection orders shall, except in exceptional circumstances, be arrested. In rare cases where action other than arrest is contemplated, factors raised must be considered. The member's supervisor must be consulted.

Where a person is arrested for breach of a protection order, that person must not be released on bail during the 24 hours immediately following the arrest. However, the police are still required to bring that person before a Court as soon as possible. The Court may bail that person notwithstanding this occurring within 24 hours of the arrest.

In circumstances where the arrested person is not brought before the Court within 24 hours immediately following the arrest, the person may, at the expiry of the period, be released on police bail.

Protection orders and weapons

'Weapon' means any firearm, airgun, pistol, restricted weapon, ammunition or explosive, as defined in the Arms Act 1983. Sections 21-26 of the Domestic Violence Act 1995 set out the standard conditions relating to weapons. Pursuant to (s.21)(1) of the Domestic Violence Act 1995, it will be a condition of every protection order:

- that the respondent must not possess, or have under his or her control, any weapon
- that the respondent must not hold a firearms' licence
- that the respondent must:
 - as soon as practicable after the service on him or her a copy of the protection order, but in any case no later than 24 hours after such service, and
 - on demand made, at any time, by any member of the police, surrender to a member of the police:
 - any weapon in the respondent's possession or under the respondent's control, whether or not any such weapon is lawfully in the respondent's possession or control, and any firearms' licence held by the respondent.

Where a protection order is issued, any firearms' licence held by the respondent is deemed to be suspended. Where the protection order becomes a final order, any firearms' licence held by the respondent is deemed to be revoked (section 21(2) and section 22).

Police must retain the weapon for the period of the suspension and, except in circumstances where the weapon may be lawfully retained, must return the weapon to the person as soon as practicable after the suspension ceases to be in force (section 25).

Police will provide suitable storage for all weapons that have been seized pursuant to the Domestic Violence Act 1995 or Arms Act 1983 for the period of the suspension of the firearms' licence.

In instances where a final order is made, firearms are forfeited and will be disposed of in accordance with section 28 of the Arms Act 1983.

Protection Orders and Arms Act: responsibilities

Police powers to independently consider whether or not any person is deemed to be 'fit and proper' to hold a firearms' licence remain unchanged.

When Police receive a copy of an order where the respondent or associated person holds a firearms' licence, then the Officer in Charge of the police station must arrange for a commissioned officer of police to consider immediately whether or not the powers conferred under sections 27(1) and 27A of the Arms Act 1983 (which relate to revocation of a firearms licence) should be invoked.

The officer in charge of the police station must also arrange for an appropriate person to consider immediately whether or not the powers conferred under sections 60A of the Arms Act 1983 (which related to the seizure of firearms in cases of domestic violence) should be exercised in that case. (When police exercise powers pursuant to section 60A of the Arms Act 1983, section 60(3) requires a report to be submitted to the Commissioner within three days by sending a *FIRE message.)

Police will be responsible for taking appropriate action when they receive information that may disclose unlawful possession of a firearm by the respondent or any associated person.

Under no circumstances should police approve the issue of a firearms' licence while there is a protection order or non-violence or non-molestation order applying to the applicant for such a licence.

Service of protection orders

When a protection order is issued by the Family Court, the Registrar of the Court in which the order is made will ensure that a copy of the order is made available, without delay, to the District Commander at the nearest Police District Headquarters.

The District Commander will forward copies of the order without delay to the officer in charge of the police station:

- nearest to where the protected person/s resides
- nearest to where the respondent resides.

Where a copy of a protection order is received at the police station nearest to where the respondent resides, the officer in charge of the station shall establish whether or not the respondent holds a firearms' licence, consideration must be given to invoking the provisions of sections 27 and 27A of the Arms Act 1983 (revocation of licences) and section 60A of the Arms Act 1983 (seizure of firearms).

Where the respondent does not hold a firearms licence, the officer in charge of the police station must consider whether or not to search the respondent's address pursuant to section 60A of the Arms Act 1983.

When a district commander receives a copy of an order where the respondent is a member of the police, a copy of the order will be sent to the District Commander in whose district the respondent is stationed, for appropriate action to be taken. Where the respondent is a member of police, and is above the rank of superintendent, a copy of the order will be sent to the Assistant Commissioner : Human Resources.

Police will serve, or accompany authorised persons to serve protection orders where the respondent holds a firearms' licence or is believed to be in possession of any weapon (as defined by the Domestic Violence Act 1995), whether or not the respondent has a licence for such a weapon. At the time of service, Police will demand surrender of all firearms and the firearms' licence (section 21). Respondents who fail to surrender on demand all firearms in their possession, or their licence, may be arrested for breach of the protection order. (Where the respondent of the Court will be responsible for service of copies of protection orders).

Staff safety is of paramount importance when determining appropriate methods to seize firearms or firearms' licenses.

To ensure safety of victims and members of police, service of protection orders must be afforded priority and carried out without delay.

The process for dealing with firearms and protection orders is summarised in the flow chart at Appendix 3.

Firearms and members of police as respondents

Under provision of section 21(1)(a) of the Domestic Violence Act 1995, it will be a breach of a condition of the protection order for members of police, who are respondents, to have in their possession or under their control, any firearm. District Commanders must ensure that members of police do not have possession or control of firearms in circumstances that would constitute a breach of a protection order.

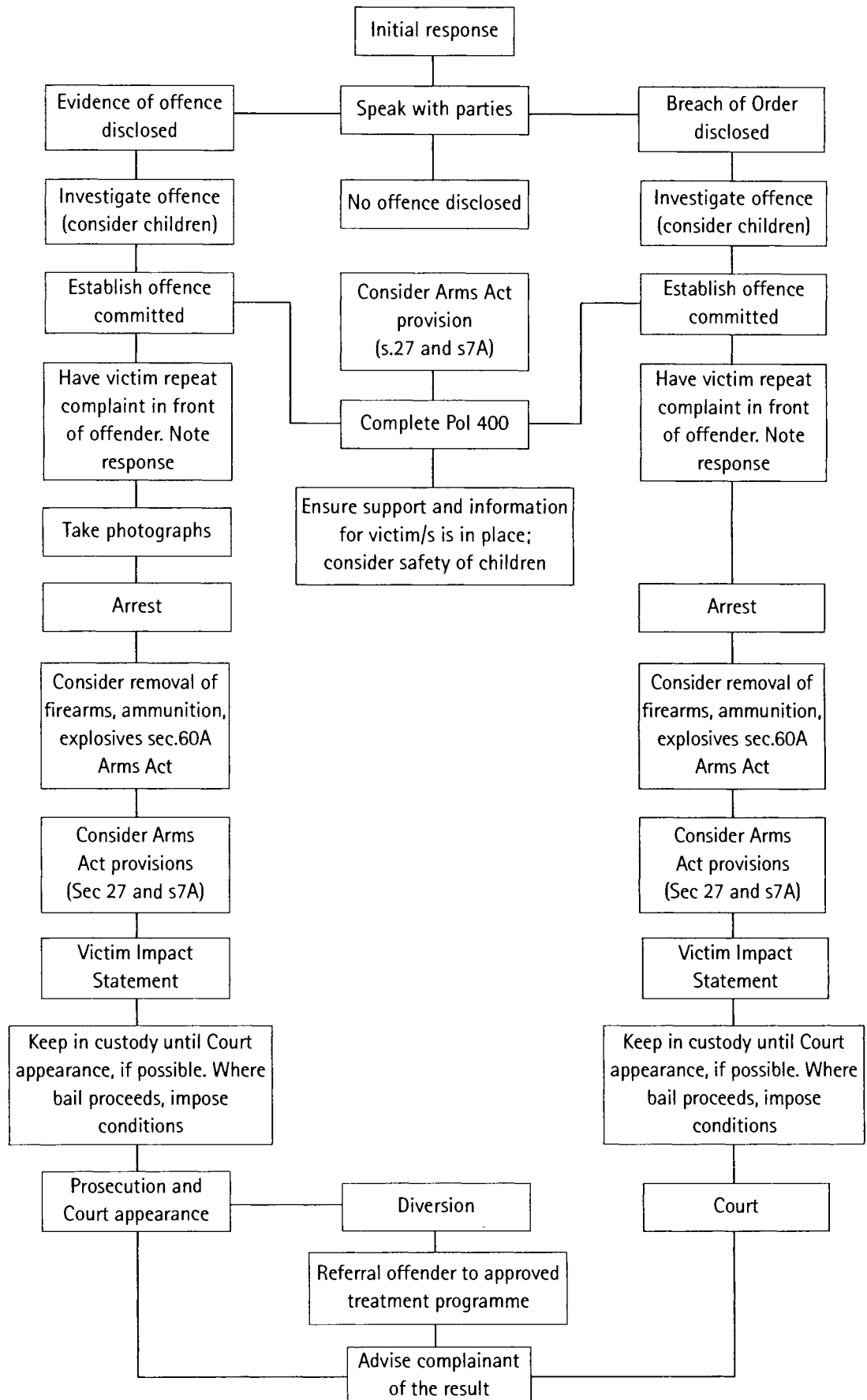
The Court has power to dispense with, modify, discharge or reimpose conditions relating to firearms. Before amending the protection order, the Court has to be satisfied that the safety of the applicant will not be compromised.

Attention of members of police who are respondents of protection orders is to be drawn to General Instruction C145 which relates to 'Court Action By or Against Members'. Where any member becomes a party to such civil litigation, they must immediately report the fact to their supervisor.

R N Macdonald

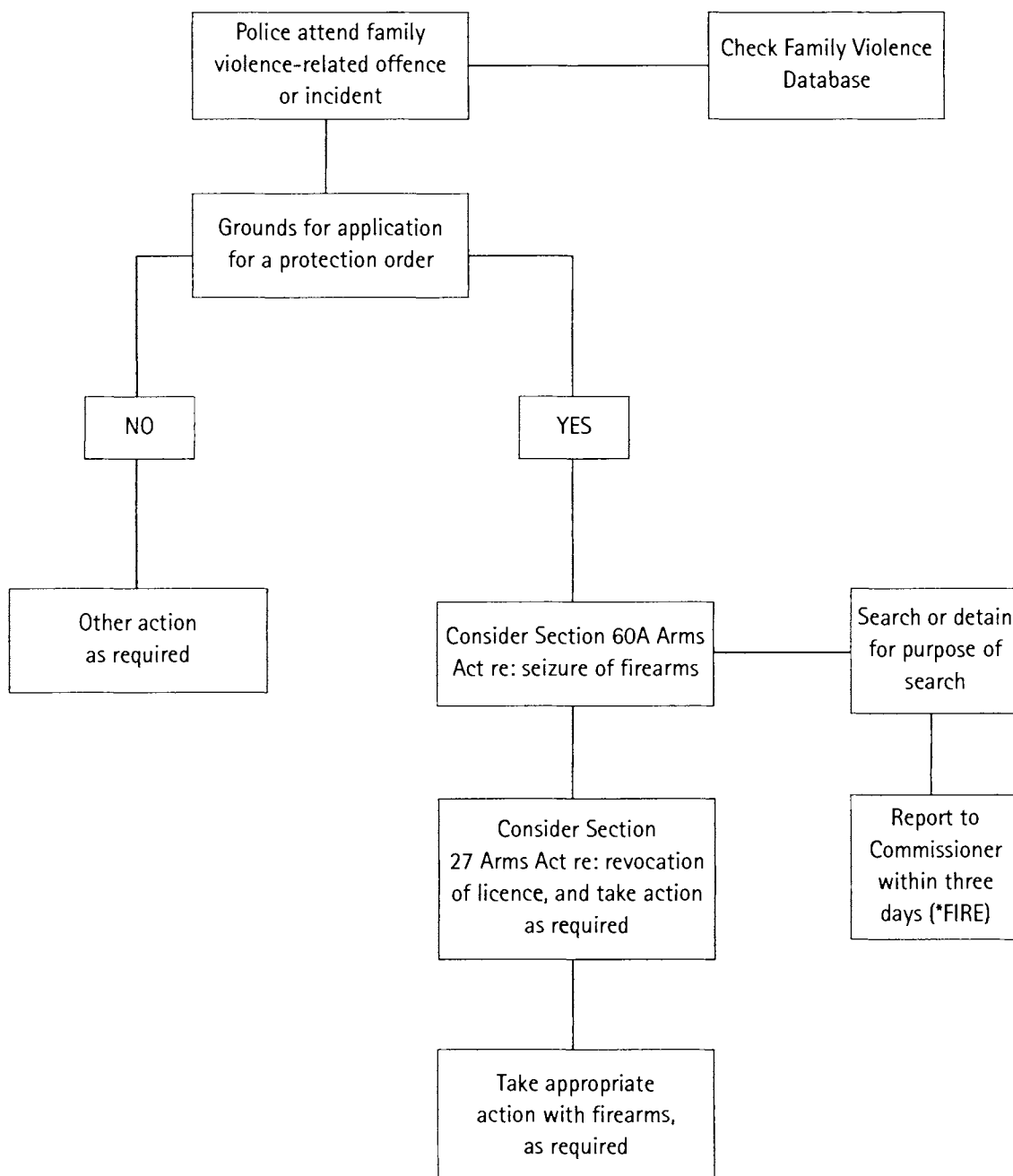
Commissioner

Appendix 1: Family Violence Action Plan

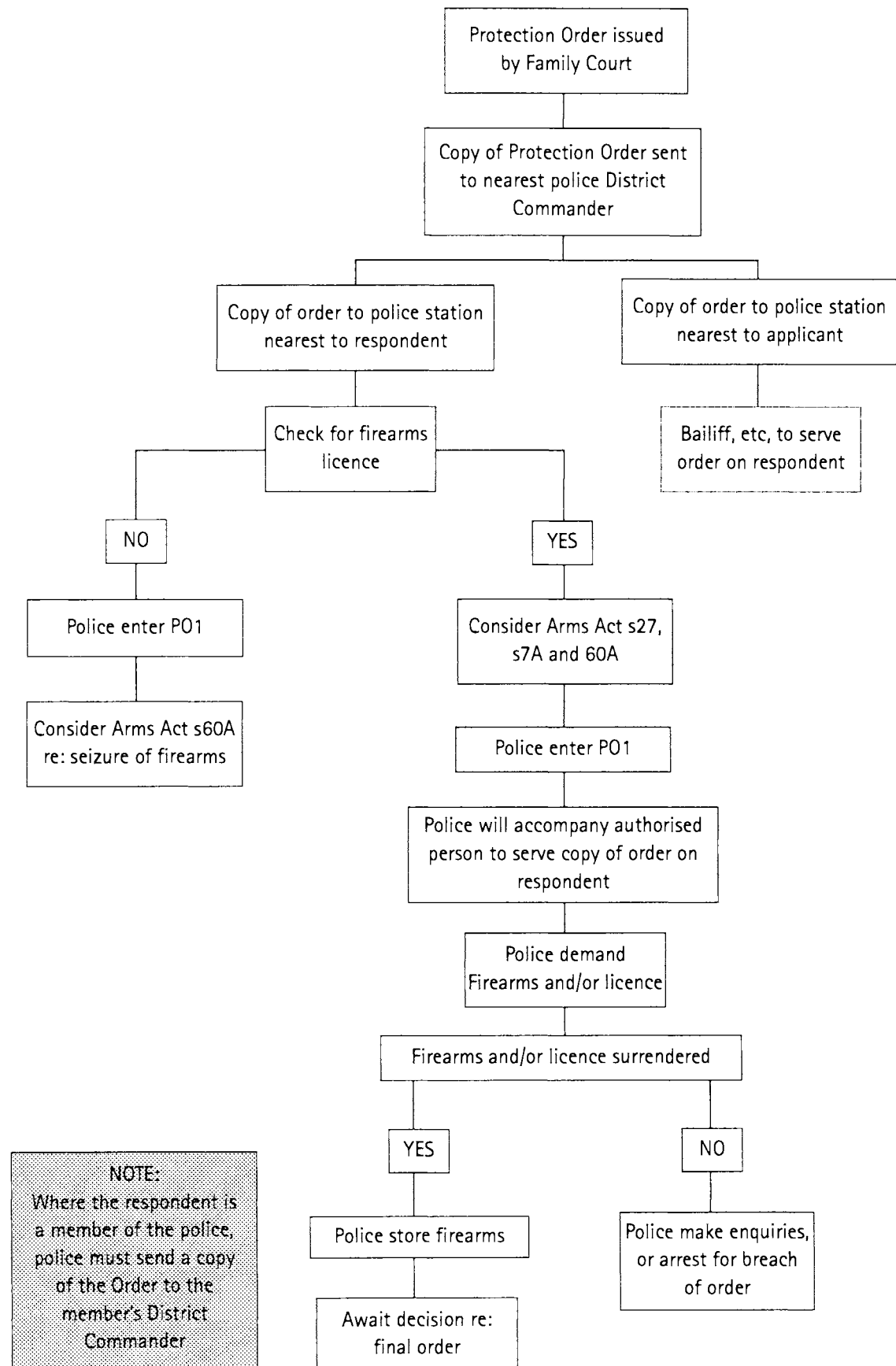


Appendix 2:

Procedures when Attending Family Violence Situations where Firearms may be Present



Appendix 3: Service of Protection Orders and Seizure of Firearms (Procedures for Courts and police)



12.3

The role of women police officers in dealing with victims of sexual offences

Country: Singapore

Task description

The Republic of Singapore Police has recognised the need for a body of trained women officers competent in the investigation of sexual offences. It is an acknowledgement that sexual offences are not about sex, but about the violence and humiliation. With its continued commitment to community-policing, the police has to evolve from an offender-oriented to a victim-oriented approach to sexual offences. The proficiency of the investigator is no longer sufficient. The investigator must now be equipped to respond to the needs of the victims.

Thus, the role of women officers in the investigative process is to alleviate the stress and trauma normally associated with police investigations into sexual offences. They are intended as a counter-balance to the generally perceived view that male officers are biased and unsympathetic to these victims. It is envisaged that women officers will eventually form a core of experienced police investigators, in the investigation of sexual offences and the handling of victims.

Trainees' background

Course participants are expected to be Women Police Officers of the rank Sergeant and above. The officers will come from a cross-section of the Police Force, with the majority holding administrative and staff positions. Though some are or will have been in Team Policing, few (except for the Women Inspectors) will have had any hands-on experience of police investigations.

Training strategy

The training guide outlines the expected roles of the participants in the investigation of sexual offences. It is intended as an introduction to the course, 'Interviewing Victims of Sexual Offences'. As such, the topics covered are brief discourses on what will be elaborated on later in the course. The lesson is to be conducted in conjunction with the set of OHP slides enclosed.

Objectives

At the end of the session, the trainees should know:

- the common perception towards victims of sexual assault
- the myths and prejudices that may affect a successful investigation
- the type and nature of offences expected to be investigated by Women Police Officers
- the role of Women Police Officers in the investigation of sexual offences
- the objectives in having Women Police Officers deal with victims of sexual offences
- the procedures in the investigation of sexual offences
- the basic interview techniques
- the proper requirements of the statement and other evidence for successful prosecution
- the role of Women Police Officers following the initial interview
- the role of Women Police Officers in the recovery of the victims from the trauma of the assault
- the attitudes to avoid in dealing with victims of sexual offences.

Contents

Part 1: Introduction

A View of Rape

Attitudes of Police Officers

Sexual Offences

Part 2: Victim

Trauma

Factors Influencing Trauma

Myths and Prejudices

Part 3: Investigation

Role of the Police

Preliminary Investigations

Medical Examination

Role of Women Officers in Investigations

Preliminaries to Interviewing the Victim

Background Information on Medical Examination

Place of Interview

Persons Present at Interview

Statement

Interview Skills

Content of Statement

Post-Interview Role

Cautionary Advice

Part 4: Conclusion

Part 1. Introduction

A view of rape

1. In the book *Against Our Will: Men, Women and Rape* by Susan Brownmiller, the author comments that rape is 'nothing more or less than a conscious process of intimidation by which all men keep all women in a state of fear', and is motivated less by sex, than by a desire to inflict violence and humiliation.

Attitudes of police officers

2. The upshot is the realisation that male police officers investigating sexual offences may leave pre-conceptions which are likely to be detrimental to the prosecution of the offender, and to the welfare of the victim. Indeed, studies (not in Singapore) have shown an ingrained bias of police investigators against the victims of rape. This is demonstrated in the following article by a British detective sergeant in a 1975 issue of *Police Review*:

'It should be borne in mind that except in the case of a very young child, the offence of rape is extremely likely to have been committed against a woman who does not immediately show signs of extreme violence. If a woman walks into a police station

and complains of rape with no such signs of violence, she must be closely interrogated. Allow her to make her statement and then drive a horse and cart through it. It is always advisable if there is any doubt of the truthfulness of her allegations to call her an outright liar. Watch out for the girl who is pregnant or late getting home one night; such persons are notorious for alleging rape or indecent assault. Do not give her sympathy. If she is not lying, after the interrogator has upset her by accusing her of it, then at least the truth is verified.'

3. To eradicate and alleviate such possible perceptions or bias in our investigators (who are after all mostly men), the Republic of Singapore police force has decided to introduce women officers into the process of investigation of sexual offences.

Sexual offences

4. The sexual offences in which the Republic of Singapore Police envisaged its women officers having an active role are:
 - rape under Section 376 of the Penal Code
 - incest under Section 376B of the Penal Code
 - unnatural offences under section 377 of the Penal Code
 - aggravated criminal force to outrage modesty under section 354A of the Penal Code; and
 - attempts to commit the above offences.

As incest is an adjunct to rape, and the incidence of buggery on women in Singapore is negligible, the aim is thus to train women officers in the procedures and attitudes to adopt when dealing with victims of serious sexual offences, particularly rape, and during their investigations.

5. The incidence of rape in Singapore is, on average, fairly low, with about one case being reported every three days. The number of reported rapes in 1990 was 112. Although there is no comparative study in Singapore on the scale of unreported rapes, studies in other countries have shown that reported crimes form only 10 per cent of the total. If this is applied to Singapore (and there is no reason why it should not), then the magnitude of the potential problem can be appreciated.
6. As the police's commitment to a community-oriented policing philosophy becomes public culture, and the victim confidence in the police increases, then the percentage of reporting of rapes would inevitably rise. This cadre of women officers, trained and versed in the investigations of sexual offences, would thus equip the police to meet this eventuality.
7. It must be reiterated that all sexual offences are serious and brutal crimes. The laws of Singapore recognise this, which is reflected in the severity of various prescribed punishments. As an example, for rape, Section 376(1) of the Penal Code stipulates a mandatory term of imprisonment of up to 20 years, with a fine or caning. Section 376(2) stipulates a mandatory minimum term of imprisonment of eight years, up to a maximum of 20 years, with caning of not less than 12 strokes for an aggravated form of rape.

Part 2. The victim

Trauma

8. It is necessary to understand the trauma of victims of sexual offences to enable officers to feel empathy and thus to work more effectively in the investigation.
9. Studies have confirmed the existence of a rape trauma syndrome in victims of rape. This syndrome has two phases. There is an immediate or acute phase, in which the victim's lifestyle is completely disrupted by the rape crisis, and there is the long-term process, in which the victim must reorganise her disrupted lifestyle. This syndrome may also arise in victims of brutal molestation, or attempted rape.
10. Besides physical injury, a wide range of emotions are expressed by victims during the acute phase and these are not always overtly apparent, as in hysteria and/or tears. These emotions may be expressed in the following styles:
 - controlled — the victim appears calm, composed, subdued and in control of her feelings
 - expressive — the victim demonstrates her anger and anxiety by being tense, crying or smiling nervously, or
 - she is withdrawn — remains silent, maybe for several days.
11. The reaction of the victims can be divided into emotional and physical. Emotional reaction includes:
 - anger
 - fear
 - humiliation
 - guilt
 - shame
 - embarrassment
 - self-blame
 - helplessness
 Physical reaction includes:
 - decrease in appetite
 - sleep disturbances
 - nausea
 - tension headaches
 - fatigue
 - abdominal pain
 - vaginal complaints.
12. In the long-term process of re-organisation, victims may display:
 - compounded reaction: victims who experience severe psychological trauma may exhibit suicidal behaviours, somatic disorders, and may need psychotherapy
 - silent reaction: persistent anxiety, marked irritability and change in sexual behaviours, phobia reactions, loss of self-esteem or

development of guilt due to the myths surrounding rape and the internalisation of these myths by the victims and those around them.

Factors influencing trauma

- 13 The manner, severity and persistence of such trauma symptoms in victims of sexual assault depends on many factors, including:
 - the personality of the victim
 - the support systems available to the victim
 - the victim's relationship with the offender
 - the degree of violence used in the assault
 - the type of sexual assault(s)
 - perception of the assault
 - social/cultural influences
 - the victim's previous experience with stress
 - the victim's success in coping with previous crises
 - immediate personal contacts after the assault.
14. Clinical studies have observed that almost all victims of rape or attempted rape suffer severe and long-lasting emotional trauma. The sexual aspects of the crime are not necessarily the most significant factors of this psychological trauma. There appear to be a combination of the following distinct features of the assault experience, whether:
 - it is sudden and arbitrary
 - it is perceived as life-threatening
 - its apparent purpose is to violate the victim's physical integrity and/or render her helpless
 - the victim is forced to participate in the crime
 - the victim cannot prevent the assault or control the assailant, her normal coping strategies failed, and thus she becomes the victim of someone else's rage and aggression.

Myths and prejudices

15. The trauma of the sexual assault victim is often compounded by the myths, prejudice and stigma associated with the crime. This burden can be overwhelming, especially if the people the victim comes into contact with reinforce these myths and prejudices. It is therefore essential that officers understand the trauma of the victims and do not cause further aggravation to the victims, who must be given all form of possible support.
16. What then are the myths and prejudices commonly associated with rape and other sexual offences, which the officers must appreciate in order to work more effectively in the investigation of the crime. Studies in different countries have revealed a myriad of myths associated with rape, which are mostly similar, as the myths are largely based upon the unequal relationship between men and women that exists in all countries.
17. These myths and prejudices have the effect of:
 - discouraging victims and their families from reporting the crime to the police

- exacerbating the trauma of the victim
- hampering the recovery of the victim
- providing the offenders with the means to escape criminal liability or get reduced penalty
- hampering society's realisation of the causes of sexual assault and the seriousness of its impact on victims and thereby preventing fullest support and assistance to the victims

18. The myths and their attendant facts are tabulated below:

<i>Myth</i>	Rape is sex
<i>Reality</i>	Rape is violence, not sex. It is used as a weapon to put the victim in a position of helplessness and degradation. The primary motive is to discharge feelings of anger, contempt, vulnerability or inadequacy.
<i>Myth</i>	Men are unable to control their sexual desires, so rape is a spontaneous assault
<i>Reality</i>	Because rape is seen as sex, the rapist is perceived as a lustful male who is sexually starved. A study in Philadelphia found that 71 per cent of rapes are pre-mediated and the London Rape Crisis Centre reported that only 14 per cent of rapes reported to them were not pre-mediated.
<i>Myth</i>	Women provoke
<i>Reality</i>	Because rapists are believed to be motivated by lust, victims are believed to have enticed them. The blame is shifted thus from the assailant to the victim for reasons such as dressing, behaviour or whereabouts.
<i>Myth</i>	Most rapists are strangers to the victims
<i>Reality</i>	A woman is most likely to be raped by someone she knows. In a study in the Philippines, only 9 per cent of assailants are strangers. 25 per cent – acquaintances 22 per cent – relatives 6 per cent – unrelated household members 9 per cent – boyfriends/friends 11 per cent – neighbours 16 per cent – employers 2 per cent – doctors 9 per cent – strangers
<i>Myth</i>	Women can prevent rape if they want to
<i>Reality</i>	The Philadelphia study noted that higher rape degrees of resistance provoked higher degrees of violence and the findings dispelled the myth that it is impossible to rape a struggling woman.

<i>Myth</i>	Women are raped when they are out alone at night
<i>Reality</i>	The reality is that rape occurs almost anywhere and not necessarily in dark secluded places.
<i>Myth</i>	Women falsely accuse men of rape
<i>Reality</i>	Studies in the USA indicate that only 2 per cent of reports of rape are false, no more than is normal in all crimes. In fact, rape is the most under-reported of all major crimes because of the stigma and the difficulty in prosecuting the offender.

Part 3. Investigation

Role of police

19. The role of the Police in the investigation of sexual offences is to collect and preserve evidence, whether oral, physical or documentary, and to identify and apprehend offenders, with the ultimate aim of criminal prosecution.
20. A successful prosecution would require the proving of the elements of the offence alleged as well as corroboration of the victim's allegations. The investigation would therefore be tailored to this end. For example, in rape, the prosecution has to prove:
 - penetration of the vagina by penis, and
 - that penetration occurred against the victim's will, without her consent, or consent obtained under coercion (consent is not relevant if victim is under 14 years of age), and
 - the penetration was by the accused.
21. Corroboratory evidence is independent evidence or material fact that implicates the accused and confirms that he is guilty of the offence alleged. It may consist of:
 - medical evidence
 - physical trauma – vaginal tears, physical injury
 - laboratory specimens – semen, skin scrapings, hair, cloth fibres, blood stains
 - evidence at scene of crime, for example, footprints, personal belongings of accused
 - an independent eye-witness, and/or
 - testimony of third party to whom the victim reported the assault to immediately after its occurrence.

Preliminary investigations

22. Investigations are initiated on the report of a sexual offence. This can take the following forms:
 - telephone calls to Radio Division, Divisional Stations, Neighbourhood Police Posts or CID

- lodging of NP299 reports at Divisional Stations, NPPs or CID
 - referrals by hospitals, ministry of Community Development, Samaritans of Singapore, etc.
23. The officer recording the complaint should not attempt to go into details of the sexual offence *per se*, but should restrict himself (herself) to the ascertaining of the victim's particulars and the main elements of the offence. It suffices that the nature of the offence (for example, rape), the location and timing of the offence and the identity or brief description of the assailant be recorded.
24. The report would then be referred to the woman officer delegated to deal with victims of sexual offences or, in some instances, to the Senior Investigating Officer (SIO) on duty. Arrangements should be made for the victim to be sent for a medical examination.

Medical examination

25. The victim should be escorted by a WPC in plainclothes for the medical examination, together with the NP306A/97 medical examination form (medical forms for complainant of sexual assault), endorsed by the SIO/IO. The following guideline is to be followed in determining the hospital to which the victim will be sent:
- if the sexual offence was committed within the preceding 72 hours, the victim is to be sent to Kandang Kerbau Hospital
 - if more than 72 hours has passed since the committing of the sexual offence, the Rape Investigation Squad (RIS), CID shall make arrangements for the victim to be sent to Kandang Kerbau Hospital, Singapore General Hospital or National University Hospital for the medical examination. Prior arrangements have to be made with the respective hospitals. Nevertheless, if the circumstances merit immediate medical attention for the victim, the medical officer at one of these hospitals may be requested to examine the victim. In this instance, the arrangements shall be made by the Divisional Investigator on the instructions of RIS, CID.
26. For a victim under 16 years of age, the consent of a parent or guardian must be obtained prior to the medical examination.
27. To lessen the stress and trauma of the victim, referrals to other Divisions or CID for investigation will only be done after the medical examination (for cases requiring immediate medical examination). The SIO/IO of the investigating Division or CID is to be alerted and the escorting WPC will send the victim to the investigating Division or CID, on completion of the medical examination. Cases of rape will be referred to the RIS, CIS for investigation. If they involve additional offences such as robbery and housebreaking, then the case shall be referred to the Organised Crime Branch, CID for investigation.
28. It is at this stage then that the role of the women officers trained to deal with victims of sexual offences begin.

Role of women officers in investigations

29. Participants in the course on 'dealing with victims of sexual offences' are women officers of the rank of sergeant and above. They are chosen from all facets of police work, and on completion of the course, will be rostered for duty by the divisions or CID, to which they are currently posted.
30. The women officers on duty will be activated by the respective SIO whenever there is a report of a sexual offence that requires her presence and expertise. When they are not engaged with a victim, the women officers are expected to carry on with their normal duties.
31. To give the women officers hands-on experience of investigation procedures and techniques, they may be allocated cases of shop lifting and other minor offences, which may include the following sexual offences:
 - Obscene Act under Section 294 of the Penal Code
 - Criminal Force to outrage Modesty under Section 354 of the penal code
 - Insulting the modesty of a woman under Section 509 of the Penal Code.
32. This will familiarise the officers with interview and statement taking techniques, as well as the gathering of relevant evidence necessary to prove the alleged offences.
33. Once assigned to the investigation of a sexual offence, the woman officer must keep an investigation diary of her actions, observations and other relevant facts pertaining to the case. This investigation diary is a requirement under Section 127 of the Criminal Procedure Code. The investigation diary would:
 - serve to refresh the woman officer's memory in case of a subsequent court trial, and
 - would aid the investigating SIO by providing a full record of what the woman officer had done or observed in the course of her contact with the victim.
34. In carrying out her role, the woman officer must bear in mind that the primary object is to handle the victim with empathy, and with proper regard to her dignity. This is desirable for three compelling reasons:
 - it helps the victims to overcome their trauma, insensitive questioning by investigating officers would also serve to worsen their condition
 - it ensures that no vital evidence is lost through unnecessary delays or improper handling of the exhibits, and
 - it removes the perception that investigation procedures will be a harassing ordeal for the victims, thus increasing the reporting of sexual assaults.

Preliminaries to interviewing the victim

35. The main duty of the woman officer is to record the initial detailed statement from the victim of the sexual assault.

36. If the victim had already been examined by a Medical Officer, the police officer should liaise with the SIO to ensure that the victim's clothing had been retrieved by the WPC (or other officer as appropriate) after the medical examination. The clothing may be able to provide important forensic evidence such as sperm, bloodstains, saliva, and hairs. Explain to the victim why it is necessary to keep the clothing, and that it is unlikely the clothes will be returned before the end of the trial.
37. In the event that the victim's clothing is handed over to the woman officer, a note to this effect must be made in the investigation diary. In addition, the particulars of the person handing over the clothing, and the manner of the packaging should also be recorded, to ensure that a 'chain of evidence' is maintained. This is to protect the evidence from contamination. In other words, there is no possible way that any foreign matter could have been introduced and the evidence could not have been tampered with, prior to its dispatch to the Department of Scientific Services.
38. The officer should also ascertain from the escort WPC that samples of the victim's pubic and head hair had been obtained. These can then serve as control specimens against which hairs found at the crime scene and on the accused can be matched.

Background information on medical examination

39. The medical examination is required by the police as a necessary corroboration of the assault. This examination consists of a thorough internal and external inspection of the genital area, and the whole body. The Medical Officer is also looking for signs of physical force, inflammation, bruising or tearing.
40. In order to conduct an effective interview, the woman officer must strive to obtain all available background facts to the case, and must therefore briefly consult the examining Medical Officer on the following :
 - the Medical Officer's overall assessment of the case
 - the demeanour of the victim during the examination, to help assess the credibility of the allegation
 - the state of the victim's clothing and hair
 - the extent of the external injuries and whether they could be self-inflicted
 - any alcoholic breath
 - any physical defects and evidence of inability to defend herself
 - whether the victim exhibited a suicidal tendency.

Place of interview

41. Thought should be given to the place of the interview, with due consideration to the comfort and privacy of the victim. The location of the interview should preferably be in an enclosed room, free from all manner of physical interruptions. The interior of the room should also not be visible from the corridor or other place of common access.

42. The woman officer must ensure that no other persons can have access to the room on some pretext or other. This is to prevent an ogle parade, where curious officers come by just to take a look at the victim, as well as interference by the victim's relatives or friends. Even the SIO/IO in charge of the case should not have free access, unless there is a need to clarify certain urgent matters bearing on the immediate apprehension of the offender.
43. Except under extenuating circumstances, the interview should be conducted in the police station or CID. This enables the officer to have more control over the progress of the interview as well as the presence of third parties.
44. Requests for interviews at the victim's home can only be acceded to if the officer feels that without the psychological support of the normality of the home ambience, the victim may not otherwise be able to stand the rigours of the interview.

Persons present at interview

45. Any request by the victim to be accompanied at the interview by a relative should not be rejected out of hand. The officer should explain to the victim that the presence of a relative may inhibit her giving the fullest detail of the assault and thus hinder a proper investigation. If the psychological state of the victim is such that the officer feels the need for the calming influence of a relative, the officer should first explain to the relative that he/she must not under any circumstances interrupt the interview or aid the victim in her answers.
46. The woman officer should try to tactfully discourage the presence of third parties at the interviews by explaining that they may be summoned to the subsequent trial as a witness to the interview proceedings. In the case of a victim under 16 years of age, a parent or guardian's presence can be acceded to if that would facilitate the recording of the victim's statement. However, the officer must be careful to ensure that in cases of incest, the parent or guardian present has no vested interest in down-playing the offence alleged.

Statement

47. When interviewing the victim, the officer must bear in mind the following uses to which the victim's statement may be put to:
 - the basis of the questioning of the accused when and if he is apprehended
 - the basis to corroborate other witness or forensic evidence
 - the basis of the prosecution's case in Court.
48. The woman officer is recording the victim's statement under the powers given to the police under Section 121 of the Criminal Procedure Code. Before the commencement of the statement, the officer must thus comply with the provisions of the section. The victim must be warned that she is bound to state truly the facts and circumstances with which she is acquainted concerning the case, except that she may decline to make any statement that may expose her to a criminal charge, a penalty or forfeiture.

49. Although this warning is printed on the statement form, the officer must nevertheless explain the warning and its implications to the victim.
50. The statement is to be recorded in a narrative, but words or phrases that the victim uses to describe the assault must be recorded verbatim. The officer should not sterilise the language by using the proper English terms. Interpreters should be used if the victim does not understand English.

Interview skills

51. The principles that the officer must observe when interviewing the victim are:
 - **confidentiality:** this is the most important of the principles. The victim must be assured of the confidentiality of the information given to the police. Officers should have access to the victim's statement only on a need-to-know basis
 - **non-judgemental attitude:** any attempt at judging or blaming the victim, whether intentionally, will elicit feelings of guilt, anger and powerlessness, and a reluctance to cooperate fully with the officer
 - **acceptance:** accept the dignity and personal worth of the victim. This does not require approval of the victim's behaviour, but does mean that the officer should not reject or judge the victim. Once the victim is assured of acceptance, she will be more ready to speak freely of the assault
 - **individualism:** the right of the victim to be treated as a unique individual, with her own thoughts, feelings, needs and experiences. Officers must overcome their own bias, which may have arisen out of work experience, and not make assumptions or stereotype the victim.
52. Effective communication is one of the fundamental skills needed when recording the victim's statement, ie, the ability to listen well. The officer should follow attentively what is said both verbally and non-verbally by the victim. When the facts or answers given are not clear, the officer must clarify them with the victim and not resort to assumptions.
53. To listen well, the officer must combine a sensitive understanding of what is communicated with finely tuned responses to elicit further information. The skills involved in this are:
 - use of minimal encouragement
 - verbal following
 - questions, which may be close-ended or open-ended
 - paraphrasing
 - confrontation.
54. Officers conducting the interview should not rush the victim or give the impression that the statement is a chore which she wanted to finish as soon as possible. The victim should be allowed to speak and answer at her own pace.
55. If the condition of the victim is such that she is unable to continue with the interview, the officer should not be insistent on finishing the statement. It is not a requirement that the victim must finish her statement at one sitting

and arrangements can be made for a further statement. This is because, in some instances, the victim may be able to give a clearer and more accurate account of the incident once she overcomes the initial shock of the assault.

Content of statement

56. The information and facts to be covered by the officer in the statement should include:
- the victim's employment, marital status and family relationships
 - previous history of similar occurrences or related offences in which the complainant was the victim
 - exact location of the commission for the offence
 - locations where preparations for the offence may have been made
 - places visited prior to the assault
 - persons seen prior to the assault
 - route followed before arriving at the place of the offence
 - locations of rooms, houses or other establishments from which the occupants could have heard or seen the events, names and addresses of occupants
 - physical force employed by the accused
 - description of any weapon used by the accused
 - areas of the body to which physical violence was applied
 - statements or utterances of the accused at the scene of the crime
 - nature and degree of resistance offered by the victim
 - duration of efforts at resistance
 - utterances of the victim at the time of the offence
 - screams or outcries of the victim
 - movements of the accused and the victim subsequent to the offence
 - to whom the victim first reported the offence
 - exact time of the victim's report
 - was the report made voluntarily or after persuasion
 - victim's relationship to the accused, previous acquaintance, possible motives for false accusation.

Post-interview role

57. Once assigned to a particular victim, the woman officer is expected to act as the contact person between the police and the victim. As such, the emphasis is for the officer to cultivate and build up rapport and trust with the victim, so as to facilitate the victim's recovery from trauma, and a successful investigation. This is regardless of any subsequent posting of the woman officer to a different unit. The officer's name and contact number is thus to be provided clearly to the victim.
58. Apart from the recording of the victim's statement, the woman officer is to accompany the victim to the crime scene. There, the victim can give a mental walk-through of the assault and the officer should note down any additional information or details that were not covered in the statement. This can be remedied by a further statement. Any collection of evidence at the crime scene is the responsibility of the investigating SIO. The primary role of the woman officer is to provide moral support to the victim.

59. The woman officer is also to accompany the victim to the Rouges Gallery, CID or when a composite picture of the offender is attempted.
60. If the offender is arrested, and an Identification Parade then becomes necessary, the woman officer is to contact the victim and is also required to be present at the ID parade itself. The officer's role is to provide support to the victim in the possible face-to-face confrontation with her assailant.
61. If the case goes on to prosecution, the woman officer assigned will be expected to be the victim's companion at:
 - any interviews with the Deputy Public Prosecutor
 - the Preliminary Inquiry in the Subordinate Courts
 - the trial in the High Court.
62. The officer should also keep in constant touch with the Medical Social Worker assigned by the hospital to assist the victim, in order to aid in the victim's readjustment and to help her come to terms with the assault.
63. If it appears at any time that the victim requires more counselling because of extreme depression or a suicidal tendency, the officer can seek assistance from the Samaritans of Singapore at Blk 18, Outram Park, #03-21, Singapore 160018 (telephone numbers 1800 2212122 and 1800 2214444).

Cautionary advice

64. In rape investigation, the lack of physical injuries or a victim's calm composure should not be mistaken for consent deemed given and therefore rape has not occurred. Similarly, any delay in reporting the assault should not be held against the victim or damage her credibility. Assumptions should not be made that all victims will complain immediately or that the delay enables the victim to concoct the whole story, inflict suitable injuries to person and clothes and so on. Officers must understand that the delay could be due to the victim being in shock after the assault, or the effects of the threats of further injury or reprisals made by the assailant/s if the victim reports to the police.
65. In the investigation, officers must not exhibit the following:
 - slowness or lack of interest in pursuing the complaint
 - insulting or insensitive treatment of the victim during questioning, such as being moralistic and judgmental
 - unnecessarily oppressive, callous or harsh treatment, for example, the victim being questioned by unnecessary numbers of officers, who perhaps display a disordinate interest in the details of the case
 - lack of vigilance in carrying out a proper investigation
 - giving out confidential information about the case or identity to the media
 - pressurising the victim to withdraw the case, such as emphasising the delay in reporting, lack of physical injuries, etc.

Part IV. Conclusions

66. In dealing with a victim of rape, the woman officer must be patient and explain what she is doing and why, so that the victim understands the need for each step in the investigative procedure. The officer should also offer alternatives, so that the victim feels she has some control over the situation. The victim will be far more willing to cooperate and be able to offer real assistance to the investigation only when it is understood what is needed and why.
67. To sum up, the role of the woman officer is thus akin to that of a counsellor. She must be able to communicate effectively and feel (empathise) with the victim, rather than feel (sympathise) for the victim. It is important to establish a rapport with and the trust of the victim, in order to:
 - facilitate a successful investigation
 - assist the victim on the road to recovery from the trauma of the assault
 - build up public confidence in the police's handling of the victims of sexual offences in the course of investigations.

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12.4

Learning together, working together: integrated justice system training to enhance the safety of women

Country: Canada (British Columbia)

Abstract

This paper reviews the history, practices, strategies and challenges that underlie the development and delivery of coordinated interdisciplinary training for justice system personnel in British Columbia, Canada. Over a 15-year period, there has been a successful collaboration between the Justice Institute of British Columbia and the Ministry of Attorney General to design and offer training for the police, Crown Counsel, victim services workers, corrections personnel, service providers and community advocates, on issues related to violence against women.

In 1984, the federal government's called on the provinces to revise their criminal justice policies and practices, to respond proactively and charge appropriately in cases of wife battering. In 1984, British Columbia responded by offering both occupation-specific and cross-occupation training to a broad range of participants on the nature and dynamics of violence against women, the role of the State in responding effectively, and strategies to support and ensure ongoing safety for women. This process has evolved and grown over the years to include a number of training opportunities that range from classroom-based sessions to distance education packages.

The interdisciplinary training has been closely linked to, and frequently mirrored, violence against women policy development and its implementation strategies. Practice has shown that to be effective, violence against women policies must be grounded in the experiences of women who have been abused. The policies should include clear enforcement and implementation strategies. They should also support criminal justice system personnel who comply with the policies, and facilitate partnerships among community agencies, criminal justice personnel and health and human services.

An integrated approach is also required for training. To be effective, the training must reflect the work environment of the learners, present concrete and practical approaches to doing the work, promote working relationships among the sectors, and build on the existing competence of the personnel involved. A number of approaches and techniques have been used to ensure that the principles embedded in the Violence Against Women in Relationships policy are reflected and promoted in the training. Through the use of credible field instructors, presenting the voices and concerns of abused women and reinforcing key messages, this training has attempted to address the information and practice skills necessary to intervene and support women in abusive relationships.

There have been a number of successes, although further challenges need to be addressed. The experience in British Columbia, however, has shown that effective policy implementation combined with coordinated community intervention and relevant interdisciplinary training, are important first steps on the journey to a community free of violence against women.

Introduction

In 1972, the Deputy Attorney General of British Columbia had a vision to bring together the five separate justice and public safety training centres, place them under one roof and to provide opportunities both for occupation-specific and cross-occupation training. In 1978, the British Columbia Justice Institute opened. It was to become the first college in Canada to provide training for police officers, firefighters, paramedics and other pre-hospital care workers, probation and corrections personnel, deputy sheriffs and court clerks. Through the continuing education division of the Justice Institute, a broad range of training opportunities was offered to human services, health and education staff whose jobs brought them into contact with the criminal justice system.

It is within this context of cross-occupation and interdisciplinary training, that the Ministry of Attorney General and the Justice Institute of British Columbia have collaborated to provide value-based and skill-focused training on issues related to violence against women. In addition to classroom-based training at introductory and enriched levels, the two organisations have collaborated on the development of curricula, handbooks, information packages and video productions.

Context

British Columbia is a geographically and culturally diverse province. The westernmost province in Canada, British Columbia's climate and topography ranges from west coast rain forest to arid semi-desert lands, and from rich farming valleys to densely wooded mountains and pristine glaciers.

The province has a culturally diverse population of 3.9 million. Approximately 40,000 immigrants arrive in British Columbia per year. Foreign-born individuals represents 20 per cent of our provincial population. Aboriginal peoples represent about 6 per cent of the population. The majority of aboriginal and First Nations people live in dense population areas of Vancouver and the surrounding lower mainland, as well as the southern part of Vancouver Island near the capital city of Victoria.

British Columbia is viewed by the rest of Canada as a province with a high standard of living. Canada itself is seen as a country dedicated to promoting peace, a country where women have access to post secondary education and freedom of expression, a country where women are free to pursue the occupation they choose and to move with out constraint.

And yet violence against women is endemic and has devastating consequences, both for the individual victims and for society as a whole. The extent of the problem has been well documented. According to Statistics Canada, 59 per cent of women in British Columbia have experienced male violence since the age of 16 years, compared to a national average of 51 per cent.¹

History: looking back over the last 20 years

Twenty years ago, most Canadians thought violence against women ('wife battering') was uncommon, that it was a private matter, and that the women themselves were somehow responsible for the abuse they experienced.

This view was reflected in the justice system response to these matters. In the 1970s, wife battering was considered a domestic matter not requiring criminal justice intervention. When the police were called, counselling or mediation services were usually recommended. This did little to reduce the incidence of assaults or protect women in their relationships.

In 1981, the federal government appointed a standing committee to look into the problem of family violence, particularly violence against women. The committee's recommendations were brought to

the floor of the House of Commons by a British Columbia member of Parliament. The general response was laughter. This incident created such a widespread outcry that policy makers were forced to respond. A number of important federal initiatives were undertaken, including the Solicitor General's directive that police were to lay charges in case of spousal assault where there was reasonable and probable cause. An integrated response to the problem was called for, along with a nationwide charging policy. The directive also emphasised the need for public education that informed women that assaults against them were no longer private matters but were concerns of the State. Funding was increased to services providing protection, counselling and support to battered women.

In British Columbia, the first Wife Assault Policy was developed in 1984. This policy called on criminal justice system personnel to proactively charge and prosecute such cases, thus removing responsibility from victims. Some training was undertaken and there were limited efforts to ensure compliance. In 1986, the policy was revised, taking into account concerns expressed by the criminal justice system. Several training and public education initiatives were undertaken and funding was increased for transition house and counselling services.

However, it took a tragedy of national proportions to bring the reality of violence against women back into public consciousness. The 'Montreal Massacre' in which 14 female university students were murdered and another 13 students were injured on 6 December 1989, made it extremely difficult for governments, police agencies and the general public to minimise the extent and impact of violence against women. Following the massacre, there was increased attention to this issue.

The 1990s have been a time of growth and achievement in the areas of policy development, training design and service delivery. In 1993, the Wife Assault Policy was revised and renamed the Violence Against Women in Relationships (VAWIR) policy. A comprehensive justice system training strategy was designed and developed in collaboration with the Justice Institute of British Columbia. These initiatives included:

- a 15-minute video, *It's a Crime - Violence Against Women in Relationships*, and a user guide to introduce personnel to the policy
- a six-module training package for police recruits that focussed on the nature and dynamics of violence against women, the fundamentals of the policy and effective intervention strategies
- a three-module training package for corrections personnel
- a 'train the trainer' package for senior police officers involved in roll call training
- a three-hour training package for victim service workers
- a manual for crown counsel
- a two-day community based interdisciplinary curriculum for front-line workers, and
- a 'travelling road show' throughout British Columbia to discuss the policy and to describe the roles and responsibilities of criminal justice personnel.

In 1993, following a number of highly publicised incidents, the Criminal Code of Canada was amended to include the crime of criminal harassment. Criminal harassment was now seen as one aspect of violence against women and often part of a continuum of violent behaviour directed toward an estranged spouse or partner. Following the changes to the British Columbia Ministry of Attorney General policy on Violence Against Women in Relationships to include the Criminal Code amendments, an interdisciplinary training package was designed for justice system personnel.

Another tragedy, this time in British Columbia, occurred in April 1996 when an estranged husband entered the home of his former wife's family and systematically shot nine family members. The tragedy brought into question police officers' understanding of the early warning signs of violence in relationships and police ability to take appropriate action. The estranged wife had repeatedly informed the police of her husband's threats, yet despite this he was able to legally acquire firearms.

The Attorney General of British Columbia ordered tougher checks on all applicants for gun permits, required that training for Firearm's Officers include the dynamics of violence against women and accelerated the implementation of two new training initiatives: Interdisciplinary Criminal Harassment Training and Enhanced Interviewing and Investigating Skills.

Creating the environment for change

Unlike many new criminal justice policies and procedures that address specific practices, the Violence Against Women in Relationships policy embodies a fundamental shift in perspective as well as practice. For the policy to take hold and effectively change how assaults are handled, a comprehensive strategy had to be developed which would:

- facilitate a shared vision among criminal justice personnel and community advocates to stop violence against women and children
- secure political commitment and motivation for change
- provide adequate resources for practitioners and women who experience violence
- encourage commitment within and among participating sectors, and
- build bridges among key players based on an agreed set of values and principles.

In British Columbia, responsibility for ongoing implementation of the VAWIR Policy rests with the Violence Against Women In Relationships Committee. The Committee comprises the Royal Canadian Mounted Police, municipal police, Crown Counsel, corrections, courts, victim services, community coordinators and staff from the Ministries of Health, Human Resources and Women's Equality.

Principles of implementation, coordination and training

Since 1993 this committee has developed a multi-faceted approach to policy implementation which includes: law enforcement, training, community, community coordination, victim support services, assaultive men's treatment, monitoring and review, public education and awareness. Clearly defined terms of reference address governance, structure, mandate, accountability, roles, responsibilities, liaison and guiding documents. An ongoing dialogue regarding the principles inherent to policy and practice is key to community and government intervention which support coordinated responses of agencies and practitioners who respond to violence against women.

Practices can be guided by the following rights and principles:

- violence against women is a crime; it is a public matter and requires a state response
- protection of the victim must take priority²
- intervention must be responsive to the totality of harm done by violence rather than be incident or punishment focused³
- intervention must respect the needs of women who are multiply discriminated against, including aboriginal women, women of colour, immigrant women, women with disabilities, older women, lesbians and low-income women
- intervention practices must reflect a basic understanding of, and a commitment to, accountability to the victim, whose life is most impacted by individual and collective actions
- to make fundamental changes in a community's response to violence against women, individual practitioners must work cooperatively, guided by policies, training, job descriptions, and standardised practices that are all oriented toward the desired changes
- preventative approaches and measures of a legal, political, administrative and cultural nature, should be developed that promote the protection of women against any form of violence, and ensure that re-victimisation of women does not occur.

Applying policy principles to training delivery

Designing and developing interdisciplinary training programmes on issues that require participants to question their existing values and beliefs as well as develop empathy and understanding for the clients is challenging. Bringing together police, crown counsel, probation officers and women's organisations to learn about new policies and procedures and to develop new ways to serve victims, consistent with the value-based principles embedded in these policies and procedures, is a departure from traditional and typical training approaches.

Over the years, the Justice Institute and Ministry of Attorney General staff have explored a variety of methods to provide a meaningful and useful training environment. Not all of the efforts have been successful and not all of the learners have absorbed or retained the information and skills presented in these sessions. However, there have been a number of strategies that have been used that have provided a 'road map' for effective training in this area. The following strategies have been used, adapted and revised over a 15-year period.

Design the training with the work environment of the learners in mind

When the first Wife Assault Policy was introduced in 1984, it was a significant departure from the traditional way criminal justice personnel had responded to cases of wife battering. Many did not feel they should intervene in a private matter, collectively believing their discretion to charge was being removed. Consequently, many of those who participated in the training did not understand why they had to attend and, more importantly, they did not feel they had anything new to learn. Therefore, the initial workshops did not focus on investigation or prosecutorial skills and strategies, but on 'consciousness raising', ie, presenting the issues from the perspectives of the women who were being assaulted and from those who were supporting them. The content focused on both the social and economic factors that kept women in abusive relationship. The emphasis was on why battering was a public concern and not a private matter and on the role criminal justice personnel needed to play in order to ensure the safety of these women.

Involve the learners in the development of the training

For interdisciplinary training to be effective, the content has to cover the information and skills that each discipline requires to do their work as well as the information and skill that all discipline need to have in order to work together. Over the years a number of different approaches have been used. In the 1980s an approach borrowed from the adult education field, the DACUM (Develop a Curriculum) process, was used to identify the key information and core skills required. It provided the basis for the formation of behavioural learning objectives to guide the training delivery.

To reach this point a small group of people representing each of the disciplines participating in the training were brought together to undergo a systematic process of identifying and prioritising the core knowledge and skills. Given the nature of this specific training, particular attention was taken to document the attitudes and values that underlie effective intervention. This process has now evolved to a more informal focus group structure whereby key players come together to develop the purpose, goals and key learning objectives. The draft instructional plan is then reviewed by the same group who propose specific content and instructional strategies.

Be clear about the values and attitudes required

Criminal justice personnel believe that they have to remain impartial in order to carry out their functions. The women's movement made it clear that by being impartial the criminal justice system was not able to see, understand and respond to the systemic sexism, racism and classism of our political and social structures. Without an understanding of why women were victimised and how, historically, the State chose not to intervene in order to maintain women's lesser status, criminal justice personnel would not be able to change their approach and apply the principles contained in

the new policies. The training has clear principles underlying its policy formation and practice expectations. It specifically addresses systemic sexism and racism and uses materials in the classroom that have been developed from a feminist perspective. Feminist advocates and service providers participate in the training as instructors, panel members and participants.

Value the work of all who participate in the training

Everyone who contributes to the training as a panelist, facilitator, organiser or instructor should be compensated in some way for their work in order to ensure the training takes place.

Select a few key messages

As there are often few opportunities to provide cross-occupation training, it is tempting to cram as much information and skills into the training session as possible. Adult education theory suggests, and experience has shown, that this is not effective. The following few key messages may be all that is possible to convey in a single training session:

- violence against women is a crime
- the State has a responsibility to ensure the safety and well being of women, and
- it is the criminal justice system's role to proceed with charges.

Build on past training opportunities

As with any other group of learners, criminal justice system personnel need to be credited for their current knowledge and skills. Training opportunities should be seen as 'developmental'. Each training event should refer to past events and the knowledge and skills presented should build on each other. It is better to challenge participants than to bore them. At the same time, repetition may be necessary in some specific content areas.

Diversify the training format and instructional approaches

Over the years, a number of different approaches and formats have been used. A variety of experiential instructional approaches have been taken, from role-plays through to simulated interviews using actors. Increasingly, the focus of the training is on shifting values and increasing skills through challenging the participants' existing practice. Lectures, panel presentations, videos and case studies all have some value in providing learning with new information, and are used to some extent. However, research has shown that it is training that reaches the 'affective domain' that has the greatest impact on future practice.

Offer different types of training in a range of formats

Although classroom-based learning is the most typical format, a number of different formats have been used, including the participation of senior officers and Crown counsel in 'train the trainer' sessions, using a standard scripted curriculum. It is then the responsibility of those who attended to deliver worksite training through roll call sessions, half-day seminars or teleconferences. Other formats that have been tried include videos and discussion guides on specific topics, video conferences using a high profile speaker, individualised instructional modules, and community based seminars. While none of the described formats can replace classroom training for sophisticated skills transfer, they are effective in reaching those participants who would not normally attend training sessions, or those requiring basic awareness training.

Recruit instructors from the field

Instructor credibility is critical to the success of criminal justice training. Participants believe that they work in a unique environment and that they face specific challenges and threats not experienced by other professionals. By using experienced police officers and prosecutors to deliver the training, learners find it more difficult to refute or reject the key messages. It is critical, however, to select instructors who not only come from the work environment but also those with field credibility.

This requires judicious selection because often the personnel who have the most appreciation, and acceptance of the values and attitudes necessary to work with women who have been assaulted, may be seen by their colleagues as being 'out of touch'.

Respect the contributions of all participants

One of the most important outcomes of interdisciplinary training is to build bridges among all parties involved in order to facilitate effective case management. Each occupation brings to the training their specific knowledge and skills as well as a unique organisational culture. There is also a tendency for each to blame the other for not carrying out their part of the intervention process. When service providers and shelter worker also attend the training, a certain defensiveness may arise among criminal justice personnel, who feel that they are being unjustly criticised.

Successes

Throughout the training process, from the point of advertising the training, to the instructors' summary of the content, all participants must be made to feel respected and to believe that their contribution is valid. Based on our experience of working within the justice system, we can identify a number of factors that we believe have contributed to the initiative's success.

- collaboration among the key players in the justice and community support systems in identifying, responding and resolving problems. This collaboration has been assisted by each sector's understanding of the other's roles, responsibilities and limitations. Interdisciplinary training facilitates mutual understanding, bridge building and integrated case management
- development of a broad range of training opportunities in a variety of formats and approaches. Current training initiatives include introductory awareness training, enhanced interviewing and investigative skills, dispatch and communication operator training and working with women from diverse cultural and ethnic communities
- ongoing training opportunities are seen as an essential component of successful policy implementation and have been included in the Ministry's overall strategic plan guiding new policy development
- key messages contained in training are now reflected in practice. There is evidence to suggest that where training has been delivered, abused women feel better served and conviction rates increase. One Vancouver Police Officer recently reported a significant increase in the number of charges recommended and suggested that this increase was related to departmental training. Dispatch operators report that they are more likely to dispatch officers for calls related to criminal harassment after receiving training
- instructors are recruited from the field and represent workplace concerns and issues. The training offered is dynamic and relevant and is delivered by the people that actually do the work.
- issue papers are prepared each year to ensure that dollars for training development and implementation, including travel subsidies for participants or Crown replacement are included in budget proposals
- there is senior level commitment to, and respect for, the benefits of training. Training is no longer seen as a perk for productive employees or a punishment for troublesome ones. It is seen as essential to effective policy implementation.
- Communication channels exist for frontline staff who have concerns with how cases are handled and this information is used to inform future training content and instructional strategies.

Challenges

- Finding adequate resources to design, revise, update and offer more training is difficult in times of financial restraint. Travel budgets are often the first to be cut. Staff reductions place more pressure on existing staff to find time to attend training.

- Providing consistent and relevant training while taking into account geographic, regional and community differences in practices, services and outlook.
- Convincing some lawyers that they require training in matters other than the law.
- Scheduling training on days when court is not in session or other matters being given higher priority.
- Incorporating issues related to culture, class, gender and ability in the training without participants feeling preached to.
- Evaluating training effectiveness and long term retention.
- Involving the judiciary in training or even convincing them to offer their own training using similar curricula.
- Protecting travel and tuition funds to ensure that all sectors of the justice system have equal access to training.
- Protecting the impartiality of the training while presenting a gender analysis of violence.
- Maintaining momentum regarding training in this area when other issues begin to take precedence.
- Avoiding the creation of a hierarchy of abuses whereby certain issues such as child abuse and neglect are seen to be more worthy of resources and training.
- Devolving training delivery to the community so that there can be ongoing offerings based on hiring practices and recruitment policies rather than rely on provincial initiatives.

Conclusion

Violence against women is a crime. We all have a responsibility to ensure that women are safe and protected from future harm. This is only possible if all components of the criminal justice and human service systems come together, share information and then carry out their own responsibilities to the best of their abilities. Sound government policies, adequately resourced services and effective training can all contribute to the successful achievement of this goal.

Training initiatives enable practitioners to do their jobs efficiently. Committed managers and senior executives ensure that good practice is acknowledged and poor practice is changed. Successes build on each other. Participants in the training feel empowered by the training process and feel comfortable bringing back new ideas and approaches to the workplace. Coordinated responses to specific situations ensure that individual women receive maximum services at each step of the process from the time the dispatcher responds to calls through the point where the judge reaches a decision. Integrated case management enables practitioners to see potential gaps and barriers along the way and prepare appropriate responses.

We believe that we have made some important inroads. There are, however, many more things left to be done. We look forward to the day when values-based, comprehensive, integrated and skills focused training is part of every police recruit, law student and corrections personnel training. We look forward to the day where these initiatives will be part of annualised budgets, not simply results of community tragedies. Most importantly, we look forward to the day when women and children are safe from violence and there is no requirement for such initiatives in our province.

*SADC Conference: Prevention of Violence Against Women, Durban, South Africa, 5-8 March, 1998.
Shelley Rivkin, Justice Institute, New Westminster, British Columbia, Canada, and Jane Coombe, Victim Services Division, Ministry of Attorney General, Victoria, British Columbia, Canada.*

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12.5

Police training: A review of internal and external courses*

Country: Australia

Introduction

The discussion of police training is presented in two parts. The first part considers training offered by police departments to qualified police officers and recruits. The second part considers external courses that police officers commonly undertake. It is noted that there is a shift in police training towards academic qualifications.

The discussion of the internal training includes an analysis of the content of training within the framework of the NCVAW Position Paper. This was possible because of the quality and extent of information provided by all police departments, including curriculum outlines and training notes. Examples from the training notes are used in the discussion to illustrate different approaches.

Internal police training

Table 1: Summary of internal police training courses		
Topic	Target groups	Contents
VICTORIA (VIC) Domestic violence	- Recruits, 12 periods - Sub Officers' Course, two sessions and role plays - In-service for all operational members up to four hours - Community Policing Squad, three days of a two-week course - Detective Training Course, one session	- Law - Safety and operational procedures - Police attitudes - Response strategies - Victim sensitivity - Crisis intervention - Cycle of violence - Referral services - Emphasis on legal action
Sexual assault	- Recruits - Detective Training Course, one day - Community Policing Squad, major part of two-week course - Victim Sensitivity Course, two weeks, primarily sexual assault	- Law - Statement taking - Victim sensitivity - Referral services - Attitudes - Affirming responses

* National Committee on Violence Against Women in Australia

Table 1: Summary of internal police training courses (continued)

Topic	Target groups	Contents
NEW SOUTH WALES (NSW) Domestic violence	- Recruits, Investigators, Detectives' Education Programme - Constable 1st Class, on the job in-service package	- Law - Safety and operational procedures - Statement taking - Referrals - Role of domestic violence liaison officer - Emphasis on legal action
Sexual assault	Initial Response Officers' Course, two weeks in class then 12 months field experience, assessed by a local panel including community groups	- Law - Statement taking - Networks - Referral services - Interviewing techniques - Gender issues
QUEENSLAND (QLD) Domestic violence	- Recruits, four days - In-service (targeted to domestic violence liaison officer), four days	- Patterns of family violence - Identification of gender/power issues - Myths and facts on domestic violence - Effects on children - Law - Police procedures - Referral services - Emphasis on legal action
Sexual assault	- Two weeks in-service for Sexual Assault Investigators' Course - Introducing a three-day in-service on sexual assault for general duties police	- Interviewing techniques - Legislation - Statement taking - DNA testing - Police procedures - Communication skills - Effect on victims - Cultural issues - Intellectual disabilities - Stress management - Domestic violence - Support services

Table 1: Summary of internal police training courses (continued)		
Topic	Target Groups	Contents
NORTHERN TERRITORIES (NT) Domestic violence	- Recruits, 2.5 days - In-service open to operational members, not compulsory	- Discussion of pattern of violence (pre-fear, selective fear, constant fear and gross stress reaction) - Cycle of violence - Myths - Legal options - Emphasis on prevention of further violence - Legal action where there is a threat to the safety of family members or prior physical violence
Sexual assault	Two-week in-service course for investigators, covers child abuse and sexual assault	- Myths about sexual assault - Law - Effect of sexual assault on adults and children - Domestic violence - Statement taking - Sexual assault referrals - Interviewing Aboriginal victims - Protective behaviours - Medical examination of victims
WESTERN AUSTRALIA (WA) Domestic violence	- Recruits, three-day seminar on crisis intervention, covers child abuse, suicides as well as domestic violence - Promotional courses	- Law - Cultural issues - Crisis intervention techniques - Emphasis on acting with caution (training under review)
Sexual assault	- Recruits - Promotional courses (by correspondence)	Law

Table 1: Summary of internal police training courses (continued)		
Topic	Target Groups	Contents
SOUTH AUSTRALIA (SA) Domestic violence	- Recruits, 2.5 days to be increased to five days plus practical exercise - In-service, one day - In-service for Domestic Violence Crisis Unit, five days - Victims of Crime Contact Officers' Course	- Law - Myths - Cycle of violence - Support shelter (includes visit to women's shelter) - Interviewing - Masculinity and patriarchy - Emphasis on legal action
Sexual assault	- Recruits - Sex Crime Investigators' Course	- Law - Myths - Historical, social and cultural factors - Interviewing techniques - Protective behaviours - Offender types (no mention of gender) - Physical evidence - Offenders' perception
AUSTRALIAN CAPITAL TERRITORY (ACT) Domestic violence	Recruits, eight periods or one day	- Police procedures - Liaison with Domestic Violence Crisis Unit - Potential danger - Law
Sexual assault	Fifteen days in-service to qualify to work in Sexual Assault Unit	- Law - Police procedures - Support services - Effect on victims - Psychological profiles of sex offenders - Court procedure - Medical examination
TASMANIA (TAS) Domestic violence	Recruits	- Causes (alcohol, stress, etc) - Crisis intervention - Law - Fact finding strategy - Containment strategy - Referral service - Emphasis on caution
Sexual assault	Recruits	Law

Training for police can be categorised into three areas: basic or recruit training, promotional and specialist training, and in-service training.

Basic training

Basic training is required for recruits to qualify to become sworn members of a police force or service. The course involves a combination of theoretical education and practical on-the-job training. The qualification in several States is an Associate Diploma. The accreditation for the diploma consists of a combination of units offered at a Technical and Further Education (TAFE) institution and the Police Academy.

An example is the Queensland Associate Diploma Justice Studies. Candidates apply through the Queensland Tertiary Admissions Centre (QTAC) and, on acceptance, are employed by the Queensland Police Service. The first semester of the course is provided at the TAFE campus; the second semester is provided at the Police Academy. Participants then complete 12 months field-based training, where they are supervised by field training officers who must complete a training programme themselves.

Promotional and specialist training

Promotional or specialist training refers to courses that police must undertake in order to qualify for promotion or to be eligible for specialist positions such as detective work. Some States also require tertiary qualifications. Promotional levels that would require completion of courses are sub-officer or sergeant- and officer-level inspectors, or above. Some specialist courses are open to any members who are interested, with priority given to those who are working or want to work in a particular area. Examples of this are the Domestic Violence Unit, which is a five-day course offered to South Australian police. While the Unit is primarily designed for police who want to work or are working in the Domestic Violence Units, it is open to other police officers.

In-service training

Another area of police training is that of in-service training. All States and Territories have a structure of ongoing education for police. States and Territories vary in the degree to which such training is voluntary.

Queensland has introduced a Competency Acquisition Programme where, in order to qualify for increased pay points, members must gain certain competencies through a distance learning module. In Victoria, in-service training is provided by district training officers. In most cases the sessions are not compulsory; however, sometimes, because of legislative requirements or force priorities, it will be compulsory for every police officer to undertake a particular session.

There are also the one-off, or ad hoc, in-service courses. Although these may focus on violence against women, they are not part of a formal structure.

Extent of training

Domestic violence

All States and Territories incorporate dedicated sessions on family violence and sexual assault into their recruit training programme. At a minimum, this includes a discussion of relevant legislation. The time spent directly on domestic violence ranges from a couple of sessions in Western Australia to four days in Queensland. Styles of teaching vary, with a number of innovative practices that include spending a day in a women's shelter (South Australia), role plays, videos and guest speakers. A number of sessions on domestic violence are also included in promotional training, particularly at the sub-officer level.

The only State that appears to address domestic violence at the senior management level is Queensland, where the Coordinator of the Domestic Violence Unit presents a one-hour session to the Executive Development Programme. In-service programmes on domestic violence are offered in most States and Territories, ranging from a session of up to three hours in Victoria, to a five-day programme in South Australia.

Sexual assault

There appears to be less time dedicated to sexual assault than domestic violence in both basic and promotional training. The topic of sexual assault generally involves a discussion of the law with limited attempts to develop an understanding of the victim's perspective or the nature of sexual assault. Often, where this is covered, it is as part of a general session on victim sensitivity. However, in contrast to domestic violence, a number of States provide courses of up to 15 days to qualify to work in a specialist field such as Community Policing or Sexual Assault Units.

Three States offer in-service programmes for general duties police:

- Western Australia has a one-week course directly following recruit training for women officers
- Queensland has just introduced a three-day in-service workshop on sexual assault
- New South Wales offers a two-week course followed by 12 months field training for general duties members. Completion of the New South Wales course qualifies a police officer to take statements from victims of sexual assault. This course encourages police officers to make their own local networks with service providers and involves community representatives in the final assessment procedure.

Peer influence

All States and Territories expressed concern about the potentially negative impact of the attitudes and practices of older colleagues on newly sworn police officers who go into the field. This has been addressed in Queensland through their Field Training Officer Programme. The field training officer acts as a mentor or 'buddy' to the junior member. To be nominated as field training officers, police officers must complete a training programme that includes units on domestic violence. The idea of a mentor system was also suggested in the interviews. However, there is a danger that reliance on such a system could simply reinforce bad practices or attitudes unless it is tied to a rigorous system of education for the mentors.

Senior management

The lack of recognition of violence against women in education programmes for senior management is an issue of concern. It is these officers who will make decisions about the allocation of resources, operational procedures and responses to complaints about police handling of violence against women. There have been major changes in public expectations and police policy over the last decade, however, most senior police underwent training at a time when violence against women was either ignored or not perceived as the polices' responsibility. Attending calls to family incidents, which consumes a large amount of police time and resources, is thus a critical management issue.

Violence as a criminal offence

The degree to which violence against women, particularly domestic violence, is defined as a criminal offence varies among States. New South Wales, Queensland, South Australia and Victoria all clearly convey the training message that domestic violence is a criminal offence. However, conflicting approaches and definitions can be found. For example, in South Australia the Basic Psychology Notes used in initial recruit training begin the discussion under the heading Legal Approach:

Legal approaches to domestic disputes may not be applicable or appropriate...

This contrasts with the South Australian PCO Circular 458, which states:

Police should be committed to the full application of the criminal law in cases of domestic violence...

Thus, police receive mixed messages about the appropriateness of legal intervention.

Some training notes do not encourage a criminal view of violence against women. For example, the notes on domestic violence of the West Australian Extension Studies Unit 5, which form part of the advanced training notes, include the following:

Outline the necessity for caution in arresting husband or wife for assault.

If in difficulties for a peaceful solution, a little bluff or hint to possible consequences goes a long way: separation orders lead to maintenance and children may be removed from a poor environment

It should be noted that Western Australian police have indicated that they are reviewing their training practices. Tasmania's recruit training notes include a detailed response which appears to discourage legal action and offers recruits the advice that:

If a complainant in a minor assault is seeking to have an arrest made only because he/she is upset or angry, then it is important that you should point out the consequences of that action. These are:

- possible loss of income
- possible effect on the children
- probable cause of further deterioration or breakdown in family relationships and certain widening of any gaps, and
- necessity for complainant to appear in court to give evidence.

Any discussion of violence against women should make it clear that allegations of the use or threat of violence will be treated as a criminal investigation. The Northern Territory basic training suggests that different approaches should be taken according to the level of the victim's fear. This can be problematic, as the focus is on the victim and her reaction rather than the possible criminal offence.

Police acknowledge they are reluctant to lay charges or to arrest the offender in cases of violence against women. It is, therefore, important that training notes are phrased in such a way as to encourage action, as in the New South Wales Police Procedures which act as guidelines for police:

If satisfied an offence has been committed, no matter how minor, police are encouraged to arrest and charge the offending party. (our emphasis)

Issues of gender and power

An examination of police training notes revealed a lack of recognition of the influence of gender and power in discussions of violence against women. Not only are these issues rarely addressed, but generally the language used to discuss domestic violence and sexual assault is gender-neutral. Thus we have phrases such as:

- some people are more disposed to violent behaviour than others
- spouse abuse is practiced by more than half of all US couples
- violent relationship, and
- complaints of assault between husband and wife.

The use of this gender-neutral language obscures the fact that most crimes against women are committed by men.

Although some notes include discussions about the psychology of the offender or offender types, gender discussions are omitted. There is rarely acknowledgment that men are generally the offenders in domestic violence and sexual assault. At the same time this objectivity is not maintained in language which discusses the investigator:

- the investigator should maintain his objectivity
- the investigator must first satisfy himself

Some states do recognise that:

Most commonly (domestic violence) is violence by a male partner, either married or defacto against his female partner. (Victoria CPS Course Notes)

South Australia also includes a brief discussion of patriarchy in their notes for Police Practice II, used in recruit training.

Currently within police training, adult and child sexual assault is often taught under the broad umbrella of child abuse. This runs the risk of hiding the gendered nature of sexual assault. In both adult sexual assault and child sexual assault, at least 90 per cent of the perpetrators are male. To combine training in adult sexual assault and child sexual assault with other forms of child abuse is to deny the differences between them.

The Western Australian Child Sexual Abuse Taskforce noted that:

Child sexual abuse differs from other forms of abuse in its aetiology, the planned nature of the act, its criminal status, its impact on all family members and its long-term effects on all individuals involved.

Further, Hewitt argues that child sexual assault should be considered as one form of the general phenomenon of sexual assault, not as child abuse.

The language of training notes, the location of the training and the recognition of gender are important in order to provide a context for understanding violence against women. As the NCVAW Position Paper clearly states, violence against women must be seen in its entire social context. Many police officers may be uncomfortable with this approach, which identifies men as the perpetrators and responsible parties. Recognition of the gender issues implicit in violence against women carries with it implications for practice such as the gender of the investigating officer and his or her knowledge of gender-specific support services.

Cultural considerations

While most general training programmes include some discussion of cultural influences, there is little detailed discussion of cultural factors in relation to violence against women. The exceptions are the Northern Territory, which includes a session on interviewing Aboriginal and Torres Strait Islander victims in the two-week in-service course on child abuse and sexual assault, and Queensland, which includes a discussion on cultural issues in the sexual assault in-service course.

Although violence against women is universal and not culturally specific, it is important that police respond to violence with cultural sensitivity. This includes ensuring that the victim understands her rights, is aware of the use of interpreters and is able to assess the appropriateness of particular types of police intervention. Nevertheless, cultural sensitivity should not override the need to respond to the violence as criminal behaviour. Police should also be aware that some cultural and

ethnic groups may be reluctant to involve them and that there will be, particularly with Aboriginal and Torres Strait Islander communities, the need to balance racial sensitivity with the need to protect women from further violence. A point raised during the interviews was that the police often feel hampered by a perceived lack of legal powers, which is likely to have an influence on whether or not they take action. The response of the courts, the degree of cooperation from the victim and the weighing up of evidence will have an impact on police action. However, the starting point is to recognise that physical or sexual assault is a crime.

Despite the introduction of legislation designed to protect people from assault by family members in all States and Territories, and numerous related reports and committees, police often resort to excuses such as a lack of legislative powers or an expectation that the victim will 'back down'. South Australian police have developed a response to the latter by recognising the pressures on women not to proceed to court. Rather than use this as an excuse for inaction, they have addressed the problem by providing victims with support and counselling to assist them to gain the courage to proceed with giving evidence.

Training which raises police awareness of the nature of violence against women and which stresses the criminal nature of the violence will assist in developing more positive approaches in the future.

External Police Training

Table 2: Summary of external police training courses		
Institution	Course	Comments
Phillip Institute of Technology, Victoria	• BA (Criminal Justice Admin) • Human Rights Victimology • Sociology 2c (Australian Social History)	Domestic violence and/or sexual assault is not mentioned in any course outlines, nor are gender issues. Domestic violence and sexual assault in the two units noted. Unit offered on Modern Political Ideologies studying 'major traditions of ideological thought, in particular, liberalism, conservatism, democracy, socialism, nationalism, and Marxism' – no feminism.
Griffith University, Queensland	• Advanced Certificate in Policing • Issues in Australian Society • BA (Justice Administration, Social Justice)	For each unit, four to seven hours are spent on domestic violence and sexual assault. 100 to 150 officers complete the first unit each year and 100 the second. The first unit 'examines the main social divisions of class, gender and race and ethnicity'. The second includes an examination of sociopolitical concerns surrounding social justice and welfare policies and studies particular 'client groups' including women and girls.

Table 2: Summary of external police training courses (continued)

Institution	Course	Comments
Charles Sturt University, NSW	• BA Social Sciences (Policing Studies) • Sociology of Police and Sociology of Family	Both units cover one semester and about 20 per cent of study on domestic violence and sexual assault. 120 police complete both units each year. Overall, the course aims to 'acquaint students with a range of community issues facing police today'.
Queensland University of Technology, Qld	• BA (Justice Studies) • Contemporary Issues in Australian Society 1 and Contemporary Issues in Australian Society 2	First unit completed by Qld police recruits: 325 in 1991; 65 so far this year. Includes an analysis of masculinity and patriarchy. Six to nine hours are spent on topics of domestic violence and sexual assault in units 1 and 2. Second unit is open to serving police officers, with 110 enrolled in 1992.
Edith Cowan University, WA	• ADA (Justice Studies) • BA (Justice Studies) • ADSocSci(Police Studies) • BSocSci(Police Studies)	Provide pre- and post-employment education for police. While domestic violence is not specifically targeted, the objective is to develop a more sensitive, questioning officer with increased knowledge of the 'big picture' and the major issues in her/his locality.
Australian Police Staff College, NSW, but Australia-wide enrolments	• Focus on 'Strategic Management Issues' • No units specifically on domestic violence or sexual assault	Plan to introduce courses on 'contemporary social and policy issues' which will include domestic violence and sexual assault. Also noted that domestic violence and sexual assault often discussed in case studies and forums
University of Western Sydney, New South Wales	• BA Social Science • Violence and Crisis Intervention	Forty-two hours, includes both family violence and sexual assault. No plans to extend. Unit is one of eight electives.

Ten tertiary institutions offer courses specifically designed for and undertaken by police officers. Written responses were received from seven institutions, with Charles Stuart University and Monash University responding by telephone. Unfortunately, due to time constraints they are not included in this analysis. It was emphasised during interviews that one benefit of external studies was that police students would often be in classes with students from other disciplines. This contributed to a breaking down of the police culture and allowed for an experience of different perspectives.

Extent of Training

As with the internal training, all responses acknowledged that there was at least some discussion about domestic violence and sexual assault and, in some cases, considerable time devoted to the topics.

The survey generated interest among respondents, indicating an acknowledgment of the importance of addressing violence against women, and a defence of why it was not always addressed. For example, a response from Edith Cowan University, WA, noted:

... the job of policing is so diverse that we can't prepare individuals for every problem they might encounter and should, instead, attempt to give them a more general education that forces them to think, question and tackle every problem creatively rather than in categories.

Violence as a criminal offence

It was difficult to gauge from the information provided whether there was an emphasis on the criminality of violence against women. The Queensland University of Technology responded that police training should discuss responses to violence against women within an investigative framework. This approach would clearly place such violence in a criminal context.

Issues of gender and power

There appears to be no in-depth analysis of gender and power issues. The exceptions to this were Queensland University of Technology, which includes an analysis of masculinity and patriarchy, and Griffith University in Queensland where the Advanced Certificate in Policing includes an examination of 'the main social divisions of class, gender, race and ethnicity'. Edith Cowan University also encourages their students to complete an elective from another department, one of the options available is a unit on Women's Studies, although this option is rarely taken.

In interviews it was generally agreed that police training should recognise the social context of violence against women by being made aware of the gender issues in domestic violence and sexual assault. It was agreed that this should include an acknowledgment that men are the perpetrators of sexual violence against women; the degree of power and control which men exercise, particularly in the criminal justice system; and an analysis of rape as an act of power not as an act of sex. However, it was also noted by those interviewed that this issue should be handled cautiously as students may become antagonistic if they believe they are being given a 'hard feminist line'.

Queensland University of Technology discussed the reaction of police who completed the units Contemporary Issues in Australian Society 1 and 2, which include an analysis of masculinity and patriarchy. They have found that the units are very confronting. The first unit will often be the first time participants are exposed to a feminist perspective and students often have a negative reaction. However, the participants in the second unit react much more positively and openly, having already had some exposure and time to reflect after the first unit. The point was made that the incorporation of information about the social context of violence against women in other parts of the course helps students to develop a better understanding.

Senior management education

The Australian Police Staff College attracts participants from the ranks of senior police officers and has as its focus 'Strategic Management and Policy Issues'. The College does not offer courses which have a specific focus on violence against women although the response noted that it is sometimes a topic for discussion in case studies and scenarios. Given the lack of internal training on violence against women for senior police officers, the Australian Police Staff College could play a role in the development of courses on management issues related to violence against women.

Gaps in training

The analysis of both internal and external police education indicates that police are being exposed to a small degree of information about domestic violence and sexual assault. It therefore could be expected that those who recently participated in basic training would have a reasonable understanding of legislation and police procedures. The areas where gaps appear are as follows:

- little recognition is given to the fact that those who commit violence are men who, generally, are in a relationship with the woman
- there is no exploration of the difficulties faced by women in dealing with a 'male culture' police force and criminal justice system
- in some States and Territories, the criminality of violence against women is not clearly recognised or emphasised in internal training
- the training of those police officers in the field who have not undertaken in-service or promotional courses has not been addressed
- only one State addresses violence against women from a management perspective, as a dedicated topic, and even that is quite limited. Police in senior management positions must be encouraged to have an understanding of violence against women to equip them to make management decision and respond to complaints about policing
- little attention is paid to cultural issues and the need for police to develop a culturally sensitive response while still responding to violence against women as a crime.

Recommendations

The NCVAW recommends that:

1. recruit training for police officers include a discussion of the nature of sexual assault, consequences for the victim and strategies for responding which respect and affirm the victim and promote women's safety as the paramount consideration
2. all police departments develop a module on violence against women for operational police who have not undertaken training in this area for five years or more, and that the module be compulsory and address issues of violence against women, updating police on the changes in community expectations about the way violence against women should be responded to and examining reasons behind changes in legislation and police procedures
3. the National Committee on Violence Against Women consult with police departments in each State and Territory to develop a training package on violence against women for inclusion in all internal police training, and that the package include:
 - recognition of the criminality of violence against women
 - discussion of the impact of the violence and the consequences for women who have been subjected to violence
 - recognition of the social context of violence against women
 - discussion of issues of gender and power
 - analysis of the way in which the perceived/actual gender bias of the criminal justice system might frame the response to violence against women
 - discussion about strategies for responding to a woman who has experienced physical or sexual violence which recognise the women's experience and which are affirming, and
 - recognition of cultural diversity.

4. That a core unit be included in external 'Police Studies' courses which includes an analysis of the gendered nature of violence, a discussion of different types of violence and their impact on women who have been subjected to violence and a discussion of the different contexts in which violence is perpetrated against men and women.
5. That police forces and services in all States include an analysis of the management issues relating to violence against women in any course or development programmes provided for police officers in senior management positions.
6. That the Australian Police Staff College develop a course on the management implications of policing violence against women.
7. That the above recommendations be forwarded to the Australian and New Zealand Police Commissioners' Conference, the Australian Police Ministers' Council and the Australian Education Council.

Documents

Committee on the Elimination of Discrimination
Against Women: General Recommendation 19,
Violence Against Women

48/104 Declaration on the Elimination of
Violence against Women

13.1

Committee on the Elimination of Discrimination Against Women

General Recommendation 19, Violence Against women, (eleventh session, 1992),
Compilation of General Comments and General Recommendations Adopted by
Human Rights Treaty Bodies, UN Doc. HRI/GEN/1/Rev. 1 at 84 (1994).*

Background

1. Gender-based violence is a form of discrimination that seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men.
2. In 1989, the Committee recommended that States should include in their reports information on violence and on measures introduced to deal with it. (General recommendation 12, eighth session).
3. At its tenth session in 1991, it was decided to allocate part of the eleventh session to a discussion and study on Article 6 and other articles of the Convention relating to violence towards women and the sexual harassment and exploitation of women. That subject was chosen in anticipation of the 1993 World Conference on Human Rights, convened by the General Assembly by its resolution 45/155 of 18 December 1990.
4. The Committee concluded that not all the reports of States parties adequately reflected the close connection between discrimination against women, gender-based violence, and violations of human rights and fundamental freedoms. The full implementation of the Convention required States to take positive measures to eliminate all forms of violence against women.
5. The Committee suggested to States parties that in reviewing their laws and policies, and in reporting under the Convention, they should have regard to the following comments of the Committee concerning gender-based violence.

General comments

6. The Convention in Article 1 defines discrimination against women. The definition of discrimination includes gender-based violence, that is, violence that is directed against a woman because she is a woman or that affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty. Gender-based violence may breach specific provisions of the Convention, regardless of whether those provisions expressly mention violence.
7. Gender-based violence, which impairs or nullifies the enjoyment by women of human rights and fundamental freedoms under general international law or under human rights conventions, is discrimination within the meaning of Article 1 of the Convention. These rights and freedoms include:
 - a) The right to life
 - b) The right not to be subject to torture or to cruel, inhuman or degrading treatment or punishment
 - c) The right to equal protection according to humanitarian norms in time of international or internal armed conflict

- d) The right to liberty and security of person
 - e) The right to equal protection under the law
 - f) The right to equality in the family
 - g) The right to the highest standard attainable of physical and mental health
 - h) The right to just and favourable conditions of work.
- 8 The Convention applies to violence perpetrated by public authorities. Such acts of violence may breach that State's obligations under general international human rights law and under other conventions, in addition to breaching this Convention.
- 9 It is emphasised, however, that discrimination under the Convention is not restricted to action by or on behalf of Governments (see Articles 2 (e), 2 (f) and 5). For example, under Article 2 (e) the Convention calls on States parties to take all appropriate measures to eliminate discrimination against women by any person, organisation or enterprise. Under general international law and specific human rights covenants, States may also be responsible for private acts if they fail to act with due diligence to prevent violations of rights or to investigate and punish acts of violence, and for providing compensation.

Comments on specific articles of the Convention

Articles 2 and 3

- 10 Articles 2 and 3 establish a comprehensive obligation to eliminate discrimination in all its forms in addition to the specific obligations under Articles 5-16.

Articles 2 (f), 5 and 10 (c)

- 11 Traditional attitudes by which women are regarded as subordinate to men or as having stereotyped roles perpetuate widespread practices involving violence or coercion, such as family violence and abuse, forced marriage, dowry deaths, acid attacks and female circumcision. Such prejudices and practices may justify gender-based violence as a form of protection or control of women. The effect of such violence on the physical and mental integrity of women is to deprive them of the equal enjoyment, exercise and knowledge of human rights and fundamental freedoms. While this comment addresses mainly actual or threatened violence the underlying consequences of these forms of gender-based violence help to maintain women in subordinate roles and contribute to their low level of political participation and to their lower level of education, skills and work opportunities.
- 12 These attitudes also contribute to the propagation of pornography and the depiction and other commercial exploitation of women as sexual objects, rather than as individuals. This in turn contributes to gender-based violence.

Article 6

- 13 States parties are required by article 6 to take measures to suppress all forms of traffic in women and exploitation of the prostitution of women.
- 14 Poverty and unemployment increase opportunities for trafficking in women. In addition to established forms of trafficking there are new forms of sexual exploitation, such as sex tourism, the recruitment of domestic labour from developing countries to work in developed countries, and organised marriages between women from developing countries and foreign nationals. These practices are incompatible with the equal enjoyment of rights by women and with respect for their rights and dignity. They put women at special risk of violence and abuse.
- 15 Poverty and unemployment force many women, including young girls, into prostitution. Prostitutes are especially vulnerable to violence because their status, which may be unlawful,

tends to marginalise them. They need the equal protection of laws against rape and other forms of violence.

- 16 Wars, armed conflicts and the occupation of territories often lead to increased prostitution, trafficking in women and sexual assault of women, which require specific protective and punitive measures.

Article 11

- 17 Equality in employment can be seriously impaired when women are subjected to gender-specific violence, such as sexual harassment in the workplace.
- 18 Sexual harassment includes such unwelcome sexually determined behaviour as physical contact and advances, sexually coloured remarks, showing pornography and sexual demands, whether by words or actions. Such conduct can be humiliating and may constitute a health and safety problem; it is discriminatory when the woman has reasonable ground to believe that her objection would disadvantage her in connection with her employment, including recruitment or promotion, or when it creates a hostile working environment.

Article 12

- 19 States parties are required by Article 12 to take measures to ensure equal access to health care. Violence against women puts their health and lives at risk.
- 20 In some States there are traditional practices perpetuated by culture and tradition that are harmful to the health of women and children. These practices include dietary restrictions for pregnant women, preference for male children and female circumcision or genital mutilation.

Article 14

- 21 Rural women are at risk of gender-based violence because of the traditional attitudes regarding the subordinate role of women that persist in many rural communities. Girls from rural communities are at special risk of violence and sexual exploitation when they leave the rural community to seek employment in towns.

Article 16 (and Article 5)

- 22 Compulsory sterilisation or abortion adversely affects women's physical and mental health, and infringes the right of women to decide on the number and spacing of their children.
- 23 Family violence is one of the most insidious forms of violence against women. It is prevalent in all societies. Within family relationships women of all ages are subjected to violence of all kinds, including battering, rape, other forms of sexual assault, mental and other forms of violence, which are perpetuated by traditional attitudes. Lack of economic independence forces many women to stay in violent relationships. The abrogation of their family responsibilities by men can be a form of violence, and coercion. These forms of violence put women's health at risk and impair their ability to participate in family life and public life on a basis of equality.

Specific recommendations

- 24 In light of these comments, the Committee on the Elimination of Discrimination against Women recommends:
 - a) States parties should take appropriate and effective measures to overcome all forms of gender-based violence, whether by public or private act;

- b) States parties should ensure that laws against family violence and abuse, rape, sexual assault and other gender-based violence give adequate protection to all women, and respect their integrity and dignity. Appropriate protective and support services should be provided for victims. Gender-sensitive training of judicial and law enforcement officers and other public officials is essential for the effective implementation of the Convention;
- c) States parties should encourage the compilation of statistics and research on the extent, causes and effects of violence, and on the effectiveness of measures to prevent and deal with violence;
- d) Effective measures should be taken to ensure that the media respect and promote respect for women;
- e) States parties in their report should identify the nature and extent of attitudes, customs and practices that perpetuate violence against women, and the kinds of violence that result. They should report the measures that they have undertaken to overcome violence, and the effect of those measures;
- f) Effective measures should be taken to overcome these attitudes and practices. States should introduce education and public information programmes to help eliminate prejudices which hinder women's equality (recommendation No. 3, 1987);
- g) Specific preventive and punitive measures are necessary to overcome trafficking and sexual exploitation;
- h) States parties in their reports should describe the extent of all these problems and the measures, including penal provisions, preventive and rehabilitation measures, that have been taken to protect women engaged in prostitution or subject to trafficking and other forms of sexual exploitation. The effectiveness of these measures should also be described;
- i) Effective complaints procedures and remedies, including compensation, should be provided;
- j) States parties should include in their reports information on sexual harassment, and on measures to protect women from sexual harassment and other forms of violence of coercion in the workplace;
- k) States parties should establish or support services for victims of family violence, rape, sex assault and other forms of gender-based violence, including refuges, specially trained health workers, rehabilitation and counselling;
- l) States parties should take measures to overcome such practices and should take account of the Committee's recommendation on female circumcision (recommendation No. 14) in reporting on health issues;
- m) States parties should ensure that measures are taken to prevent coercion in regard to fertility and reproduction, and to ensure that women are not forced to seek unsafe medical procedures such as illegal abortion because of lack of appropriate services in regard to fertility control;
- n) States parties in their reports should state the extent of these problems and should indicate the measures that have been taken and their effect;
- o) States parties should ensure that services for victims of violence are accessible to rural women and that where necessary special services are provided to isolated communities;

- p) Measures to protect them from violence should include training and employment opportunities and the monitoring of the employment conditions of domestic workers;
- q) States parties should report on the risks to rural women, the extent and nature of violence and abuse to which they are subject, their need for and access to support and other services and the effectiveness of measures to overcome violence;
- r) Measures that are necessary to overcome family violence should include:
 - (i) Criminal penalties where necessary and civil remedies in case of domestic violence;
 - (ii) Legislation to remove the defence of honour in regard to the assault or murder of a female family member;
 - (iii) Services to ensure the safety and security of victims of family violence, including refuges, counselling and rehabilitation programmes;
 - (iv) Rehabilitation programmes for perpetrators of domestic violence;
 - (v) Support services for families where incest or sexual abuse has occurred;
- s) States parties should report on the extent of domestic violence and sexual abuse, and on the preventive, punitive and remedial measures that have been taken;
- t) That States parties should take all legal and other measures that are necessary to provide effective protection of women against gender-based violence, including, inter alia:
 - (i) Effective legal measures, including penal sanctions, civil remedies and compensatory provisions to protect women against all kinds of violence, including, inter alia, violence and abuse in the family, sexual assault and sexual harassment in the workplace;
 - (ii) Preventive measures, including public information and education programmes to change attitudes concerning the roles and status of men and women;
 - (iii) Protective measures, including refuges, counselling, rehabilitation and support services for women who are the victims of violence or who are at risk of violence;
- u) That States parties should report on all forms of gender-based violence, and that such reports should include all available data on the incidence of each form of violence, and on the effects of such violence on the women who are victims;
- v) That the reports of States parties should include information on the legal, preventive and protective measures that have been taken to overcome violence against women, and on the effectiveness of such measures.

* Contained in document A/47/38.

13.2

48/104 Declaration on the Elimination of Violence against Women*

Resolution adopted by the General Assembly, United Nations [on the report of the Third Committee (A/48/629)]. Forty-eighth session, Agenda item 111

The General Assembly

Recognising the urgent need for the universal application to women of the rights and principles with regard to equality, security, liberty, integrity and dignity of all human beings,

Noting that those rights and principles are enshrined in international instruments, including the Universal Declaration of Human Rights, 1/ the International Covenant on Civil and Political Rights, 2/ the International Covenant on Economic, Social and Cultural Rights, 2/ the Convention on the Elimination of All Forms of Discrimination against Women 3/ and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 4/

Recognising that effective implementation of the Convention on the Elimination of All Forms of Discrimination against Women would contribute to the elimination of violence against women and that the Declaration on the Elimination of Violence against Women, set forth in the present resolution, will strengthen and complement that process,

Concerned that violence against women is an obstacle to the achievement of equality, development and peace, as recognised in the Nairobi Forward-looking Strategies for the Advancement of Women, 5/ in which a set of measures to combat violence against women was recommended, and to the full implementation of the Convention on the Elimination of All Forms of Discrimination against Women,

Affirming that violence against women constitutes a violation of the rights and fundamental freedoms of women and impairs or nullifies their enjoyment of those rights and freedoms, and concerned about the long-standing failure to protect and promote those rights and freedoms in the case of violence against women,

Recognising that violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women, and that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men,

Concerned that some groups of women, such as women belonging to minority groups, indigenous women, refugee women, migrant women, women living in rural or remote communities, destitute women, women in institutions or in detention, female children, women with disabilities, elderly women and women in situations of armed conflict, are especially vulnerable to violence,

Recalling the conclusion in paragraph 23 of the annex to Economic and Social Council resolution 1990/15 of 24 May 1990 that the recognition that violence against women in the family and society was pervasive and cut across lines of income, class and culture had to be matched by urgent and effective steps to eliminate its incidence,

Recalling also Economic and Social Council resolution 1991/18 of 30 May 1991, in which the Council recommended the development of a framework for an international instrument that would address explicitly the issue of violence against women,

Welcoming the role that women's movements are playing in drawing increasing attention to the nature, severity and magnitude of the problem of violence against women,

Alarmed that opportunities for women to achieve legal, social, political and economic equality in society are limited, inter alia, by continuing and endemic violence,

Convinced that in the light of the above there is a need for a clear and comprehensive definition of violence against women, a clear statement of the rights to be applied to ensure the elimination of violence against women in all its forms, a commitment by States in respect of their responsibilities, and a commitment by the international community at large to the elimination of violence against women,

Solemnly proclaims the following Declaration on the Elimination of Violence against Women and urges that every effort be made so that it becomes generally known and respected:

Article 1

For the purposes of this Declaration, the term "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

Article 2

Violence against women shall be understood to encompass, but not be limited to, the following:

- a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;
- b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;
- c) Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

Article 3

Women are entitled to the equal enjoyment and protection of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. These rights include, inter alia:

- a) The right to life; 6/
- b) The right to equality; 7/
- c) The right to liberty and security of person; 8/
- d) The right to equal protection under the law; 7/
- e) The right to be free from all forms of discrimination; 7/
- f) The right to the highest standard attainable of physical and mental health; 9/
- g) The right to just and favourable conditions of work; 10/

- h) The right not to be subjected to torture, or other cruel, inhuman or degrading treatment or punishment. 11/

Article 4

States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination. States should pursue by all appropriate means and without delay a policy of eliminating violence against women and, to this end, should:

- a) Consider, where they have not yet done so, ratifying or acceding to the Convention on the Elimination of All Forms of Discrimination against Women or withdrawing reservations to that Convention;
- b) Refrain from engaging in violence against women;
- c) Exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons;
- d) Develop penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs caused to women who are subjected to violence; women who are subjected to violence should be provided with access to the mechanisms of justice and, as provided for by national legislation, to just and effective remedies for the harm that they have suffered; States should also inform women of their rights in seeking redress through such mechanisms;
- e) Consider the possibility of developing national plans of action to promote the protection of women against any form of violence, or to include provisions for that purpose in plans already existing, taking into account, as appropriate, such cooperation as can be provided by non-governmental organisations, particularly those concerned with the issue of violence against women;
- f) Develop, in a comprehensive way, preventive approaches and all those measures of a legal, political, administrative and cultural nature that promote the protection of women against any form of violence, and ensure that the re-victimisation of women does not occur because of laws insensitive to gender considerations, enforcement practices or other interventions;
- g) Work to ensure, to the maximum extent feasible in the light of their available resources and, where needed, within the framework of international cooperation, that women subjected to violence and, where appropriate, their children have specialised assistance, such as rehabilitation, assistance in child care and maintenance, treatment, counselling, and health and social services, facilities and programmes, as well as support structures, and should take all other appropriate measures to promote their safety and physical and psychological rehabilitation;
- h) Include in government budgets adequate resources for their activities related to the elimination of violence against women;
- i) Take measures to ensure that law enforcement officers and public officials responsible for implementing policies to prevent, investigate and punish violence against women receive training to sensitise them to the needs of women;
- j) Adopt all appropriate measures, especially in the field of education, to modify the social and cultural patterns of conduct of men and women and to eliminate prejudices,

customary practices and all other practices based on the idea of the inferiority or superiority of either of the sexes and on stereotyped roles for men and women;

- k) Promote research, collect data and compile statistics, especially concerning domestic violence, relating to the prevalence of different forms of violence against women and encourage research on the causes, nature, seriousness and consequences of violence against women and on the effectiveness of measures implemented to prevent and redress violence against women; those statistics and findings of the research will be made public;
- l) Adopt measures directed towards the elimination of violence against women who are especially vulnerable to violence
- m) Include, in submitting reports as required under relevant human rights instruments of the United Nations, information pertaining to violence against women and measures taken to implement the present Declaration;
- n) Encourage the development of appropriate guidelines to assist in the implementation of the principles set forth in the present Declaration;
- o) Recognise the important role of the women's movement and non-governmental organisations world wide in raising awareness and alleviating the problem of violence against women;
- p) Facilitate and enhance the work of the women's movement and non-governmental organisations and cooperate with them at local, national and regional levels;
- q) Encourage intergovernmental regional organisations of which they are members to include the elimination of violence against women in their programmes, as appropriate.

Article 5

The organs and specialised agencies of the United Nations system should, within their respective fields of competence, contribute to the recognition and realisation of the rights and the principles set forth in the present Declaration and, to this end, should, inter alia:

- a) Foster international and regional cooperation with a view to defining regional strategies for combating violence, exchanging experiences and financing programmes relating to the elimination of violence against women;
- b) Promote meetings and seminars with the aim of creating and raising awareness among all persons of the issue of the elimination of violence against women;
- c) Foster coordination and exchange within the United Nations system between human rights treaty bodies to address the issue of violence against women effectively;
- d) Include in analyses prepared by organisations and bodies of the United Nations system of social trends and problems, such as the periodic reports on the world social situation, examination of trends in violence against women;
- e) Encourage coordination between organisations and bodies of the United Nations system to incorporate the issue of violence against women into ongoing programmes, especially with reference to groups of women particularly vulnerable to violence;
- f) Promote the formulation of guidelines or manuals relating to violence against women, taking into account the measures referred to in the present Declaration;

- g) Consider the issue of the elimination of violence against women, as appropriate, in fulfilling their mandates with respect to the implementation of human rights instruments;
- h) Cooperate with non-governmental organisations in addressing the issue of violence against women.

Article 6

Nothing in the present Declaration shall affect any provision that is more conducive to the elimination of violence against women that may be contained in the legislation of a State or in any international convention, treaty or other instrument in force in a State.

NOTES

1. Resolution 217 A (III).
2. See resolution 2200 A (XXI), annex.
3. Resolution 34/180, annex.
4. Resolution 39/46, annex.
5. Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985 (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.
6. Universal Declaration of Human Rights, article 3; and International Covenant on Civil and Political Rights, article 6.
7. International Covenant on Civil and Political Rights, article 26.
8. Universal Declaration of Human Rights, article 3; and International Covenant on Civil and Political Rights, article 9.
9. International Covenant on Economic, Social and Cultural Rights, article 12.
10. Universal Declaration of Human Rights, article 23; and International Covenant on Economic, Social and Cultural Rights, articles 6 and 7.
11. Universal Declaration of Human Rights, article 5; International Covenant on Civil and Political Rights, article 7; and Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

85th plenary meeting

20 December 1993.

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India training module references

Useful periodicals that frequently
carry articles on violence against women

Useful contacts

Worldwide Web Addresses

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Objective V

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Useful periodicals that frequently carry articles on violence against women

The Asian Church Woman (quarterly)

ACWA, 91-175 Shin Soo Dong, Mapo-Ku, Seoul 121-110, Korea.

Aurat (quarterly: English and Urdu)

Aurat Foundation Documentation and Resource Centre, 4-A LDA Garden View Apartments, Lawrence Road, Lahore 54000, Pakistan.

Banhi (newsletter)

William Carey Study and Research Centre, CISRS/Joint Women's Programme, 14 Jangpura B, Mathura Road, New Delhi 110014, India.

Useful contacts

Africa

- African Centre for Democracy and Human Rights Studies, Kairaba Avenue, KSMD, Banjul, The Gambia.
- Women and Law in Southern Africa Research Project, Suite 204, Stemar House, PO Box UA 171, Union Avenue, Harare, Zimbabwe. Tel: 263-4-729 151; Fax: 263-4-731-901/2.

Asia and Pacific

- Asia Pacific Forum on Women, Law and Development, Asia Pacific Development Centre, Pesiaran Duta, PO Box 12224, 50770 Kuala Lumpur, Malaysia. Tel. 603-255-0648/255 0649; Fax: 603-254-1371.
- Asia Women's Human Rights Council, PO Box 190, 1099 Manila, Philippines. Telefax: 632-921-5571/999-437; Fax: 632-911-0513/0535.

Canada**Montreal**

- South Asian Women's (SAW), Community Center: (514) 485-9192
- South Asian Women's Association: (514) 937-4714

Vancouver, BC

- India Mahila Association
- South Asian Women's Center: (604) 739-4505
- Punjabi Women's Association: (604) 581-6941
- Burnaby Multicultural Society: (604) 299-4808

Caribbean

- Caribbean Association for Feminist Research and Action (CAFRA), PO Box 422, Tunapuna, Trinidad and Tobago. Tel: 809-663-8670; Fax: 809-663-9684.

India

- Sneha, Madras
- Sachetna, 31, Mahairban Road, Calcutta.
- Socio-Legal Aid Research and Training Center, P-112 Lake Terrace, Calcutta.
- Pragatisheel Mahila Manch, 11 N. Ho Chi Minh Road, Sarania, Behala, Calcutta 700.
- Swayam, near Ballygunge/Park Ave.
- Indian Association for Women's Studies (IAWS), (Kalpana Kannibaran), Asmita Resource Centre for Women H. No. 45, Road No. 2, West Maredpally, Secunderabad 500026
- Stree Adhar Kendra (Neelam Gorhe), Mumbai
- Majlis (Flavia Agnes), Mumbai
- Nari Atyachar Virodhi Samiti, Thane, Maharashtra
- National Commission for Women (Padua Seth), Deen Dayal Mang, New Delhi
- CEHAT, Mumbai (lds@cehat.ilbom.ernet.in)
- SAKSHI, New Delhi (sakshi@unv.ernet.in)

US: national

- Violence Against Women Office, US Department of Justice, Washington, DC
- FAVNET — the Feminists Against Violence Network. Subscribers to this emailing list include survivors of domestic violence, rape, incest and stalking, as well as experts, lawyers, doctors, nurses, shelter directors and workers, rape crisis counsellors and many others. To subscribe, send email to: favnet@otd.com

Worldwide Web Addresses**Africa****Africanews:**

http://www.freeworld.it/peacelingk/afrinews/4_issue/p5.html

An online resource for all issues affecting South African women:

<http://womensnet.org.za>

Documentation on File with the Ministry of Gender and Community:

<http://www.UMN.edu/humanrts/africa/WOMEN.htm>

Gender Violence in Africa/African Women's Responses:

<http://philos.wright.edu/Dept/PLS/DG/decpub01.html>

Kenyan Coordinator says Churches Silent on Issue of Violence to Women:

<http://www.umc.org/umns/news97/dec/1wasye.htm>

Violence Against Women – South Africa:

<http://www.hrw.org>

<http://www.womensnet.org.za/vaw/vaw.htm>

Australia/New Zealand

Australia Law Reform Commission 69: Equality Before the Law: Justice for Women:

<http://www.anv.edu.au/>

Centre for Police Research – W. Australia:

<http://www.cowan.edu.au/hhs/cpr/centre5.htm>

Crime Prevention and Women's Safety, Queensland Police Service:

<http://www.police.qld.gov.au/aps/crimeprev/protective/protective.ssi>

Domestic Violence and Incest Resource Centre – Australia:

<http://home.vicnet.net.au/~dvirc/>

Domestic Violence Resource Centre – Brisbane, Australia:

<http://www.thewebfiles.com.au/dvrc>

Draft of Beijing Platform for Action:

<http://www.mbnet.mb.ca/linkages/4wcw/dpa~001.html>

Gender, Violence and Indigenous Students in Australia:

<http://www.deet.gov.au/pubs/the-gen/sepoct95/contents/html>

Investigation of Domestic Violence and Police Training in Australia:

<http://www.dpmc.gov.au/osw/train28.html>

Publications and Conferences for Australia's Rural Women:

<http://www.dpie.gov.au/rural/women/women~index.html>

Sexual Abuse Resource Centre – Western Australia:

<http://iinet.com.au/~tremo/SARC.htm>

Train the Trainer: Domestic Violence Programmes in Australia:

<http://www.nla.gov.au/osw/train31.html>

WISE Site Map – Australia:

<http://www.infoxchange.net.au/wise/map.htm>

Women, Gender and Development:

<http://www.guyana.org/NDS/chap21.htm>

Women Immigrants and Domestic Violence in New Zealand:

<http://www.Canterbury.ac.nz/publish/research/97/A27.htm>

Canada and Newfoundland

Family Violence Information – Calgary, Canada:

<http://www.gov.calgary.ab.ca/81/81nsfvio.htm>

The Provincial Advisory Council on the Status of Women, Newfoundland and Labrador's Homepage:

<http://www.thezpne.net/pacsw/>

East Asia and the Pacific

Gender and Development: South Pacific Region:
<http://www.thecommonwealth.org//publ/Gender/index.html>

Human Rights Asia Pacific:
<http://arts.qut.edu.au/Humanrights/>

Malaysian Women and Violence:
<http://www.au.malaysia.net/dap/bul2-1.htm>

Singapore. Women in Distress:
<http://www.pathfinder.com/Asiaweek/96/0315/nat8.html>

Vietnam's Women in Transition, Kathleen Barry, (ed):
<http://www.macmillan-press.co.uk/catalogue/0646/0-33-64668-1.html>

Violence Against Women in Korea:
<http://www.peacenet.or.kr/index1.htm>

India and South Asia

Indian Women and Violence Bibliography:
<http://www.lib.virginia.edu/area-studies/SouthAsia/Ideas/womvio.html>

South Asian Domestic Violence Organisations:
<http://www.umiacs.umd.edu/users/sawweb/sawnet/violence>

Violence Against Women – India:
<http://www.itel.vqam.ca/ideas/data/Papers/ftheurors96-17.html>

International

A Base for Women's Empowerment:
<http://www.qweb.kvinnoforum.se/>

Asylum Issues and Female Genital Mutilation:
<http://www.pbs.org/ttc/hottopics/asylum.html>

Commonwealth Health Ministers' Recommendations
<http://www.thecommonwealth.org/health/healthdp.htm>

Commonwealth Publications on Violence Against Women:
<http://www.thecommonwealth.org//publ/Gender/index.html>

Crimes Against Women News Articles:
<http://www.mg.co.za/mg/news/97aug1/5aug-women.html>

Global Health: Women's Health:
<http://www.pitt.edu/HOME/GHNet/GHWomen.html>

Human Rights Watch World Report 1998:
<http://www.hrw.org>

Jewish Women International – Domestic Violence:
<http://www.jewishwomen.org/awaken.htm>

Law Enforcement Related Sites — International:

<http://www.virtuallibrarian.com/moleo/cops/related.html#IS>

Office of International Criminal Justice:

<http://www.acsp.vic.edu/index.shtml>

Official UK Police Sites:

<http://www.users.globalnet.co.uk/~likey/pollinks.html>

Select Bibliography on Refugee Women:

<http://www.unhcr.ch/refworld/refbib/biblio/rights.htm>

Sisterhood is Global Institute:

<http://www.feminist.com/sigi.htm>

Up-to-date UN information on the follow-up in Beijing:

<http://www.un.org/womenwatch/news.htm>

Home page for UNIFEM:

<http://www.undp.org/trust/thm>

Women in Southern Hemisphere mobilising:

<http://www.earthtimes.org/genderdirectory.htm>

Women, Ink:

<http://www.org/frames.htm>

Women's Day: 'No more' to violence:

<http://wn.apc.org/wmail/issues/970808/NEWS35.html>

Women's Rights Center:

<http://free.ngo.pl/temida/general.htm>

Worldwide Police Officers Resources Page (updated weekly):

(This site is highly recommended, and provides links to several other very useful pages.)

<http://www.virtuallibrarian.com/moleo/cops/>

Islamic Countries

Human Rights Abuses in Islamic Countries:

<http://hraic.org.au>

Muslim Women's League:

<http://www.mwlusa.org/mwl/writings.html>

Latin and Caribbean

Caribbean Office of the UNFPA:

<http://www.jamaica-netlink.com/cys/unfpaprofile.htm>

Latin American and Caribbean Committee for the Defence of Women's Rights:

<http://www.gn.apc.org/women/rights.html>

Latin and Caribbean Nation's Laws on Domestic Violence:

<http://www.tbwt.com/articles/lamer/latan52.htm>

United States

Abstracts of Congressional Research Service documents relating to women:
<http://www.pennyhill.com/women.html>

Alaska's Laws on Police Training in Domestic Violence:
<http://www.touchngo.com/lglcntr/akstats/statutes/Title18/chapter65/Section510.htm>

American Bar Association Commission on Domestic Violence:
<http://www.abanet.org/domviol/home.html>

Family Violence Awareness Page:
<http://www.famvi.com>

DOJ Violence Against Women Office:
<http://www.USdoj.gov>

Domestic Violence Handbook:
<http://www.domesticviolence.org>

Domestic Violence Safety Plan for Women:
<http://www.geocities.com/Wellesley/3059/dv1.html>

Free and Low Cost Online Counselling for Violence and Abuse:
<http://www.counselingnet.com>

Healthcare Response to Domestic Violence:
<http://www.fvpf.org>

Men Stopping Violence – Training for Gender Justice:
<http://www.athens.net/~rblum/msutrain.html>

Minnesota Higher Education Center Against Violence and Abuse:
<http://www.umn.edu/mincava/>

National Centre for Women and Policing:
<http://www.feminist.org/welcome/police3.html>

National Domestic Violence Hotline:
<http://www.inetport.com/undvh/>

PoliceWorld.net:
<http://www.policeworld.net>

Rape, Abuse and Incest National Network based in Washington D.C.:
<http://www.allvise.com/LAW/Feminist.html>

US Violence Against Women Act 42 USC sec.13981 (01/16/96):
<http://www.law.cornell.edu/uscode/42/13981.shtml>

Women Against a Violent Environment:
<http://www.mooreresults.com/WAVE/amicus.html>

Women's Issues Resource Sites:
<http://www.umbc.edu/~dorenman/wmst/links.html>

Guidelines for Police Training on Violence Against Women and Child Abuse

Presents an overview of violence against women and child abuse.
It covers eight specific issues:

- Gender, human rights and the law
- Police attitudes and sensitisation
- Crime prevention approaches to repeat victimisation
- Perspectives on offender profiling
- Evidence and investigation techniques
- Medical and forensic evidence and investigation procedures
- Liaison with non-police organisations
- Statistics, data collection and case management

The authors also introduce training modules on rape, other sexual offences, domestic violence, child abuse and protection as models of good practice from selected Commonwealth countries.

This book is a revision and update of the original edition which was published in 1989. The first two chapters are entirely new and have been added at the request of police officers.

The first edition was hailed by the UN Rapporteur as *"a useful guide which is used in the Commonwealth and beyond."*



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