

# THE HANDBOOK ON GENDER-RESPONSIVE **POLICE SERVICES**

For Women and Girls Subject to Violence





## ACKNOWLEDGEMENTS

Development of this tool would not have been possible without:

The courage of the many women who have experienced violence and have spoken out about their experiences and the activists, especially from women's organizations across the globe, who have advocated for appropriate service provision and support for women who have experienced violence.

The efforts by Governments who are taking actions towards ending violence against women and girls ('VAWG') through legislative reforms, policy initiatives and implementing prevention and response programmes.

The Government of Australia, one of the principal donors for the UN Joint Programme on Essential Services for Women and Girls Subject to Violence.

The ongoing commitment of the UN system, to develop programmes and actions responding to VAWG. The UN agencies engaged in supporting the development of this tool have shared their time and knowledge to ensure that we continue to improve the provision of quality, essential services for women and girls who have experienced violence. The following agency representatives are thanked for their commitment and input: Kalliope Mingeirou, Caroline Meenagh, Charlotte Hemmestad Ludt, Lea Biason, Beatrice Duncan, Sadiq Syed, Melissa Alvarado, A.H. Monjurul Kabir, Bridget Hancock, and Alejandro Sanchez (UN Women); Shruti Majumdar (UN Trust Fund to End Violence against Women); Valerie Lebaux, Claudia Baroni and Sven Pfeiffer (UNODC); Sofiene Bacha (UNDP); and Cameron Sigley (UN Department of Peace Operations - Police Division).

The following members of the Advisory Group, who are also sincerely thanked for their technical support: Alessandra Aresu (Humanity & Inclusion); Cheryl Thomas, Melissa Scaia, Laura Wilson and Helen Rubenstein (Global Rights for Women); Jennifer Long (AEquitas); Marai Larasi (End Violence Against Women Coalition); Maureen Curtis and Kimberlina Kavern (Safe Horizon); Eileen Skinnider and Ruth Montgomery (International Centre for Criminal Law Reform and Criminal Justice Policy, Vancouver, Canada); Maria Victoria 'Mavic' Cabrera Balleza and Agnieszka Fal-Dutra Santos (Global Network of Women Peacebuilders); Raluca Popa and Rea Abada Chiongson (International Development Law Organization); Alison Eaton (Safeguarding Against Abuse Ltd) Cassandra Alt-gracia Martha, Shamima Begum and Sarah Louise Neil (International Association of Women Police); and Deborah Friedl (President of the International Association of Women Police).

This Handbook would not have been possible without the significant contributions from [Graham Goulden](#), [Gerry Campbell](#), and [Neelam Sarkaria](#), who are sincerely thanked for their dedication and substantial technical support to both the direction and development of the Handbook.

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## LIST OF ACRONYMS AND ABBREVIATIONS

<b>ACE</b>	Adverse Childhood Experiences (UK)	<b>GBV</b>	Family Support Unit of the Sierra Leone Police
<b>APT</b>	Association for the Prevention of Torture	<b>GNWP</b>	Gender-based violence
<b>BAWP</b>	British Association for Women in Policing	<b>HM</b>	Global Network of Women Peacebuilders
<b>BiH</b>	Bosnia and Herzegovina	<b>HMIC</b>	Her Majesty's Government (UK)
<b>BME</b>	Black and Minority Ethnic (UK)	<b>HMICFRS</b>	Her Majesty's Inspectorate of Constabulary (UK)
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination against Women	<b>IACP</b>	Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (UK)
<b>CEFM</b>	Child, Early and Forced Marriage	<b>IAWP</b>	International Association of Chiefs of Police
<b>CDC</b>	Centers for Disease Control and Prevention (U.S.)	<b>IBSA</b>	International Association of Women Police
<b>CRC</b>	Committee for the Rights of the Child	<b>ICC</b>	Image-based sexual abuse
<b>CCTV</b>	Committee for the Rights of the Child	<b>ICT</b>	International Criminal Court
<b>CLSPD</b>	Closed circuit television	<b>ICVS</b>	Information and communication technology
<b>CR-VAWG</b>	Local Security Councils for the Prevention of Delinquency	<b>ID</b>	International Crime Victims Survey Identity
<b>CSI</b>	Conflict-related Violence against Women and Girls	<b>IDVA</b>	Independent Domestic Violence Advisor (UK)
<b>CSO</b>	Crime Scene Investigation	<b>IHRL</b>	International Human Rights Law
<b>CPS</b>	Civil society organisation	<b>IHL</b>	International Humanitarian Law
<b>CVF</b>	Crown Prosecution Service (UK)	<b>IFVCC</b>	Illinois Family Violence Coordinating Councils (U.S.)
<b>DASH</b>	Competency and Values Framework (UK)	<b>ILO</b>	International Labour Organization
<b>DCAF</b>	Domestic Abuse, Stalking, Harassment and Honour-based violence Tool (UK)	<b>IPV</b>	Intimate Partner Violence
<b>DIWA</b>	Geneva Centre for Security Sector Governance	<b>ISA</b>	Information sharing agreements
<b>DNA</b>	Disabled Women in Africa	<b>ISP</b>	Internet service provider
<b>DPET</b>	Deoxyribonucleic acid	<b>KRPA</b>	Coalition for Safe Public Space (Indonesia)
<b>DRC</b>	Policy, Evaluation and Training Division – UN Department of Peace Operations	<b>LGBTI</b>	Lesbian, Gay, Bisexual, Transgender and Intersex.
<b>DV</b>	Democratic Republic of the Congo	<b>LSC</b>	Local Security Council
<b>DVPNs</b>	Domestic Violence	<b>M&amp;E</b>	Monitoring and Evaluation
<b>DVPOs</b>	Domestic Violence Protection Notices (UK)	<b>MARAC</b>	Multi Agency Risk Assessment Conference (UK)
<b>EIGE</b>	Domestic Violence Protection Orders (UK)	<b>MINUSCA</b>	United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic
<b>ESP</b>	European Institute for Gender Equality	<b>MINUSMA</b>	The United Nations Multidimensional Integrated Stabilization Mission in Mali
<b>EWPA</b>	Essential Service Package for Women and Girls Subject to Violence: Core Elements and Quality Guidelines	<b>MINUSTAH</b>	The United Nations Stabilization Mission in Haiti
<b>EVD</b>	Emirates Women Police Association	<b>Moi</b>	Ministry of Interior
<b>FDV</b>	Ebola Virus Disease	<b>MONUSCO</b>	United Nations Organization Stabilization Mission in the DR Congo
<b>FGM/C</b>	Family and Domestic Violence (Australia).		
<b>FLO</b>	Female Genital Mutilation/Cutting		
<b>FSU</b>	Family Liaison Officers		

<b>MPS</b>	Malawi Police Service	<b>UNHCHR</b>	The United Nations Office of the High Commissioner for Human Rights
<b>MSC</b>	Municipal Security Council	<b>UNHCR</b>	The United Nations Office of the High Commissioner for Refugees
<b>MSCJ</b>	Mesa de Seguridad de Cd. Juárez (Mexico)	<b>UNIFIL</b>	United Nations Interim Force in Lebanon
<b>MWCI</b>	Missing Women's Commission of Inquiry (British Columbia, Canada)	<b>UNMEER</b>	United Nations Mission for Ebola Emergency Response
<b>NGO</b>	Non-Governmental Organisation	<b>UNMIL</b>	United Nations Mission in Liberia
<b>NOSPI</b>	National Outcome Standards for Perpetrator Interventions (Australia)	<b>UNMIS</b>	United Nations Mission in the Sudan
<b>NPCC</b>	National Police Chiefs' Council (UK)	<b>UNMIT</b>	United Nations Integrated Mission in East Timor
<b>OHDIR</b>	Office for Democratic Institutions and Human Rights of the OSCE	<b>UN OCHA</b>	United Nations Office for the Coordination of Humanitarian Affairs
<b>OSCE</b>	Organization for Security and Co-operation in Europe	<b>UNODC</b>	United Nations Office for Drugs and Crime
<b>PPE</b>	Personal Protective Equipment	<b>UN OHCHR</b>	Office of the United Nations High Commissioner for Human Rights
<b>PSVW</b>	Police Station Visitors' Week	<b>UN OROLSI</b>	United Nations Office of Rule of Law and Security Institutions
<b>RCMP</b>	Royal Canadian Mounted Police	<b>UN SCR</b>	United Nations Security Council Resolution
<b>RS</b>	Republika Srpska (Bosnia and Herzegovina)	<b>U.S.</b>	United States of America
<b>SALW</b>	Small Arms and Light Weapons	<b>VAWG</b>	Violence against Women and Girls
<b>SARC</b>	Sexual Assault Referral Centre	<b>WCU</b>	Witness Care Unit
<b>SEESAC</b>	South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons	<b>WHO</b>	World Health Organisation
<b>SGBV</b>	Sexual Gender-based Violence	<b>WLB</b>	Women's Legal and Human Rights Bureau
<b>SGF</b>	Strategic Guidance Framework for International Police Peacekeeping (UN)	<b>WPON</b>	Women Police Officers Network in South-East Europe
<b>SLP</b>	Sierra Leone Police		
<b>SOP</b>	Standard Operating Procedure		
<b>SSR</b>	Security Sector Reform		
<b>SVRI</b>	Sexual Violence Research Initiative		
<b>UK</b>	United Kingdom		
<b>UN</b>	The United Nations		
<b>UNAMID</b>	United Nations Hybrid Operation in Darfur		
<b>UNICEF</b>	United Nations Children's Fund		
<b>UN DESA</b>	The United Nations Department of Economic and Social Affairs		
<b>UN DPO</b>	The United Nations Department of Peace Operations		
<b>UN ECOSOC</b>	The United Nations Economic and Social Council		
<b>UNFPA</b>	The United Nations Population Fund		



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# INTRODUCTION

Violence against women and girls (‘VAWG’) has long been a pervasive and universal human rights issue, rooted in unequal power relations, structural inequalities and discrimination. It is estimated that just over one in three women worldwide (35 per cent) experience physical or sexual violence, mostly perpetrated by an intimate partner,<sup>1</sup> and this statistic does not include sexual harassment. Other forms of VAWG include gender-related killings (also referred to as ‘femicide’), non-partner sexual violence; trafficking for the purposes of sexual exploitation and other forms of forced labour; female genital mutilation/cutting and other harmful practices such as child, early and forced marriage, and so-called ‘honour killings.’ Women and girls often experience multiple forms of violence as part of a continuum - in times of peace or conflict, or in the wake of conflict - and in multiple settings, including within the family, at work, at school, in the community, online, and in public spaces.<sup>2</sup>

There is evidence that a range of individual, community and societal factors and conditions are associated with a higher risk of experiencing or perpetrating VAWG. This includes individual and collective beliefs and norms around masculinity and femininity, and unequal and rigid gender roles in public and private spaces that give men more power over different aspects of life. Other risk factors can include social acceptance of domestic violence, economic insecurity, harmful use of alcohol and other substances, lack of access to essential and quality services for survivors, and gender-discriminatory policy and legal frameworks rooted in patriarchal norms.<sup>3</sup> There is also strong evidence that exposure to violence and harmful gender norms in childhood and adolescence increases the likelihood of perpetrating or experiencing violence later in life.

1 World Health Organisation (2013), Global and regional estimates of violence against women, at: <https://www.who.int/publications/i/item/9789241564625>.

2 UN Women (2020), COVID-19 and Ending Violence Against Women and Girls, at: <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/issue-brief-covid-19-and-ending-violence-against-women-and-girls-en.pdf?la=en&vs=5006>.

3 UN Women (2020), Prevention: Violence against women and girls and COVID-19, at: <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/brief-prevention-violence-against-women-and-girls-and-covid-19-en.pdf?la=en&vs=3049>.

Although the costs of violence on victims/survivors of violence are severe, this is not just a problem for women and girls; gender-based inequality and VAWG has many negative consequences for families, communities and societies. For example, the global cost of violence against women was estimated at US\$1.5 trillion in 2016.<sup>4</sup> Gender inequality is also interconnected with racism, xenophobia, economic injustice, climate injustice, and other systems of oppressions. It is therefore clear that ending VAWG is not only an objective in itself and an aspect of achieving gender equality - one of the Goals of the 2030 Agenda for Sustainable Development - but is also crucial to the achievement of other Sustainable Development Goals, such as poverty eradication, access to health care and education, decent work and the building of a just and peaceful society.<sup>5</sup>

## VAWG AND THE COVID-19 PANDEMIC

The outbreak of the coronavirus disease (COVID-19) has greatly exacerbated many of the risk factors associated with VAWG.<sup>6</sup> Emerging data shows that since the outbreak of COVID-19, VAWG, in particular domestic violence, has intensified, in what has been described as a ‘shadow pandemic.’<sup>7</sup> Women and girls have found themselves locked at home with abusers, unable to report violence and with no means of usual support. In April 2020, experts projected that for every three months lockdown measures continued around the world, an additional 15 million women and girls would

4 UN Women (2016), ‘The Economic Costs of Violence Against Women’, Remarks by UN Assistant Secretary-General and Deputy Executive Director of UN Women, Lakshmi Puri, at the High-level discussion on the ‘Economic Cost of Violence against Women’ at: <https://www.unwomen.org/en/news/stories/2016/9/speech-by-lakshmi-puri-on-economic-costs-of-violence-against-women>.

5 Report of the Secretary-General on the Intensification of efforts to eliminate all forms of violence against women and girls (2020), at: <https://undocs.org/en/A/75/274>.

6 Report of the Secretary-General on the Intensification of efforts to eliminate all forms of violence against women and girls (2020), <https://undocs.org/en/A/75/274>.

7 See, for example, remarks of the Secretary-General Antonio Guterres on the International Day for Elimination of Violence against Women (2020), at: <https://www.un.org/sg/en/content/sg/speeches/2020-11-25/remarks-international-day-for-elimination-of-violence-against-women>

be exposed to violence.<sup>8</sup> In some countries, calls to helplines increased by five-fold.<sup>9</sup>

Even before the pandemic, many women and girls lacked access to the most basic free essential services for their safety, protection and recovery, such as emergency helplines, timely police and justice sector response, health care, safe accommodation, shelter and psycho-social counselling. Where these services existed, they have been typically underfunded, understaffed, uncoordinated or not of sufficient quality. Evidence shows that only 40 per cent of women who experience violence seek help of any sort, and even less, 1 in 10 women, seek help from the police.<sup>10</sup> Many do not report their experiences to formal mechanisms due to shame, fear of reprisals, or lack of knowledge on how to access available help. Women and girls suffering multiple and intersecting forms of discrimination, such as migrant women, women living with disabilities or those living in rural and remote areas are at increased risk of experiencing violence and less likely to receive the support they need.

As health, police and justice service providers have been overburdened with COVID-19 cases and related consequences, clinical management of rape, mental health assessment and care for survivors of violence, as well as access to justice, have been disrupted. This pandemic has also exposed millions of frontline women health and social sector workers to increased risk of COVID-19 infection; heightened economic insecurities for women, including those working in the informal economy with little or no social protections or fallback options; and exposed millions of girls to interrupted schooling and the risk of early marriage. It is estimated that the pandemic will push 47 million more women and girls below

the poverty line.<sup>11</sup> This all underscores the need for urgent action to safeguard progress, address impunity, as well as the needs of victims/survivors. It also highlights the need for greater investment in prevention efforts. There is more evidence than ever before that VAWG is preventable.<sup>12</sup>

## THE UN JOINT GLOBAL PROGRAMME ON ESSENTIAL SERVICES

To eliminate the many different forms of violence requires a multi-disciplinary approach with effective coordination among the different actors. This must also include comprehensive multi-sectoral and mutually reinforcing prevention strategies that address the root causes of violence. Providing access to a set of quality health care, justice and policing and psycho-social services can enable women and girls to break recurrent cycles of violence and to mitigate its consequences. The UN Joint Global Programme on Essential Services for Women and Girls subject to Violence, a partnership between UN Women, UNODC, UNFPA, WHO and UNDP, is aimed at responding to these critical gaps and challenges. It provides guidance on how to implement the global norms on multi-sectoral services and responses, with a focus on the health, police, justice and social services, as well as coordination mechanisms linking these sectors.

Phase I of the Joint Programme (2013-2017) focused on reaching consensus on the essential services and the relevant quality standards and tools for the provision of services in different settings. The [Essential Services Package for Women and Girls Subject to Violence : Core](#)

8 UNFPA (2020), Impact of COVID-19 Pandemic on Family Planning and Ending Gender-Based Violence, Female Genital Mutilation and Child Marriage, at: [https://www.unfpa.org/sites/default/files/resource-pdf/COVID-19\\_impact\\_brief\\_for\\_UNFPA\\_24\\_April\\_2020\\_1.pdf](https://www.unfpa.org/sites/default/files/resource-pdf/COVID-19_impact_brief_for_UNFPA_24_April_2020_1.pdf)

9 UN Women (2020), Facts and Figures: Ending Violence Against Women, at: <https://www.unwomen.org/en/what-we-do/ending-violence-against-women/facts-and-figures#notes>.

10 See: [https://unstats.un.org/unsd/gender/downloads/Worlds-Women2015\\_report.pdf](https://unstats.un.org/unsd/gender/downloads/Worlds-Women2015_report.pdf)

11 UN Women (2020), From Insight to Action: Gender Equality in the Wake of COVID-19, at: <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/gender-equality-in-the-wake-of-covid-19-en.pdf?la=en&vs=5142>.

12 For detailed information, see RESPECT Women: Preventing violence against women (2019) and accompanying Implementation package (2020), both available at: <https://www.unwomen.org/en/digital-library/publications/2020/07/respect-women-implementation-package>. See further, UN Women (2020), Prevention: Violence against women and girls & COVID-19, at: <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/brief-prevention-violence-against-women-and-girls-and-covid-19-en.pdf?la=en&vs=3049>.

Elements and Quality Guidelines ('ESP') were launched at the end of 2015. These were developed with support from expert consultants through a series of technical global and regional consultations with key experts from Government, civil society, survivors, academia, as well as practitioners from each relevant sector, with a view to supporting their global rollout. At the start of 2021, the Essential Services Package is being used by over 50 countries worldwide, supporting their implementation of global norms and standards on multi-sectoral services and responses.

In early 2019, as part of efforts to address challenges identified by pilot countries during their first year of implementation of the Joint Programme in the justice sector, UN Women sought to develop guidance on gender-responsive policing, with a specific focus on strengthening police services for women and girls who have experienced violence.

Despite efforts to operationalize the ESP, in many countries, there is still a lack of effective regulations and clear procedures involving cases of VAWG, with some countries also lacking comprehensive VAWG investigations training for law enforcement. Module 3 Justice and Policing of the ESP was reported by users as the most difficult component to operationalize.

On 18-19 June 2019, UN Women convened an Expert Group Meeting at UN Women HQ in New York, to provide key partners and stakeholders (civil society, women's and survivor's organizations, bi-lateral police forces, criminal justice institutes, and UN entities) with an opportunity to provide input on a draft framework for the development of the Handbook, including on emerging issues for police in investigating VAWG crimes; addressing institutional biases and gender stereotyping and obtaining high-level institutional 'buy-in', as well as assessing the Handbook's use as a potential reference tool for not only the police and justice sector, but also broader health and social services partners and the coordination of these sectors.

## METHODOLOGY OF THE HANDBOOK

### The aim of the Handbook is twofold:

- To provide practical guidance to police (primary audience) to enable an effective and gender-sensitive response to violence against women and girls by sharing learning that promotes a culture of reflection and learning, leading to institutional transformation;
- To promote a police service that seeks to balance effectiveness with accountability in their response to violence against women and girls through reviewing, evaluating and monitoring investigation tools, strategies, policies, and approaches, with the support of external actors in civil society, women's and survivors' organizations and academia.

### Theory of Change

The Handbook seeks to inspire behavioural change towards prevention orientated policing that is gender-responsive, trauma-informed and perpetrator focused.

To arrive at this desired behaviour change, the Handbook will seek to provide transformative guidance towards three outcomes:

- Modernization of the police organization is gender-responsive and broadly consulted,;
- Police are ensuring the wellbeing and meaningful participation of victims/survivors when coordinating their response to VAWG in the justice continuum,;
- Investigations into violence against women and girls are standardized and with internal oversight, in order that they are internally controlled to be perpetrator-focused and trauma-informed.

The Handbook proposes three police strategies to help achieve these outcomes. These strategies aim to place police middle managers in a stronger position of change agency. They include gender-responsive policing strategies are the following:

- Proactively engage with external stakeholders such as civil society organizations, academia, affected groups and international supporting actors for an informed response to VAWG;.
- Standardize and internally control, in a transparent manner, investigation competencies and skills so they are victim/survivor-centred, and rights-based;.
- Train and educate on VAWG prevention and investigation so responses are rights- based, gender-responsive, and trauma- informed.

By primarily targeting police middle managers,<sup>13</sup> the Handbook will aim to reach a cohort of role models that will inspire change from subordinates, relying on recent studies of what works from models of behavioural change science. It is intended that the Handbook can equally be used to engage and train senior management and frontline responders and can be used in police academies to complement ongoing training curricula. Secondary audiences will include civil society and women’s organizations and national oversight mechanisms, such as national human rights institutions, as well as UN entities.

As noted in the ESP, a high-quality police and justice response should be available and accessible to all women and girls, especially those who are most marginalized and are at greater risk of experiencing violence. The providers of these services must demonstrate that they, and the systems in which they operate, are committed to ensuring that a woman’s or girl’s complaint is being taken seriously, and that she is supported as she tries to navigate an often-complex justice system.

The following chapters in this Handbook aim to provide police managers with peer-to-peer guidance on delivering quality investigative responses. To do so, the Handbook will emulate the ESP’s framework proposed in its Module 3 on Justice and Policing by presenting operational guidance for police officers in the following

<sup>13</sup> The target audience are police middle managers and Chapters 2 to 9 of the Handbook have been developed with police station or unit commanders in mind.

areas: prevention strategies; initial contact with police; a gender-responsive investigation; safety and protection considerations; support and assistance required; communication strategies and coordination-based solutions. Given the context of the COVID-19 pandemic, the Handbook also includes guidance on responding to violence against women and girls during crises, including pandemics.

Each chapter of the Handbook will include subsections that will offer clarity on working definitions and frameworks and propose police manager competencies needed for an effective and efficient police service, as well as recommendations on key performance indicators and identifying capacity gaps. The Handbook is unique in its focus on concrete guidance for both implementation and evaluation.

Peer-to-peer operational guidance will also be offered throughout the chapters for police in positions of leadership. This guidance will concentrate on what a police officer can and should control in their position of leadership or supervision when responding officers are confronted with an incident of VAWG.

Case studies will also be utilized to help illustrate police innovation, good practices and dedication to ensuring accountability for crimes of VAWG and the safety and protection of victims/survivors. Finally, each chapter will provide references to inform the reader of current trends, research and practice.

In line with the ESP framework, the Handbook recognizes the vastness and complexity of the forms of violence experienced by subjected on women and girls, as well as the need for a dynamic whole-of-government response for its effective prevention, investigation and prosecution.

The Handbook also acknowledges the diverse national legal frameworks that dictate the requirements in relation to evidence collection and the diversity of social, cultural and economic contexts within these same jurisdictions that influence both the conduct of police, as well as the positions of vulnerability of women and girls to violence and crime.

As a means to encompass this complexity and diversity, the following chapters aim to reinforce international standards and norms underpinning the minimum standards applicable to all police investigations techniques in cases involving VAWG.<sup>14</sup> The Handbook will also refer the reader to national investigation procedures including victim/survivor safety protocols as well as internationally recognized protocols and best practice for specialized and more comprehensive police guidance.

The guidance offered in this Handbook should be viewed and applied in a complementary manner in full support of national guidelines, protocols and manuals for all government actors responsible for the justice continuum.

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<sup>14</sup> While some aspects of gender-sensitive policing relating to children are addressed throughout this Handbook, it is important to note that the international legal framework applicable to children is different to the one to women and adults in general. Therefore, a child and gender-sensitive approach and subsequently differentiate treatment should be directed solely at children, defined by the Convention on the Rights of the Child as every human being under the age of 18. Boys and girls should equally benefit from special protection provided by international law, in line with Sustainable Development Goals (SDG) target 16.2 to end all forms of violence against children. For further guidance on the rights of the child that may serve as additional references for professionals in this area (e.g. United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Context of Crime Prevention and Criminal Justice, 2015, UNODC-UNICEF Training Programme on the Treatment of Child Victims and Child Witnesses of Crime for Law Enforcement Officials).



# MAKING A DIFFERENCE AS A MANAGER AND TEAM LEADER

*“There is one universal truth, applicable to all countries, cultures and communities: Violence against women is never acceptable, never excusable, never tolerable.”*

—UN Secretary-General Ban Ki-Moon (2008)

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# CHAPTER GOALS:

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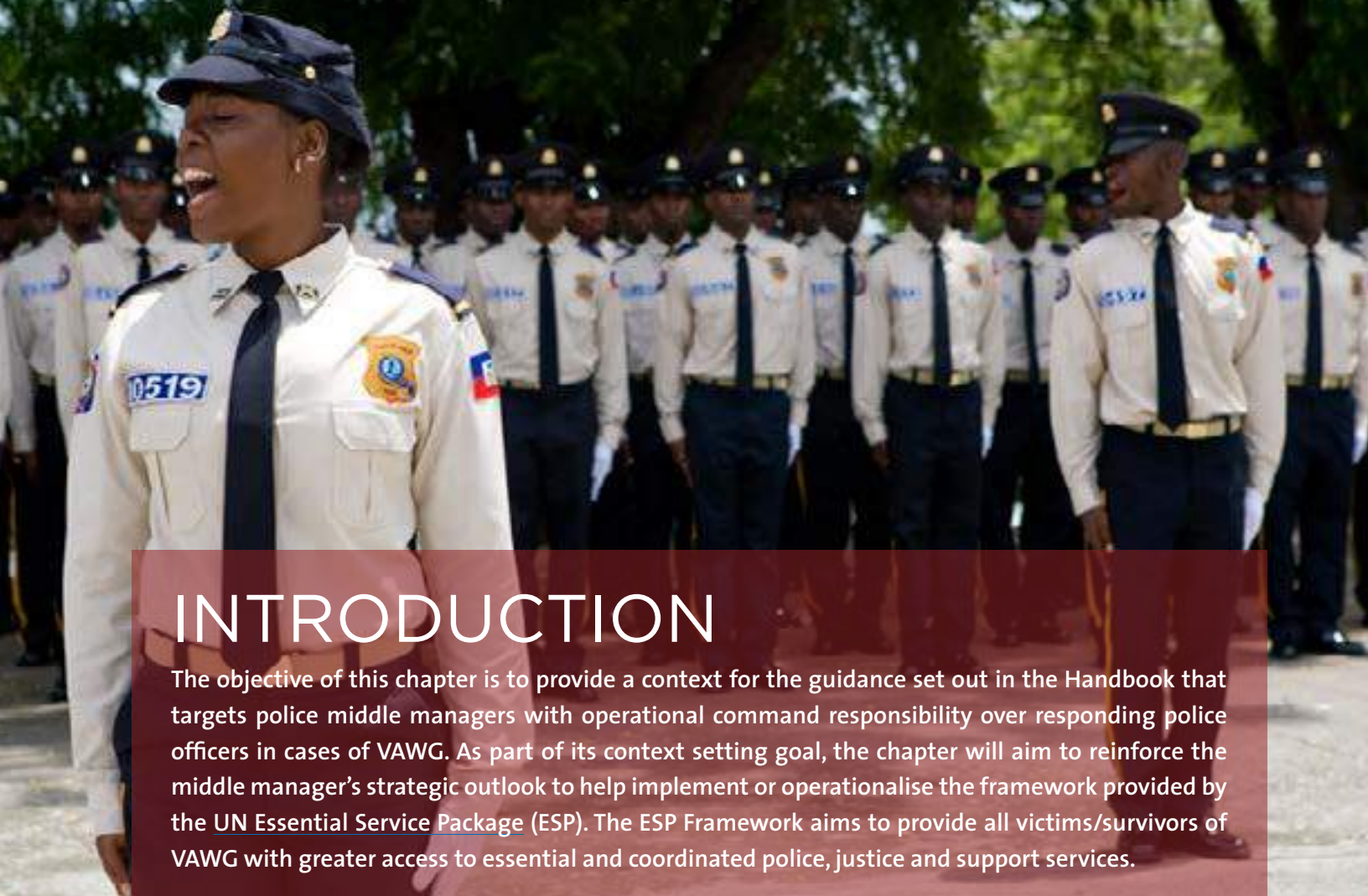
**Reinforce the strategic outlook of police to operationalize the ESP framework to ensure all victims/survivors of VAWG have quality access to essential and coordinated services.**

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## **Key Messages and Learning Points**

- Understanding what is at the heart of an effective response to VAWG;
- ESP Framework principles and common characteristics are at the core of a victim's/survivor's meaningful participation in the investigation of VAWG;
- Gender-responsive policing means that the investigative focus remains on the actions of the alleged perpetrator, not on the victim's/survivor's character, behaviour, or credibility;
- Acts of VAWG are particularly prone to police gender bias which can undermine team efforts to effectively respond to it;
- Police first responders and community liaisons need to be supported by consistent messaging from leadership that acts of VAWG will not be tolerated and will be taken seriously;
- Operational planning inclusive of gender-sensitive and intersectional analysis will help to mitigate against reinforcing past discriminative practices;
- Sex-disaggregated data collection and indicators are critical to responding to VAWG;
- Commitment to a victim-centred approach will generate more trust and collaboration with victims/survivors of VAWG.





# INTRODUCTION

The objective of this chapter is to provide a context for the guidance set out in the Handbook that targets police middle managers with operational command responsibility over responding police officers in cases of VAWG. As part of its context setting goal, the chapter will aim to reinforce the middle manager's strategic outlook to help implement or operationalise the framework provided by the [UN Essential Service Package \(ESP\)](#). The ESP Framework aims to provide all victims/survivors of VAWG with greater access to essential and coordinated police, justice and support services.

Photo Courtesy of MINUSTAH/Logan Abassi (Haiti)

The guidance offered aims to be transformative in nature, meaning it seeks to inspire police middle managers to be the drivers of processes that aim to turn unequal gender relations into cultures of shared power, control of resources, decision-making, and support for women's empowerment in everyday policing.

In order to achieve this, this chapter will introduce and define many key terms and discuss how these terms, when applied, contribute to or detract from the transformation towards gender-responsive policing and overall efforts towards a modern police organization. These terms are embedded throughout the Handbook so as to provide context for middle managers.

The chapter will also introduce the principles and common characteristics of the ESP framework, which form the core of the guidance provided. These principles and common characteristics will frame key competencies and soft skill sets that will be promoted throughout the Handbook as they are gender-responsive and rights-based. Police peer

to peer guidance and examples of reference indicators will also be provided to assist in the application and monitoring of the proposed competencies and soft skill sets.

The key competencies and soft skill sets promoted in the Handbook result from a global mapping exercise, in which numerous serving and non-serving police were surveyed or interviewed, along with experts in the field of gender, including gender-based violence/violence against women and girls, working with the police. The information collected was triangulated against performance recommendations taken from police organisations reviewing and evaluating their strategies, approaches and tools for responding to VAWG.

*Leaders are defined by their followers. Leaders have both technical and human competencies that others respect and admire*



Case studies of such police reviews and evaluations were specifically selected for the Handbook in the following chapters because they demonstrate a commitment to accountability by including external stakeholders such as women’s CSOs, academia and/or minoritised groups in these processes. These cases studies were also selected for their transparency, as they were available in open source online.



## PEER TO PEER GUIDANCE

You may be in charge of a police station, department or policing district which means you have overall responsibility and are accountable for the police response of your staff to victims of VAWG. Why is it important to address such crimes? You will have a number of competing priorities for your limited resources, so it is important that the service you provide to local communities is as effective as possible. Without the trust and confidence of local communities, your job as a police officer becomes more difficult and positive outcomes are more challenging to achieve.

**“Refugee women are routinely denied medical treatment, often humiliated when they enter hospitals and ignored by the police if they do complain.”**

-Case Study: Imkaan—Supporting Asian, Black, Minority, Ethnic, and Refugee Survivors (UK)

Most national studies on the extent of violence against women and girls indicate that the majority of women do not report their experiences to formal services. Only a minority of cases of VAWG are ever reported to the police. Only a small percentage of these cases result in charges being brought against perpetrators and even fewer cases result in convictions. According to a 2015 report published by UNDESA<sup>1</sup>, in most of the countries with available data, only 40 % of women seek help of any sort after experiencing violence. Among those who do, most look to family and friends, and not to formal institutions and mechanisms to provide this support.

<sup>1</sup> See [https://unstats.un.org/unsd/gender/downloads/Worlds-Women2015\\_report.pdf](https://unstats.un.org/unsd/gender/downloads/Worlds-Women2015_report.pdf)



Photo courtesy of Force International (Bangladesh)

Less than 10 % of those women seeking help after experiencing violence, seek help from the police.

The reluctance to report incidents and seek help may be due to the widespread acceptability of VAWG, linked also to the ‘blaming and shaming’ that many survivors experience after being subjected to such violence, and a lack of trust that their complaint will be taken seriously. It may also be due to a lack of knowledge of available services and/or rights on the part of women and girls.”

Under-reporting is particularly acute amongst certain groups facing societal barriers and discrimination, placing them at higher risk of experiencing violence. For example, communication barriers experienced by women and girls with certain disabilities that can impact on their vision, hearing or even understanding, make them particularly vulnerable to those who believe they will not be able to complain<sup>2</sup>.

Policing is about providing safety and security for local communities. This is achieved by working with, and for communities, building trust, upholding the law, preventing crimes, responding to emergencies, providing support services and maintaining peaceful societies. To be truly effective, the police need the support of the local communities, enabling them to gain information and intelligence critical for the successful investigation and prevention of all crimes.

Women and girls are the backbone of many communities. If you do not have the trust and confidence of all of

<sup>2</sup> See ‘Thematic study on the issue of violence against women and girls and disability, Report of the United Nations High Commissioner for Human Rights’ (A/HRC/20/5)

**Figure 1:**  
**Definition of Violence against Women<sup>3</sup>**

**GENDER-BASED VIOLENCE**  
Violence against women is gender-based because it is caused by an imbalance in power between women and men and narrow beliefs and expectations about how women and men should behave.

**SUFFERING TO WOMEN**  
The overwhelming majority of gender-based violence is perpetrated by men against women. It is possible for men to experience violence from women, but it is much less common.

**What is violence against women?**

**“ Violence against women is:**  
any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women... whether occurring in public or in private life. **”**  
— UN General Assembly, 1993

**PHYSICAL, SEXUAL AND PSYCHOLOGICAL HARM**  
Violence against women can take many forms, including physical abuse, sexual abuse and psychological or emotional abuse.

**OCCURRING IN PUBLIC OR IN PRIVATE LIFE**  
All types of violence against women are un-acceptable and must be stopped. It doesn't matter if they occur in the home or in a public place.

your local population, how much potential information and intelligence are you missing and how effective can you be as a result? Timely, accurate, accessible and reliable information and intelligence will help you in your fight against ALL crime, including the many forms of organized crime and countering violent extremism. Therefore, the benefits of your staff responding effectively to crimes of VAWG must not be underestimated.

Police officers have an ethical duty to safeguard the rights of all victims/survivors, irrespective of their background. Given that communities are often very diverse, it is important that the policing approach is sensitive and responsive to this diversity. This includes understanding that within communities there are many individuals and groups who are excluded and marginalised in multiple, intersecting ways and therefore, as noted above, are at increased risk of experiencing violence.

For example, individuals and groups can be marginalised on the basis of various factors such as their gender, age, ethnicity, sexual orientation, national origin and/or disability and this can have a direct impact on their access to safety, security and justice. In order to ensure that the dignity and privacy of all victims/survivors are respected, and that their physical and emotional safety and security is prioritized, police officers should be mindful of and sensitive to an individual's diverse experiences and circumstances.<sup>4</sup>

*Leaders can inspire their followers. They have both technical and human competencies and qualities that others respect and admire.*

<sup>3</sup> Declaration on the Elimination of Violence against Women (General Assembly resolution 48/104 of 20 December 1993), Articles 1-2.

<sup>4</sup>In order to ensure that the dignity and privacy of all victims/survivors are respected, and that their physical and emotional safety and security is prioritized, police officers should be mindful of and sensitive to an individual's diverse experiences and circumstances

It is therefore important that you and your staff understand the complex make-up of your local communities in order to understand the different factors that can contribute to VAWG.

For example, how many different countries of origin are represented in your police area? Do you have a working understanding of how a victim's/survivor's relationship with traditions, faith and/or culture may affect all aspects of their lives, including whether they seek help? If not, how can you ensure your staff are providing an effective policing service? Do you understand the profile of victims/survivors of crime? Can victim/survivor data be broken down by crime type, gender, age, ethnicity, disability, religion, affiliation and locality. You will, for example, need good data to determine if there is an imbalance between the potential needs of victims and the availability of sufficiently trained officers.

The Handbook recognizes the positive impact that quality leadership can have on victims/survivors through effective coordination of multi-sectoral services. This chapter provides a foundation for a better understanding of key approaches, skills and competencies that have become recognized by police organizations and other experts working in this field as integral to the transformation towards a more effective and gender-responsive police service as result of institutional reflection and learning.

At the same time, the approaches, skill sets and competencies proposed in this chapter, and throughout the Handbook, will reflect the ESP Framework **principles** that underpin all of the essential justice services (see Figure 2). The Handbook's guidance will also reference the ESP's **common characteristics** (also see Figure 2) which the ESP prescribes as the basis for all activities and approaches across all areas of essential service functioning and delivery.

**Figure 2.**  
Essential Services Package: Overall Framework Diagram

Principles	A rights based approach	Advancing gender equality and women's empowerment	Culturally and age appropriate and sensitive
	Victim/survivor centred approach	Safety is paramount	Perpetrator accountability
Common characteristics	Availability	Accessibility	
	Adaptability	Appropriateness	
	Prioritize safety	Informed consent and confidentiality	
	Data collection and information management	Effective communication	
	Linking with other sectors and agencies through referral and coordination		

Essential Services Package: Overall Framework Diagram

Adherence to the ESP Framework principles and common characteristics will be at the core of ensuring the victims/survivor's **meaningful participation** in the investigation of VAWG. It will not only be a determining factor in the investigation itself but will also send a critical message of prevention to communities that the police are taking victims/survivors' reports seriously

through a victim-centred approach when allegations of VAWG occur. As a result, victims/survivors, their communities and other essential service providers will view your organization with greater legitimacy, in terms of building trust and fostering partnerships in responding to crimes in general.



It is important that police become part of the solution whereby victims/survivors and their communities feel empowered to communicate their expectations and needs with regards to accessing justice in cases involving VAWG. Increased confidence through empowerment would also mean, for example, that victims/survivors of intimate partner violence (‘IPV’) would be more likely to report cases and present evidence in court.<sup>5</sup>

For the purposes of the Handbook, *responding to VAWG* and other crimes encompasses both preventative and investigative actions taken by police.

## COMMON INTERNAL CHALLENGES FOR THE POLICE WHEN RESPONDING TO VAWG

*“One of the pervasive underlying causes of the critical police failures in the missing women investigations was the lack of an institutional champion. I use the phrase a “want” of leadership, to emphasize the point: the investigations cried out for leadership; leadership was wanting. While I also employ the phrase “lack of leadership” because it flows more easily, it doesn’t have the same power. The problem was so pervasive it was not merely a question of adequacy; there was an absence of leadership.”<sup>6</sup>*

–The Honourable Wally T. Oppal from his report FORSAKEN.

**“When [a woman] goes to the police, they first ask her for her ID card and ask questions: how, why, what ... At the very beginning, they act like she is responsible for what happened to her.”**

–Female, aged 38–55, conflict-affected, urban, Republika Srpska, Bosnia and Herzegovina

Source: OSCE-led survey on violence against women: Main report (OSCE, Vienna, 2019).

5 Nathan Birdsall, Stuart Kirby & Michelle McManus (2017) Police–victim engagement in building a victim empowerment approach to intimate partner violence cases, *Police Practice and Research*, 18:1, 75–86 and Roberts, J., & Hough, M. (2005). *Understanding public attitudes to criminal justice*. Maidenhead: Open University Press.

6 VOLUME IIB, ‘Nobodies: How and Why We Failed the Missing and Murdered Women Part 3, 4 and 5’ (British Columbia, Canada, 2012).”

Inadequate law enforcement is still one of the main challenges to the elimination of VAWG, leading to high levels of perpetrator impunity, insufficient allocation of resources to respond adequately to victims/survivors needs, and weak monitoring and coordination of initiatives designed to address the issue.

A bad experience for a victim/survivor can severely jeopardize the trust and confidence of a whole community in the police and can make responding to VAWG more difficult.

The UK offers insightful learning experiences based on its practice of reviewing the effectiveness of its approaches to VAWG.

In 2013, the UK Home Secretary commissioned Her Majesty’s Inspectorate of Constabulary (HMIC)<sup>7</sup> to conduct an inspection on the police response to domestic violence (‘DV’) after a series of high-profile cases where protection for victims had fallen below the standards expected.

**“I think that [women] don’t turn to institutions because they don’t trust them. I have never heard of a positive outcome; I have never heard of a woman being helped by an institution. I don’t trust them.”**

–Female, aged 30–50, rural, Montenegro

Source: OSCE-led survey on violence against women: Main report. Vienna, 2019. Organisation for the Security and Co-operation in Europe

The following list, inspired from findings of the HMIC 2014 final report<sup>8</sup>, highlight some of the emblematic organisational failures that, when left unaddressed by police management, are indicative of an ineffective response to domestic violence and other forms of VAWG:

- Senior management teams were unable to articulate an overarching strategy for tackling VAWG, and as a

7 In the summer of 2017, HMIC undertook inspections of England’s fire and rescue services, assessing and reporting on their efficiency, effectiveness and leadership. To reflect this new role, the HMIC underwent a name change to Her Majesty’s Inspectorate of Constabulary and Fire and Rescue Services (‘HMICFRS’).

8 HMIC 2014 final report’ and the text for this footnote should read “See ‘Everyone’s business: Improving the police response to domestic abuse’ (HMIC, 2014).”

result provided unachievable goals for middle managers and insufficient resources that would be needed to operate independently and more effectively;

- Management teams, although aware of particular issues or gaps in their existing strategies, did not take action to address them. This includes tolerating derogatory comments made by officers about specific people or groups of people;<sup>9</sup>



*Leadership focuses on being proactive and building partnerships to overcome scarcity in resources*

- Senior and middle level commanding officers were not adequately trained on new laws that directly impact police VAWG prevention strategies and investigation procedures. It became imperative that police managers receive training on how they and their staff are expected to apply new laws addressing gender equality and promote perpetrator-focused investigations;
- While there was clarity that volume crime is a priority, few police commanders were able to provide a clear strategic message about how VAWG should be addressed and the minimum quality standards needed for an effective response to victims/survivors of VAWG;
- Evidence that VAWG was not a priority is revealed in the way that frontline (or responding) officers were briefed and assigned tasks;
- Fragmented and poorly understood organisational structures, units and departments left frontline staff with limited knowledge of who in the organisation is responsible and accountable for effective VAWG investigations, criminal prosecution, and victim safety;

<sup>9</sup> Derogatory comments, specifically about women, tend to become more prevalent when national laws espousing gender equality become part of the wider public debate. It is during this period that police managers should be responsive to such comments made within their ranks and be more proactive, explaining how new legislation is meant to be applied and protect women and girls.

- Even where strong messages and priorities are given from the top of the organisation, the ingrained culture of performance management meant officers of all ranks focused on volume crime but not domestic abuse like interpersonal violence;
- Tunnel vision by police commanders who focused on the single crime and managing the perpetrator rather than connecting VAWG to other potential criminal activities and keeping the victim safe;
- Lack of supervision over how police conducted their referrals has prevented a deeper understanding of why police disproportionately refer victims/survivors to social services rather than facilitating their access to legal remedies;

*Applying the law in a consistent and unbiased manner is the most effective crime prevention strategy police can offer*



One of the key messages from the HMIC 2014 report for police managers is to ensure, as with other crimes, that the focus remains on the actions of the alleged perpetrator, not on the victim's character, behaviour, or credibility.<sup>10</sup>

The report adds that while investigative emphasis has historically focused on the victims/survivor's behavior, the reality of VAWG is that the alleged perpetrator is often known to the victim/survivor and thus can be identified easily by the police. This should in theory allow the police to base the investigation on the actions of the alleged perpetrator who should be as equally as accessible for investigating police as the victim/survivor herself.

For the most part, and excluding broad resource allocation, internal challenges faced by police organizations, such as those mentioned above, can be positively influenced by middle managers within the organization. Being in such a position of command responsibility and leadership, middle managers essentially connect orga-

<sup>10</sup> Everyone's business: Improving the police response to domestic abuse (2014). Her Majesty's Inspectorate of Constabulary (HMIC).

nizational policy with operational practice and are thus responsible for both investigators and investigations.

Mitigating the common impacts resulting from such internal challenges when responding to VAWG can be traced in large part to police leadership, including those in middle management. Examples of mitigation actions include but not limited to:

- Basing collective actions on a clear understanding of the nature of violence, its causes and consequences and how it impacts women and girls differently and disproportionately;
- Being proactive in ensuring accountability for the meaningful participation of the victim/survivor in the investigation when VAWG is alleged have occurred;
- Ensuring that unbiased and diligent interventions by responding police officers are strengthened by continuous learning, and consultation with affected groups.

As stated in the HMIC 2014 report, the consequences of not addressing these organisational failures or internal challenges will ultimately result in allegations of civil or human rights violations, a lack of confidence in the police organisation itself, and a perceived lack of credibility of the police, especially by women and girls.

A lack of confidence in and credibility of your police organization will impact your team's ability to gather the information it needs to be truly intelligence-led.

Community-based solutions to crime interventions for example, will be weakened by the fragility of your partnerships, particularly with the organisations representing persons or groups who feel overpoliced and under-protected.

**“Police officers do not have all the specialist knowledge themselves; they need to know where to refer the victim. For example, specialist domestic abuse support services are often run by community groups for BME (Black and Minority Ethnic), male, and LGBT victims.”**

-Everyone's business: Improving the police response to domestic abuse (HMIC, 2014).

***Examples of community-based solutions will feature more in later chapters of this Handbook, particularly in Chapter 3 'Prevention', Chapter 5 'Investigations', Chapter 8 'Coordination among Justice Agencies' and Chapter 12 'Justice Continuum'.***

In summary, internal challenges police organisations face when responding to VAWG can be significantly mitigated by effective police leadership that understands the root causes of VAWG and is prepared to 'own the problem' and address this directly by both ensuring and learning from victims'/survivors' meaningful participation in an investigation.

Effective police leadership in VAWG cases also ensures the investigation concentrates on perpetrator accountability" by gathering as much evidence as possible on the alleged perpetrator while at the same time ensuring the victims/survivor's well-being is at the core of the investigation. Such effective police leadership is compliant with the internationally agreed principle of promoting victim safety and empowerment while ensuring offender accountability.<sup>12</sup>

Key to this being the ability of the police leadership to institute a team culture and/or ethos that prides itself on the core competencies and professional skill sets that distinguish a gender-responsive police service while promptly addressing negative attitudes and unconstructive bias that undermine collective efforts.

## **GENDER BIAS: HOW IT CAN SET POLICE EFFORTS BACK**

**Gender bias** can be defined as the inclination toward, or prejudice against, one gender versus the other(s).<sup>13</sup>

<sup>11</sup> The ESP refers to perpetrator accountability as imposing appropriate sanctions to hold perpetrators accountable for their actions and provide for just and effective remedies for victims/survivors for harm or loss suffered.

<sup>12</sup> Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice, UN General Assembly Resolution 65/228 (2010), annex, para. 13(a).

<sup>13</sup> Huhtanen, H., Lonsway, K.A., Archambault, J. (2017), 'Gender Bias in Sexual Assault Response and Investigation, Training Bulletin Series: Part 1' End Violence Against Women International.



*Gender refers to the roles, behaviors, activities, and attributes that a given society at a given time considers appropriate for men and women*

Gender bias, whether implicit (unconscious) or explicit (conscious) – is shaped and informed by gender-based stereotypes and attitudes that assign various characteristics, roles, and behaviours to men versus women – and this includes sexual roles and behaviours.<sup>14</sup>

**“Eliminating gender bias in policing practices is an integral component of combating sexual assault and domestic violence, and can have a real and immediate effect on the safety of individual victims.”**

- US Department of Justice, (2015)

Acts of sexual assault and interpersonal violence are particularly prone to police gender bias. This can include simple failures in registering cases according to procedures during initial contact, to shaming and blaming, even accusing the victim/survivor of false reporting.<sup>15</sup> Women and girls with disabilities are more likely to have their credibility questioned, owing to harmful gender and disability stereotypes.<sup>16</sup>

According to the U.S. Department of Justice, explicit and implicit gender biases are embedded in our culture. When it comes to policing, the U.S. Department of Justice describes gender bias as a form of discrimination that may result in the police providing less protection to certain victims/survivors on the basis of gender, fail-

<sup>14</sup> Ibid.

<sup>15</sup> Available data indicates a far greater risk of a sexual assault report being wrongly classified as false, as compared to an actual false report. See Jordan, J. (2004), ‘Beyond belief: Police, rape and women’s credibility’, *Criminal Justice* 4(1), 29-59 in Huhtanen, H., Lonsway, K.A., Archambault, J. (2017), ‘Gender Bias in Sexual Assault Response and Investigation, Training Bulletin Series: Part 3’, End Violence Against Women International.

<sup>16</sup> Submission by Women Enabled International to the Special Rapporteur on the Rights of Persons with Disabilities: Good Practices for Increasing Effective Access to Justice for Women and Girls with Disabilities (August 9, 2019).

ing to respond to crimes that disproportionately harm people of a particular gender, or offering reduced or less robust services due to a reliance on gender stereotypes.<sup>17</sup>

Gender biases can also combine or intersect with other prejudices, such as those which may be formed on the basis of ethnicity, disability, sexuality, age and religion. In practice, this can, for example, mean that assumptions are made about which women are more likely to be sexually available and therefore ‘asking for it’, or which men are much more likely to be violent or predatory.

While many police officers hold attitudes and values in support of equal, impartial and fair access to justice, implicit gender and other bias can represent a significant barrier to ensuring equal access to justice. Experts believe this is because implicit biases operate at an unconscious level meaning our judgments can be made in a matter of seconds, without any conscious awareness and can even, and often do, contradict consciously held beliefs and values.<sup>18</sup>

For example, Hohl and Stanko (2015)<sup>19</sup> in analysing attrition patterns in cases of rape in the UK note that, *“The ethnicity of the suspect matters, too. Non-white suspects have 70 % lower odds of no-criming<sup>20</sup>, regardless the ethnicity of the victim. Including an interaction effect between suspect and victim ethnicity in the analysis shows that compared to a non-white suspect, a white suspect has twice the odds of no-criming if his victim is white and 11 times higher odds if the victim is non-white. This finding suggest that white suspects are significantly and substantially more likely to avoid further investigation than non-white suspects, in particular if their victim is non-white.*

<sup>17</sup> Identifying and Preventing Gender Bias in Law Enforcement Response to Sexual Assault and Domestic Violence (US Department of Justice, 2015).

<sup>18</sup> Ibid.

<sup>19</sup> Hohl, K. and Stanko, E. (2015), ‘Complaints of rape and the criminal justice system: Fresh evidence on the attrition problem in England and Wales’, *European Journal of Criminology*, 12(3), pp. 324-341. doi: 10.1177/1477370815571949.

<sup>20</sup> In the UK, “no-criming” occurs when a recorded crime has subsequently been found not to be a crime and is, in effect, cancelled, supposedly with verifiable information that a crime was not committed. See: Laura Bates (2014), ‘How the police are letting sexual assault victims down’) at <https://www.theguardian.com/lifeandstyle/womens-blog/2014/nov/21/police-letting-rape-victims-down-too>





*Leaders are careful of not passing their own bias onto subordinate team members*

Hohl and Stanko's<sup>21</sup> research indicates that (in the case of the UK) significant factors in attrition rates include the ethnicity of the suspect as well as what police officers and prosecutors perceive as evidence against the truthfulness of the allegation.

Overcoming gender and other bias will not be easy for you in a position of leadership. It will require a combination of many elements working together such as the review and revision of the implementation of internal

**Box 1**

**Tips on Mitigating Gender Bias in Policing Daily Activities**

**Police managers can:**

- Recognise and address biases, assumptions and stereotypes about victims/survivors;
- Ensure they are not basing their judgments as to the credibility of a victim's account on assumptions or stereotypes about the "types" of people that can be victims of sexual assault, or about how victims of sexual assault and domestic violence "should" respond or behave;
- Be aware and communicate to their team how gender bias is actually very counterproductive to police work, including how it affects the quality of the investigation and the general perception of the police;
- Ensure their teams understand the significant role gender bias has in the underreporting of VAWG, particularly by women and girls from groups or communities.

Source: Justice Department Issues Guidance on Identifying and Preventing Gender Bias in Law Enforcement Response to Sexual Assault and Domestic Violence (US Department of Justice, Office of Public Affairs, 2015) at: <https://www.justice.gov/opa/pr/justice-department-issues-guidance-identifying-and-preventing-gender-bias-law-enforcement>

21 Hohl, K. and Stanko, E. (2015), 'Complaints of rape and the criminal justice system: Fresh evidence on the attrition problem in England and Wales', *European Journal of Criminology*, 12(3), pp. 324-341. doi:10.1177/1477370815571949."

policies and procedures, and police training and awareness raising that results in the police being conscious of their behaviour and its possible effect on others in their daily work.<sup>22</sup> The US Department of Justice provides some useful tips for mitigating gender bias in policing (see Box 1):

**See Chapter 10 Institution Building for recommendations on institutional policies that aim to control the impact of gender bias in policing, and Chapter 11 Institutional Challenges for discussions on the gender-stereotypes commonly embedded in police culture.**

The UK College of Policing emphasises the importance of promoting behavioural traits such as sensitivity and perception in policing by focusing on how to avoid stereotyping, personal bias and discrimination, and being aware of other reactions.<sup>23</sup>

Other concrete actions police leadership can include, are the following:

- ➔ Ensure that definitions of offences do not allow for misinterpretations or condone myths or stereotypes, including ensuring that all sexual acts committed against any non-consenting woman regardless of her background, even when she does not show signs of resistance, are considered sexual violence and are criminalized;<sup>24</sup>
- ➔ Develop and implement measures to protect women in their teams from violence and harassment;
- ➔ Address unacceptable behaviours and actions with zero tolerance;
- ➔ Promote and reward officers who undergo regular and institutionalised gender-sensitive training and

22 For more detailed guidance on gender and internal police oversight, see Tool 2: Policing and Gender in 'Gender and Security Toolkit' (Geneva: DCAF, OSCE/ODIHR, UN Women, 2019), and 'Integrating gender into internal police oversight' (OSCE/ODIHR, 2014).

23 See 'Investigation: Working with victims and witnesses', College of Policing, at: <https://www.app.college.police.uk/app-content/investigations/victims-and-witnesses/>

24 See 'Strengthening Crime Prevention and Criminal Justice Response to Violence against Women' (New York, UN Office on Drugs and Crime, 2014)

capacity building, including specific training when new legislation is enacted.<sup>25</sup>

Such behavioural traits reflecting objectivity and professionalism will help to foster victim confidence and can contribute to facilitating increased reporting and participation in the investigation and prosecution of VAWG.

In their 2017 training manual for police in Mexico, UNODC provides a list, inspired from the U.S. Department of Justice<sup>26</sup>, of the most frequent prejudices that can be identified in the performance of a police officer when interviewing victims/survivors of GBV such as VAWG<sup>27</sup>.

The following (Box 2) draws from both sources, and lists the most common prejudices in policing, which result in a counterproductive police response to VAWG:

In addition, police managers should also consider how commonly the victim's/survivor's social background influences bias, particularly if she comes from a vulnerable background. She could be treated poorly, especially if the aggressor comes from 'a good family', has some type of 'social status', or is even a police officer or member of the security forces.

Such prejudices held by the police can influence their interpretation as to how the 'perfect' victim/survivor should look and how she should act. For example, there is a myth that a 'chaste' and 'honorable' woman who has experienced sexual violence should warrant a prompt investigation. Similarly, there is another myth that a delayed reporting by a woman after she has experienced such violence somehow equates to implausible or false reporting on her part.

25 It is important to ensure that such training is informed through consultation with non-governmental organizations and service providers working to support victims/survivors of violence against women and girls. For more concrete action on addressing gender bias in policing and justice essential services, see 'The Trial of Rape - Understanding the Criminal Justice System Response to Sexual Violence in Thailand and Viet Nam' (UN Women, UNDP and UNODC, 2017).

26 In many cases, implicit and explicit gender bias can deter investigators from following best practices, or even initiating an investigation (US Department of Justice, 2015).

27 See the 'Training Manual for Police Officers Strengthening Program for the Security of Vulnerable Groups' (UNODC in partnership with the Government of Mexico, 2017). Also see the 'Handbook on Effective Prosecution Responses to Violence against Women and Girls' (UNODC, in partnership with UN Women, 2014).

## Box 2

### The Most Frequent Prejudices in the Police Response to VAWG\*

- Delayed reporting by the victim;
- The victim's history of making similar reports;
- What the victim was wearing at the time the victimization occurred and how she generally dresses;
- Victim's resistance to file the complaint;
- The sexual history of the victim;
- The emotional state of the victim (for example, if she seems calmed or visibly upset);
- The victim's lack of resistance;
- The criminal record of the victim or her involvement in prostitution;
- Belief that the victim has a mental illness;
- Belief that the victim may be under the influence of alcohol or drugs;
- The height of the victim is comparable to the height the aggressor;
- The lack of any obvious signs of physical harm to the victim;
- Whether the victim was attacked by a person of the same sex;
- The victim's sexual orientation or gender identity.

\*Sources: 'Training Manual for Police Officers Strengthening Program for the Security of Vulnerable Groups' (UNODC, in partnership with the Government of Mexico, 2017); Also Identifying and Preventing Gender Bias in Law Enforcement Response to Sexual Assault and Domestic Violence (U.S. Department of Justice, 2015)

Moreover, a UNHCHR Study reports the findings of non-governmental organizations indicating that incidents of VAWG involving women and girls with disabilities are often not investigated owing to social barriers. These barriers include the failure of the police to file criminal complaints, because of their stereotypical perception of women and girls with disabilities; and structural barriers, such as the requirement of legal capacity in order to be viewed as a "competent witness".<sup>28</sup>

The UNPOL Gender Toolkit '*Standardized Best Practices on Gender Mainstreaming in Peacekeeping Compendium*

28 See note 2.

of *Project Tools*' (2015) also offers very useful insight on how certain myths can influence the attitude of police officers and create barriers in the investigation of sexual violence, particularly when officers don't clearly understand that sexual violence – whether public or private – is a crime and that they have the duty to

thoroughly investigate, record and to file cases, as well as arrest the alleged perpetrator.<sup>27</sup>

See below examples of myths about rape from the UNPOL Gender Toolkit:

### Box 3

#### Myths About Rape from the UNPOL Gender Toolkit (2015)

Myth	Fact
Sex is the primary motivation for rape	Power, anger, dominance and control are the main motivating factors for rape, not sex.
Only certain types of women are raped	Any woman can be a victim of rape. However, many people believe women who are of high moral character (“good girls”) don’t get raped and that females of low moral character (“bad girls”) do get raped.
Women falsely report rape	Only a very small percentage of reported rapes are thought to be false reports.
Rape is perpetrated by a stranger.	The vast majority of rapes are perpetrated by a known assailant.
Rape involves a great deal of physical violence and the use of a weapon	Most rapes do not involve a great deal of physical force. The majority of victims report that they were afraid of receiving serious injuries or of being killed and so offered little resistance to the attack. This may also explain why little force or weapons are needed to subdue victims.
Rape leaves obvious signs of injury	Because most rapes do not involve a significant amount of force there may be no physical injuries. Just because a person has no physical injuries does not mean they were not raped. Only approximately one-third of rape victims sustain visible physical injuries.
When women say “no” to sex, they actually mean “yes”.	“No” means no; a woman’s wishes in this regard should be respected at all times.
Sex workers cannot be raped	Any man or woman, regardless of his or her involvement in the commercial sex industry, can be raped. Studies show that a significant proportion of male and female sex workers have been raped by their clients, the police or their partners.
A man cannot rape his wife.	Any forced sex or forced sexual activity constitutes rape, regardless of whether or not the woman is married to the perpetrator. Unfortunately, many jurisdictions have marital rape exemptions in their laws; although married women are subject to rape by their husbands, the law does not recognise it as such.
Rape is reported immediately to the police	The majority of rapes are never reported to the police. Of those that are reported, most are done so more than 24 hours after the incident. Victims may not file a report at all or delay reporting because they think nothing will be done, the perpetrator may have made threats against them or their families, they are afraid of family or community responses or they are ashamed; some victims simply feel that it is a private matter or do not know where to report the incident.

<sup>29</sup> UN Police Gender Toolkit ‘Standardized Best Practices on Gender Mainstreaming in Peacekeeping Compendium of Project Tools’ (United Nations Department of Peace Operations, 2015) at <http://repository.un.org/handle/11176/387374> p. 197. See also the WHO Guidelines for Medico-Legal Care for Victims of Sexual Violence (2003).



Photo courtesy of Force International (Kosovo)

## ESTABLISHING PRIORITIES AND GOALS FOR GENDER-RESPONSIVE POLICING

Establishing realistic priorities and setting related goals are the most effective way to keep your team motivated. However, your team's success will be affected by the **type** and **quality** of goals you set as team leader. The type and quality of your goals will be shaped by your organisation's strategic priorities and adjusted to meet the security demands of your local communities.



*Understanding the nature of gender relations is central to advancing gender equality and women's empowerment and achieving positive policing outcomes. Transform unequal gender relations to promote shared power, equal access to resources, and shared decision-making*

Knowing the evolving and different security needs of your local communities will be the key factor in your operational success. Negative or biased attitudes of your

team members that lead to, or result in, discrimination against certain members or a group within the community, will undermine your operational effectiveness.

In contrast, positive attitudes and police behaviours that demonstrate a willingness to work with and support victims of VAWG will help to legitimise police efforts within your communities. Understanding and demonstrating consideration of the differential security needs of communities will enable a better overall policing service, as the police will be more informed on local crime trends, including how VAWG can overlap with other crimes such as human trafficking and modern slavery.

Positive attitudes and police behaviours for responding effectively to VAWG should be reflected in key competencies and skill sets promoted and institutionalised by your organisation as they reflect national priorities.

However, priorities require a common understanding of the problem and why the problem must be addressed. In terms of VAWG, it is fundamental that senior police leadership establish an informed and common understanding of the nature of VAWG, its causes and consequences and how it impacts women and girls differently and disproportionately. This will provide you, as the middle manager, with the institu-

tional legitimacy to be an active change agent in the transformation of your organization and mitigate any harmful bias exhibited by your staff in the process..

Priorities also need a clear strategic vision that allows the *whole* police organisation, regardless of rank, to know in which direction to invest efforts.

For more information on gender-responsive police transformation, see Chapter 10: ‘Institution Building’ and Chapter 11: ‘Challenges and Strategies to Implementing Gender-Responsive Policing.’

A hypothetical example of a police organisation’s strategic vision when responding to VAWG could be:

**Increased reporting and deterrence of VAWG as a result of effective and adequate police services that prioritise the needs of victims/survivors and connect them with essential services that ensure their well-being.**

Based on this hypothetical vision, priorities, goals and strategies can be established. In Figure 3, is a simplified example of a goal-setting template for gender-responsive policing to VAWG that reflects the ESP’s principles and common characteristics.

**Figure 3**  
An example of a goal-setting template for gender-responsive policing to VAWG:

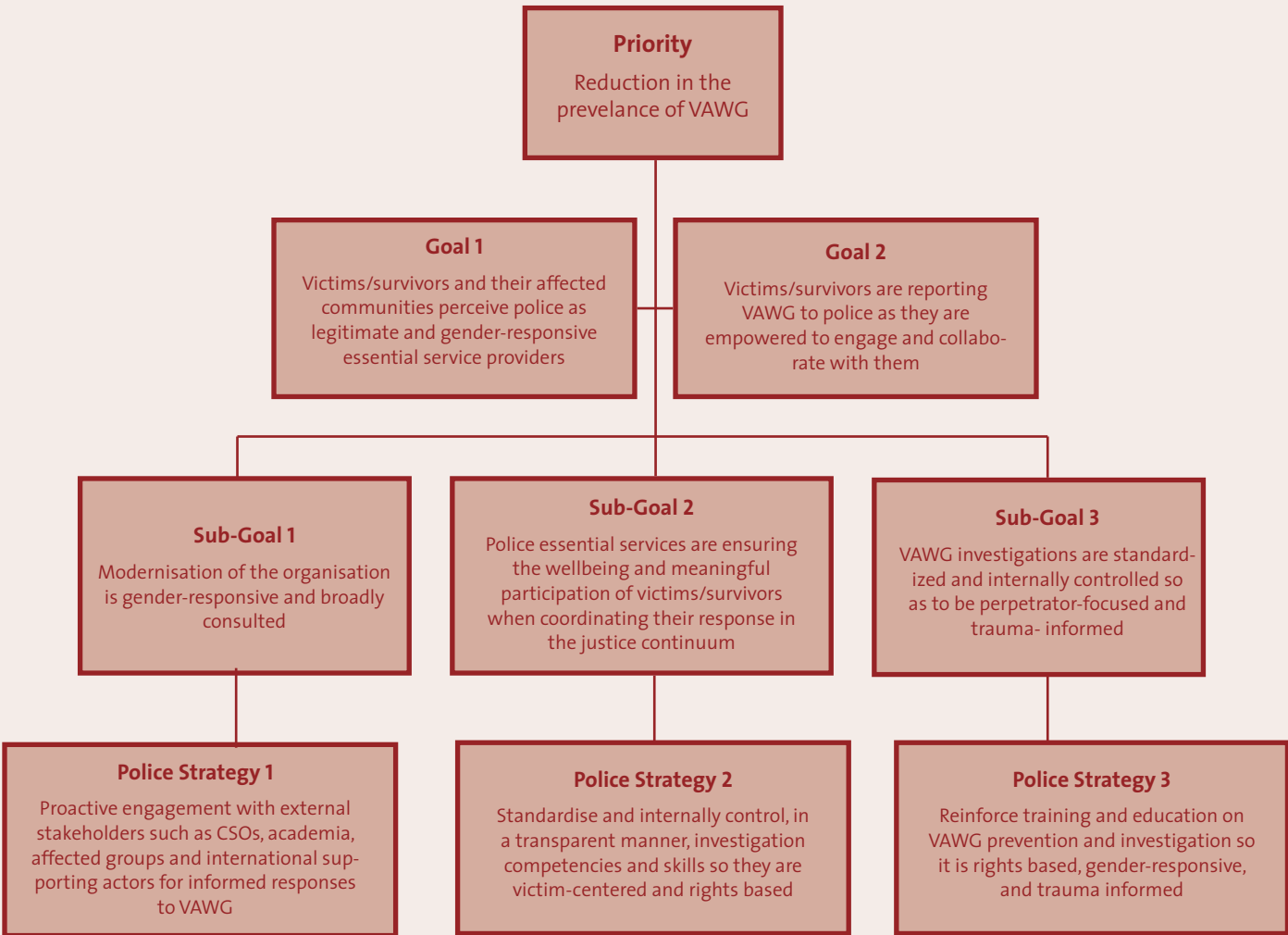






Photo courtesy of UNMIT/Martine Perret (Timor-Leste)

Some examples of strategic actions that are needed from middle managers to achieve these proposed goals:

1. Establish working relationships with external stakeholders such as women’s or civil society organizations, academia, minoritized and vulnerable groups, and other key actors for a more informed response to preventing and investigating VAWG;”
2. Guarantee the standardization and quality control of key competencies and soft skill sets applied in the investigations of VAWG, to ensure they are victim/survivor-centred and rights-based;
3. Promote by example and reinforce training and education on VAWG prevention and investigation, so responding officers engage victims/survivors in a rights-based, gender-responsive trauma informed and non-discriminatory manner.

## MEANINGFUL PARTICIPATION IS AT THE HEART OF GENDER-RESPONSIVE POLICING

As previously discussed, police responding to VAWG in an effective and gender-responsive manner requires a strategic commitment from the police leadership to ensure a victims/survivor’s **meaningful participation**.

**Meaningful participation** requires that individuals and their communities are entitled to participate in the decisions that directly affect them, including in the design, implementation, and monitoring of interventions. This may take different forms, including providing victims/survivors with balanced, objective information so they retain intimate control over the key decisions that affect their well-being. It can also involve consulting them to obtain feedback on the decision-making process, including developing and identifying alternative solutions.

The concept of ‘meaningful’ demands that women and girls not only be present, but that their concerns are heard and taken on board. They should have the opportunity to contribute their knowledge and articulate what they need to ensure that a gender perspective informs and shapes police strategies and that outcomes also benefit the whole of society.



Photo courtesy of Carolyn Kovacs Anderson (United States of America)

For example, women are generally under-represented in police forces worldwide. The structural and institutional barriers, and negative stereotyping around gender significantly affects the work environment for women, and these factors are exacerbated for women with disabilities and/or come from minoritized ethnic groups or communities.

The legitimacy of the police organization increases when the groups and communities, they serve can identify with them and feel represented at the same time.”

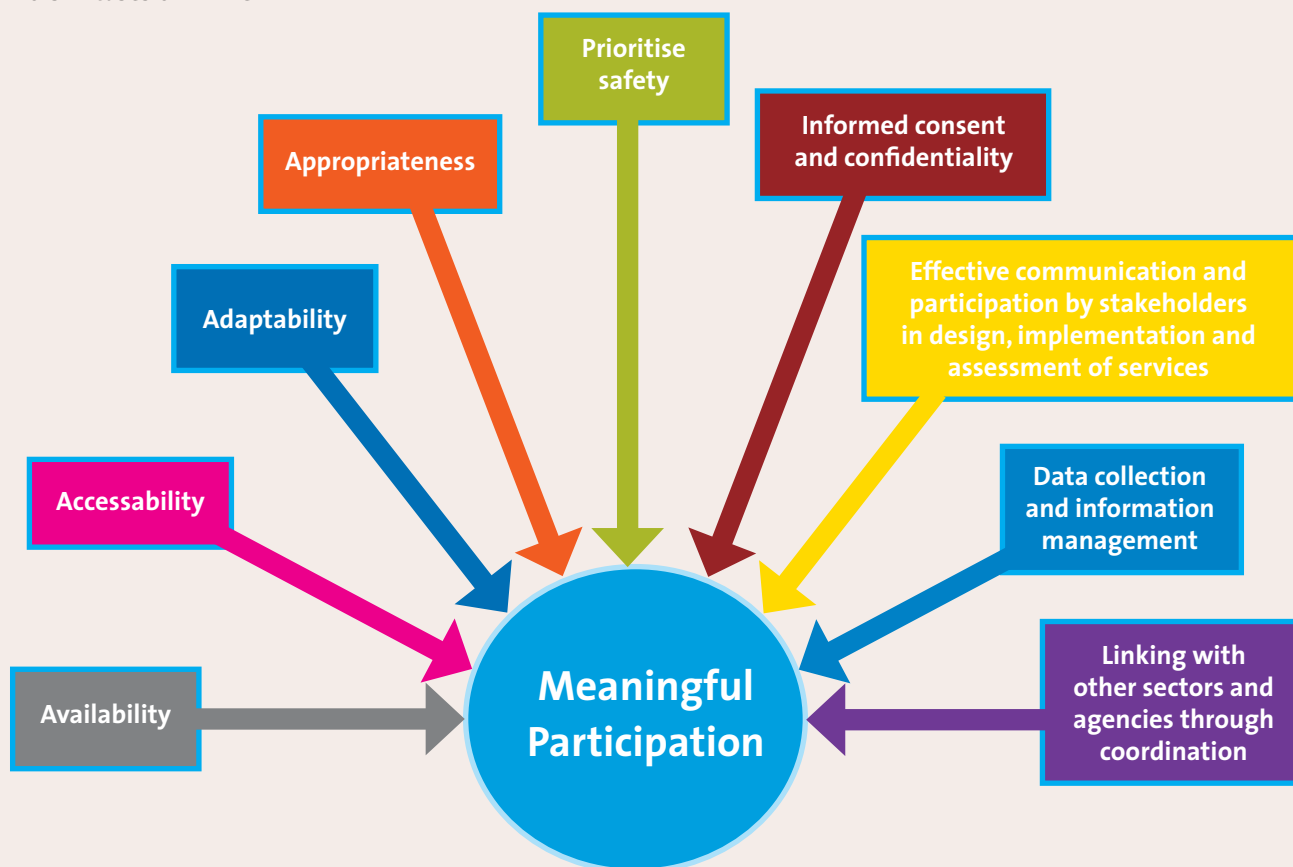
Gender-responsive policing needs to be inherently inclusive and representative, requiring the development of mechanisms around information sharing with civil society advocates, while recognising that civil society

organisations are themselves not inclusive of persons with disabilities.

To ensure the meaningful participation of victims/survivors and their communities in police strategies and actions, the Handbook proposes police management refer to the nine common characteristics that all essential services should inherently demonstrate. These common characteristics, enshrined in the ESP, align all essential service efforts to maximise positive impact by seeking to ensure victims/survivors of VAWG meaningfully participate in the justice process. Effective police prevention and investigation actions and activities when responding to VAWG are critical.

**Figure 4**

**Common characteristics of a quality police response that underpin the meaningful participation of victims/survivors in cases of VAWG**





The following are the common characteristics as described by the ESP:

- 1. Availability:** All essential services must be available in sufficient quantity and quality to all, regardless of their place of residence, nationality, ethnicity, caste, class, migrant or refugee status, indigenous status, age, religion, language and level of literacy, sexual orientation, marital status, disabilities or any other characteristic not considered.
- 2. Accessibility:** All essential services must be accessible to all without discrimination. They must be physically accessible (services are within safe physical reach for all women and girls), economically accessible (affordability) and linguistically accessible (information is provided in various formats).<sup>30</sup>
- 3. Adaptability:** All essential services must recognize the differential impacts of violence on different groups of women and communities. They must respond to the needs of victims and survivors in ways that integrate human rights (and culturally aware principles).
- 4. Appropriateness:** All essential services must respect the victim's/survivor's dignity; guarantee their confidentiality; be sensitive to their needs and perspectives and minimize another form of victimization.
- 5. Prioritize safety:** Victims/survivors face many risks to their immediate and ongoing safety. These risks will be specific to the individual circumstances of each person. Risk assessment and management can reduce the level of risk. Best practice risk assessment and management includes consistent and coordinated approaches within and between social, health, police and justice sectors.

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<sup>30</sup> All essential services should be accessible for all, including for women and girls with disabilities. Protocols should be in place for each type of impairment (visual, hearing, mobility, mental health, psychosocial, etc.) and officers trained to accommodate the needs of women and girls with different types of disabilities. See 'Women and Young Persons with Disabilities: Guidelines for Providing Rights-Based and Gender-Responsive Services to Address Gender-Based Violence and Sexual and Reproductive Health and Rights' (UNFPA-WIE, 2018)

#### Box 4

##### Accessibility also encompasses:

**Physical accessibility:** the location of the services, the entrance, and the parking area must be accessible to women and girls with mobility impairment. Movement within the facility must be possible for persons with mobility devices and/or sensory disabilities;

**Information and communication accessibility:** information must be accessible to women and girls with all types of disabilities. Various mediums must be available such as interpretation services, the use of plain language, audio, large print, braille, easy to read and pictorial language, etc. Beware of using family members or caregivers as interpreters, unless the victim/survivor gives clear free and informed consent, as family members or caregivers can also be perpetrators of violence.

- 6. Informed consent and confidentiality:** Victims/survivors need to know that they are being listened to and that their needs are being understood and addressed. Information, and the way it is communicated, can encourage victims/survivors to seek essential services. All communication with victims/survivors must promote their dignity and be respectful of them.
- 7. Effective communication and participation by stakeholders in design, implementation and assessment of services:** All essential services must be delivered in a way that protects the victim's/survivor's privacy, guarantees confidentiality, and discloses information only with their informed consent. Information about the victim/survivor of violence can be extremely sensitive. Sharing this information inappropriately can have serious and potentially life-threatening consequences for women or girls and for the people providing assistance to her.
- 8. Data collection and information management:** The consistent and accurate collection of data about the services provided to women and girls is important in supporting the continuous improvement of



Photo courtesy of UN Photo/Eskinder Debebe (Central African Republic)

services.<sup>31</sup> All essential services must have clear and documented processes for accurate recording as well as confidential, secure storage of information about victims/survivors, and the services provided to them.

**9. Linking with other sectors and agencies through coordination:** Linking with other sectors and agencies through coordination, such as referral pathways, will assist women and girls to receive timely and appropriate services. Referral processes must incorporate standards for informed consent. To ensure the smooth navigation of the different essential services for victims and survivors, protocols and agreements about the referral process including clear responsibilities of each service, need to be in place.

<sup>31</sup> Humanity & Inclusion recommend that all essential services collect disaggregated data by disability. See further: [www.hi-us.org/](http://www.hi-us.org/)

## RESPONDING TO VAWG STARTS WITH COMMUNITY ENGAGEMENT AND BEING CONTEXTUALLY INFORMED

As the national security policy defines your strategic priorities, it should also provide police operational managers with central objectives that are to be translated into practice, in local areas of command, in coordination with local partners..<sup>32</sup>

In theory, there should be consultation mechanisms in place that promote the meaningful participation of

<sup>32</sup> VA strategy on addressing VAWG needs to offer achievable goals that feed into other strategic frameworks, such as linking to children's service plans and national health strategies. In this way, authorities can ensure that addressing VAWG is a priority 'whole-of-government' issue and not just an issue of crime and public safety.

stakeholders to inform and consult with the police about security priorities. These mechanisms may exist in different forms, they could be municipal public forums or community policing committees where – ideally – the community informs the police of their diverse security needs and where the police seek to understand how security needs represent women, men, girls and boys differently.



*Leadership is about people not processes, policy or paper*

When such mechanisms exist, it is critical that they, and participating committees, include individuals from diverse backgrounds and that the default of engaging with ‘community leaders’, who are often male and self-appointed, is disrupted. Police leadership should be aware of how consultation mechanisms can be a valuable source of information and partnership-building to effectively respond to VAWG.

In the absence of local consultation mechanisms, police leadership should seek to advocate for them or engage with stakeholders to promote them. The police have an important role to play in proactively identifying entry points for collaboration with the communities they serve which will help prevent crime and violence in general. The police equally have the responsibility to ensure the voices of community groups or members who are at greater risk of violent crimes such as persons with disabilities, lesbian, gay, bisexual, transgender and intersex (LGBTI) individuals, elderly, at-risk-youth and persons living in remote areas meaningfully participate in the consultation process.

**See Chapter 3: ‘Prevention’ and Chapter 8: ‘Coordination with Justice Agencies’ for more examples of consultation mechanisms.**

In addition, it is essential that the police are able to understand disproportionality in relation to specific forms of VAWG, e.g. which groups of girls and women in your local community may be at higher risk of female genital mutilation and/or forced marriage.

Understanding the nature of violence, its causes and consequences and how it impacts women and girls differently and disproportionately should be discussed as part of a broad consultation process. Such a process requires the meaningful participation of diverse communities, local women’s organizations, organizations representing minoritized persons and groups, as well as victims/survivors who have had experience of the judicial system (ensuring consent, confidentiality and protection).

Armed with this information, rich in diverse representation and consultation, police leadership can tailor a victim-centred approach<sup>33</sup> to better meet the demands of diverse victims/survivors when VAWG occurs.

*Remember as police you are an integral part of the community, and the community is an integral part of you!*



Active engagement with affected communities and a standardised practice of applying a victim-centred approach in cases of VAWG will significantly contribute to the police being perceived as a legitimate and gender-responsive essential service provider by the communities they serve.

Gender-responsive policing can therefore be viewed as a combination between the on-going collaboration by police with diverse groups from communities they serve to prevent VAWG, and the meaningful participation of victims/survivors of VAWG in an investigation that seeks to be perpetrator focused and rights-based.

The following scenarios provide examples of what operational success can look like when responding to VAWG:

<sup>33</sup> According to the ESP framework, a ‘victim-centred’ or ‘survivor-centred’ approach places the rights, needs and desires of women and girls as the centre of focus of service delivery. This requires considering the multiple needs of victims/survivors, various risks and vulnerabilities, impact of decisions and actions taken, and also ensures that services are tailored to the unique requirements of each individual woman and girl. Services should respond to her wishes, see: <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2015/essential-services-package-module-1-en.pdf?la=en&vs=3347> p. 13.

- 1 SCENARIO 1:** Police services meet the needs of victims/survivors of VAWG through ensuring their involvement and consultation, without discrimination, throughout the perpetrator-focused investigation process and in coordination with supporting community members and health, social services and justice actors.
- 2 SCENARIO 2:** Perpetrator-focused investigation practice together with proactive collaboration between the police and communities in deterring VAWG has empowered more victims/survivors to report to the police and to participate in the judicial process to its end.
- 3 SCENARIO 3:** Risks of VAWG is reduced as the police and communities collaborate actively to ensure a victim-centred approach that is able to meet the diverse demands of victims/survivors and that perpetrators are held to account and face consequences for their violence.
- 4 SCENARIO 4:** Perpetrators of VAWG such as interpersonal violence are less likely to reoffend as a result of the police effectively enforcing civil protection orders, sending a clear message that there are consequences for violating an order and reoffending against the same or another victim/survivor.

## HELPING YOU ALONG THE WAY: GENDER-SENSITIVE INDICATORS FOR RESPONDING TO VAWG

Planning for team success when responding to VAWG will rely on your team's ability to own the activities being implemented. This means that all team members understand their and each other's roles and responsibilities when responding to VAWG.

The Handbook recognises that team roles and responsibilities will vary across police **organisations**. However, all team members should, regardless of their role in the team, seek to demonstrate the softer skill sets and competencies that underpin an effective response to VAWG. These skill sets and competencies will be explored in the later chapters in the Handbook and will reflect the ESP principles and common characteristics (Figure 2).

Planning for team success also includes recognising, capturing, analysing and utilising gender-sensitive and sex-disaggregated data needed to inform the overall team performance and the subsequent guidance required. Team data collection should reflect the

amount of gender-related crime occurring as it is an important indicator of the security of women, men, boys and girls.<sup>34</sup>

Gender-sensitive performance measures are thus crucial in ensuring that your police interventions to VAWG are sensitive to the needs of victims/survivors. This will in turn provide the backdrop for victims/survivors to report to the police and seek judicial remedies until full conclusion. Moreover, gender-sensitive performance measures inform policy makers and the community about the effectiveness of policing strategies.

**“Gender sensitivity aims to understand and take account of the societal and cultural factors involved in gender-based exclusion and discrimination in the most diverse spheres of public and private life.”**

- European Institute for Gender Equality

<sup>34</sup> Also see Megan Bastick, 'Gender Self-Assessment Guide for the Police, Armed Forces and Justice Sector' (Geneva: DCAF, 2011) for further information on gender-sensitive data capture, analysis and utilization.

As a police manager or team leader, delivering operational success when responding to VAWG will very much depend on how well your team is able to identify and capture gender-sensitive data when completing their daily functions. Having a clear set of performance-indicators that are sensitive to gender<sup>35</sup> and a team that is prepared to collect that information are the first steps in knowing if your team is on the right path to responding effectively and adequately to VAWG.

Some examples of gender-sensitive performance indicators for police activities include the following:

- An increase in the rate of victims/survivors reporting VAWG to the police, disaggregated by age, gender and other socio-economic variables<sup>36</sup> including factors such as ethnicity and disability;
- % of victims/survivors who had to use specialist VAWG services and who can report a complete cessation of all types of abuse, disaggregated by age, disability, gender and other socio-economic variables;
- % of female victims/survivors who expressed satisfaction with the support and assistance that they received from all services in relation to VAWG, disaggregated by age, disability and other socio-economic variables.

However, data collection of gender-related crime needs baselines as do any gender-sensitive performance measures put in place for enhanced professionalization and modernisation of the police organisation itself. Providing baselines for such data collection is normally an institutional process that feeds strategic-level goals. In the absence of such baselines, police leadership can

35 Gender refers to the roles and relationships, personality traits, attitudes, behaviours and values that society ascribes to men and women. 'Gender' therefore refers to learned differences between men and women, while 'sex' refers to the biological differences between males and females. Gender roles vary widely within and across cultures and can change over time. Gender refers not simply to women or men but also to the relationship between them. See: Megan Bastick, Kristin Valasek (2008), 'Security Sector Reform Assessment, Monitoring and Evaluation and Gender' in the *Gender and SSR Toolkit*, Geneva Centre for Security Sector Governance.

36 Note that an increase in reporting is not synonymous with an increase in incidences of VAWG.

## Box 5

### What Are Gender-Sensitive Performance Indicators?

Gender-sensitive performance indicators can be measurements, numbers, facts, opinions or perceptions that indicate a specific condition or situation in relation to the roles, behaviors, activities, and attributes that a given society at a given time, considers appropriate for men and women. Gender-sensitive performance indicators measure change in these conditions or situations over time providing information on relations between women and those between men highlighting the respective expectations placed on them by society.

assume a change agency role and develop baselines for their own team's activities with support of units tasked with statistical collection and analysis.

***Please refer to Chapter 10; 'Institution Building' for further discussion on the institutional commitment to the collection of gender-sensitive data in responding to VAWG.***

The police should take caution when interpreting rates of reported crime such as cases of sexual violence. For example, when informing the public about an increase or reduction of crimes reported, the public should be made aware that the reduction of reported cases does not necessarily mean that the level of violence has decreased. This is especially important as the focus on reported crime tends to overlook unreported crimes, which tend to be gender-based violence crimes.

On the other hand, an increase in reporting may reflect more awareness and trust in the institutions rather than an increase in the level of violence. Unfortunately, such a positive trend is difficult to empirically attribute to the police when other essential services and law enforcement agencies may be equally involved as per their competency.

Moreover, the National Institute of Justice in the U.S. warns that focusing on the reductions in the number of serious crime reports such as on rape, offers a very



narrow insight into methods or strategies employed to respond to those crimes, such as engagement with communities or women’s organisations. This makes it difficult for police organisations to attribute impact to police outreach and partnership building activities, which are at the heart of intelligence-led and community policing, unless qualitative indicators are in place which measure the levels of trust or perception of the police services.

Focusing on the reductions in the number of serious crime reports can put relentless pressure on the police to lower those numbers, without equivalent pressure to preserve the integrity of the recording and reporting systems.<sup>37</sup> The U.S. National Institute of Justice states that pressure to achieve public safety targets, especially when overly ambitious, invites the manipulation of crime statistics — suppression of reports and misclassification of crimes — and other forms of corruption.<sup>38</sup>



*Gender analysis is a critical examination of how differences in gender roles, activities, needs, opportunities and rights/entitlements affect men, women, girls and boys in certain situation or contexts.*

Experts indicate that organisational misconduct arises when the popular demand puts greater emphasis on achieving the ends than on restricting the means.<sup>39</sup> As a result, the norms regulating the means receive less attention and tend to lose their impact on regulating behavior.

37 Malcolm K. Sparrow (2015), ‘Measuring Performance in a Modern Police Organization’ in ‘New Perspectives in Policing’. (National Institute of Justice).

38 Ibid.

39 D. Vaughan, ‘Controlling Unlawful Organizational Behavior: Social Structure and Corporate Misconduct’, Chicago, Illinois: University of Chicago Press, 1983 and R.K., Merton, ‘Social Structure and Anomie,’ in *Social Theory and Social Structure*, enlarged ed., New York: New York: The Free Press, 1968. See also n. 37.

For example, security policies that emphasise counter-terrorism targets may incentivise police action to ‘over police’ targeted communities, at the risk of derailing previous community policing efforts to gain the trust of communities, including from women and girls who may be more minoritized and/or invisible, thus more vulnerable to VAWG. In another example, security policies that seek to reduce the number of illegal immigrations often force illegal migrants to not report crimes committed against them or others, such as those linked to modern slavery, human trafficking, interpersonal violence and sexual violence, amongst others.

By applying **gender analysis** that accounts for intersectional factors (see below) in data collection of gender-related crime, police leadership can better identify the differential impact their actions are having on the communities they serve and protect. Such information is critical to convey to the public when presenting rates of reported crime.

Moreover, ensuring your team planning includes a gender-sensitive analysis<sup>40</sup> over its own actions will help to mitigate against reinforcing past discrimination committed by fellow police officers or other close partners in the justice system. This in turn will help to decrease the risk of your team committing human rights violations during duty.

The Handbook offers the police many different reference indicators based on the ESP’s *Common Characteristics of Quality Essential Services* to complement the rates of specific crimes so that the whole picture of police efforts can be appreciated by the communities they serve.

The proposed reference indicators are expanded in Chapters 3 to 9 to help police leadership identify which data sources will strengthen their team’s response to VAWG according to Module 3 Justice and Policing of the ESP. The reference indicators are not necessarily prescriptive but rather are meant to inspire proactive leadership towards evidence-informed actions.

40 The gender analysis should also seek to triangulate the victim’s/survivor’s demographic profile against victimisation trends, public perception of police studies and crime statistics of all tiers.

“It can be easy to categorise sub-communities, such as women as being vulnerable. This in turn can create a perception that women’s groups are weaker than men’s groups thus further marginalising women’s sub-communities. An attitude must be adopted that empowers women to recognise the strengths they possess. Therefore, a female police officer in a position of power is a valuable role model to the women and girls in the communities.”

-UN Police Gender Toolkit (2015)

## RECOGNISING DIFFERENTIAL AND INTERSECTING FACTORS

Women and girls are not a homogeneous group, thus for crime data to reflect the differential and intersecting security needs of women and girls, collecting detailed and gender-sensitive information about the demographic and socio-economical profiles of the victims/survivors will be imperative.<sup>41</sup>

The collected data should also undergo a **gender-sensitive analysis** which seeks to establish what are the needs and expectations of women, men, girls and boys, how they are different from each other, whether the planned intervention is addressing their gendered needs, and how the contribution to the needs of women, men, boys and girls can be strengthened.

“About 15 per cent of the world’s population lives with some form of disability.”

-The Sphere Handbook (2018)

As an integral part of the gender-sensitive analysis, police leadership should commit to applying an intersectional lens or **‘intersectionality’** that accounts for how differently women and girls are subjected to violence and how they experience crime. This can be

41 The Updated *Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice* (UN General Assembly resolution 65/228, annex) calls upon Member States to set up and strengthen mechanisms for the systematic collection of data on violence against women with a view to assessing the scope and prevalence of such violence and to guiding the design, implementation and funding of effective crime prevention and criminal justice responses.”

used to understand women and girls’ experiences at the intersection of a number of simultaneous oppressing factors including [but not limited to] race, class, caste, gender, ethnicity, sexuality, disability, nationality, immigration status, geographical location, religion and so on.<sup>42</sup>

An individual’s social identity such as being a person with a disability or from a minoritized<sup>43</sup> or underrepresented group, can combine with situational circumstances, such as armed conflict and/or humanitarian crisis to increase the levels of risk of VAWG.

**See Chapter 13: ‘Emerging Issues’ for more information on how conflict-related situational circumstances and individual social identities intersect to increase vulnerability to VAWG.**

As the police have the constitutional duty and international obligation to protect the local population from violence and crime without discrimination, the way the police collect such data reflects their commitment to this service and duty.

The Sphere Handbook (2018) recommends disaggregating data to the extent possible and with categories appropriate to the context, to understand differences based on sex or gender, age, disability, geography, eth-

42 The Value of Intersectionality in Understanding Violence against Women and Girls (VAWG)’ (Imkaan, UN Women and the European Union, July 2019).

43 Minoritization effectively creates and maintains the social, political, economic and other conditions that lead to groups of people being treated and defined as minorities e.g. ‘ethnic minority’ and ‘minority ethnic’. Minoritization is an ongoing, active process which marginalises particular groups on the basis of ‘race’, ethnicity and other grounds. See: ‘From the Margin to the Centre: Addressing Violence Against Women and Girls Alternative Bill’ (Imkaan, October 2018).

nicity, religion, caste or any other factors that may limit access to impartial assistance.<sup>44</sup>

Understanding how social identity and situational circumstances can converge (intersect) to increase or decrease the risk or threat to women and girls will allow for more informed decision-making on the prioritization of human and material resources, both preventively and in reaction to VAWG. To help understand the intersectional<sup>45</sup> approach to VAWG, UN Women (2018)<sup>46</sup> have

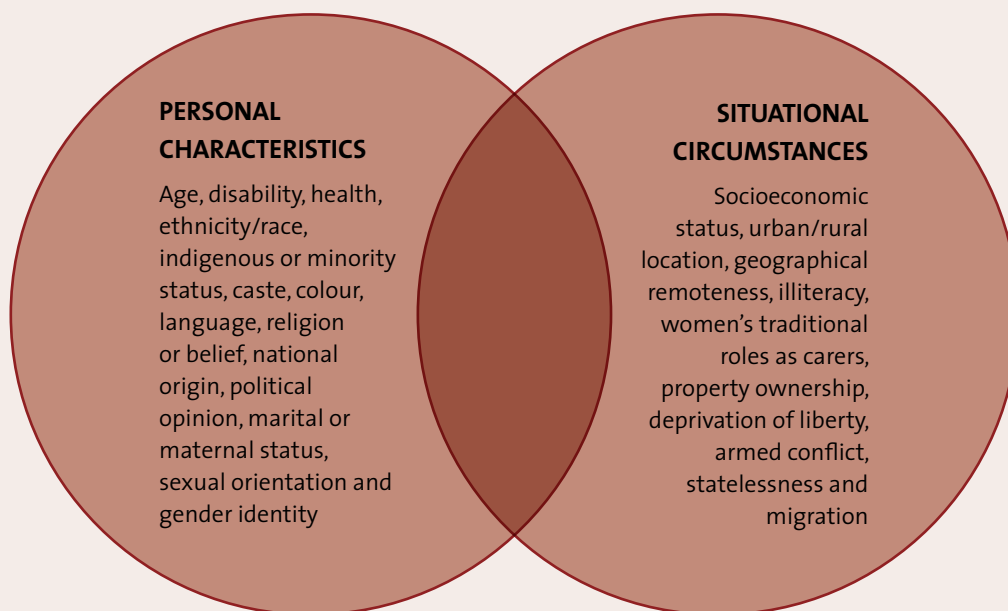
**“People who identify as lesbian, gay, bisexual, transgender, queer or intersex (LGBTQI) are often at heightened risk of discrimination, stigma, and sexual and physical violence.”**

-The Sphere Handbook (2018)

illustrated the characteristics and situational factors that influence a woman’s or girl’s vulnerability to violence (Figure 5):

**Figure 5:**

**Characteristics and Situational Factors that Influence Vulnerability**



44 ‘The Sphere Handbook: Humanitarian Charter and Minimum Standards in Humanitarian Response’, 4th edition, (The Sphere Association. Geneva, Switzerland, 2018).

45 Crenshaw, K., ‘Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics’, University of Chicago *Legal Forum Volume* 1989, Issue 1, Article 8.

46 ‘A Practitioner’s Toolkit on Women’s Access to Justice Programming (UN Women et al. 2018), at: <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2018/wa2j-complete-toolkit-en.pdf?la=en&vs=2654>



## WHAT IS MEANT BY A VICTIM-CENTRED APPROACH?

According to UNODC<sup>47</sup>, the police act with a **victim-centred approach** when they place the needs of the victim/survivor at the core of any intervention, from institutional policy, all the way to operations and concrete actions. This entails ensuring a service delivery that protects, assists and supports the empowerment of women and girls, at the same time prioritising issues of physical and psychological safety.

Most importantly, the victim-centred approach aims to accompany victims/survivors in their quest for access to justice for crimes of VAWG in an empathetic and, respectful manner and in parallel, discourage officials from blaming them for their reluctance to cooperate with the criminal justice system. Thus, it is important for the police to be aware of and be sensitive to the impact of trauma<sup>48</sup> and be victim-centred especially when victims/survivors seem uncooperative, as they may actually be traumatised and in fear of the perpetrator and/or wider systemic pressures and in need of urgent support.

**Successful maintenance of confidentiality by police can lead to more crimes being reported and more confidence in the police in general.**

-United Nations Police Gender Toolkit 2015

According to UNODC, a victim-centred approach from the police requires them to counter the attitudes of tolerance towards VAWG, discourage social passivity and victim-blaming, and acknowledge how these crimes have longstanding negative social and economic costs

on all society, let alone the physical and mental health impact on victims/survivors and their children and other family members.

This also means that police officers in contact with the victim/survivor should take steps to ensure they do not cause secondary victimization. Secondary victimization occurs not as a direct result of a criminal act but rather the inadequate response of the police and other competent institutions and individuals to the victim.<sup>49</sup>

Just by being proactive and professional in completing their assigned tasks, responding officers can significantly minimise the risk of secondary victimization. For example, responding officers can easily be diligent about making available police reports to victims/survivors to aid them in pursuing protection orders, civil remedies, immigration petitions, insurance benefits, and compensation claims.

To ensure the victim-centred approach protects the victim/survivor from further harm, help them to cope with feelings of stigma and empower their decision making without pressure and judgment, UNPOL has proposed four guiding principles for the police to follow with due diligence and professionalism<sup>50</sup>:

1. Physical safety of the victim
2. Confidentiality of the victim
3. Respect the rights of the victim
4. Non-discrimination

The following is a summarized version of key actions (Figure 6) the police can take to implement UNPOL's Guiding Principles for a victim-centred approach and ensuring no further harm is done:

47 'Strengthening Crime Prevention and Criminal Justice Response to Violence against Women' (UNODC, 2014).

48 Being sensitive to the someone's traumatic experience or being trauma informed focuses on the specific experiences that impact victim/survivor trauma, memory, reactions and behavior and the how responding police officer interpretation of this behavior impacts sexual assault investigations. For more information see 'Trauma Informed Sexual Assault Investigation Training' From The International Association of Chiefs of Police (IACP), at: <https://www.theiacp.org/projects/trauma-informed-sexual-assault-investigation-training>

49 See note 47.

50 UN Police *Gender Toolkit* (UN. Department of Peace Operations - DPO/DPET/Integrated Training Service, 2015)

Figure 6

## UNPOL's Victim-centred approach

### PHYSICAL SAFETY OF THE VICTIM

- Ensure knowledge of the security risks to which a victim might be exposed
- Hold all conversations, assessments and interviews in a safe setting
- Ensure the victim has a safe place to go
- Verify if the victim is at risk of being confronted by the offender
- Be aware of the support systems available

### CONFIDENTIALITY OF THE VICTIM

- Share the story of the victim with other support system professionals only when the victim understands what this implies and has given consent beforehand
- Restrict access to medical information to authorised officers and medical professionals
- Safeguard all investigation information to ensure the safety of the victim and to avoid the victim from being threatened or ostracised by their community
- Ensure that the victim does not experience further violence, insecurity, or revictimisation as a result of reporting the crime
- Act exceptionally to the principle of confidentiality if there are reasonable grounds to prove child abuse or neglect, life-threatening situations, suspicion of suicidal tendencies or a serious threat of harm to others
- Seek advice from health care workers and counsellors in situations triggering exceptions to the principle of confidentiality

### RESPECT THE RIGHTS OF THE VICTIM

- Respect the wishes, the rights and the dignity of the victim by demonstrating a supportive attitude
- Prioritise the attention for all needs of the victim including medical, psychological, social and legal requirements
- Ensure the best interests of any children involved including taking extra precautions when asking for consent and when to consult their legal guardian
- Ensure the victim's right to information by providing appropriate updates on her case to allow informed decision-making and risk assessment
- Ensure the victim is involved in decision-making, so she becomes empowered and in control of her own life
- Avoid giving a victim advice as it can be taken as telling someone what you think they should do and how they should do it, which means inserting your own personal opinion
- Respect that a victim has a right not to undergo any treatment, examination, or other intervention
- A victim has a right to be accompanied by a police officer or counsellor throughout the investigation, but this should be decided by the victim including by whom she wants to be accompanied when she receives information, is examined or receives other services

### NON-DISCRIMINATION

- Ensure all victims are treated equally with respect and dignity, independent of sex, age, background, race, disability status, ethnicity, sexual orientation or the circumstances of the incident
- Be aware of your and your team's own prejudices and assumptions about sexual gender-based violence in order to not discriminate against victims
- Monitor your own behaviour and that of your team, and do not let personal beliefs influence your collective work
- Be aware of your language, body language and general attitude toward the victim

Source: See <http://repository.un.org/bitstream/handle/11176/387374/United%20Nations%20Police%20Gender%20Toolkit%20Compendium%20of%20Project%20Tools.pdf?sequence=55&isAllowed=y> at p.303.

Despite organisational challenges, you as a police manager can lead your teams towards operational success when responding to VAWG by focusing on cost-efficient approaches. These require your leadership commitment to equity and equality, proactive attitude towards a victim-centred approach and resourcefulness in partnership engagement. For example, in box 6, UNPOL identifies how police managers can empower female police officers to be transformative agents of change and conduits of police effectiveness and efficiency when responding to VAWG:

This Handbook has been devised to help you in your role as a police middle manager who has responsibility for a team or teams of officers in providing an effective and gender-responsive service to your local communities. Whether you are in charge of a police station, department or policing district, you will face many daily challenges, not least matching limited resources to an ever increasing and changing workload. This is why it is critical that you and your staff build the trust and confidence of your local communities in your ability to provide them with safety and protection. Without the help and support of the communities you serve, your job will be that much harder, and your ability to achieve positive outcomes, drive both personal and team performance and thereby demonstrate to your senior leadership your competencies as a leader, will be vastly reduced.

The following chapters have been developed for the benefit of you and your staff and you are encouraged to apply the guidance provided within the context of your local working environment.

#### Box 6

##### **Commander's Tips for Using Female Police Officers in an Efficient and Effective Way When Engaging Communities:**

- 1. Make female police officers accessible to the public:** Female officers working in patrol and fixed posts in high population areas improve visibility and reassurance for persons, particularly women and children, within those areas.

- 2. Female officers' participation in high result operations:** Female police officers participating in high result operations send an important message that they have a critical role to play as security providers. Furthermore, female officers conducting public arrests show that women are strong and capable. The role of female officers is particularly important in interviewing victims, witnesses and suspects, especially women and children.

- 3. Assign female officers to frontline roles:** Female officers involved in quick response to emergency incidents, particularly incidents of disorder, can demonstrate the role of women as a lead role in policing units.

- 4. Specialised units with female officers:** It is important to establish police units that are particularly dedicated to cases of VAWG that include female police officers. The ability of a victim to speak to a person of their own gender will ensure that the best evidence is obtained and victims are supported.

- 5. Leadership roles:** In meetings with victims, affected groups, NGOs and government agencies, it is important to consistently demonstrate that women play a lead role in policing units that deal with problem solving and issue resolving. This provides an opportunity to highlight the role of women in the police.

- 6. Male supporters:** The active support of male officers to female officers' roles is essential. This also includes working alongside host State police officers to promote the role of equal member teams where all members actively support and encourage each other.

Source: UNPOL Gender Toolkit (2015) p. 298



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# PREVENTION

*"Prevention is the first imperative of justice."*

—United Nations (S/2004/616, para. 4)

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# CHAPTER GOALS:

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**VAWG crimes are being deterred as a result of police prevention strategies that are adequality informed by stakeholders, supported by communities and are victim/survivor-centred in their approach.**

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## **Key Messages and Learning Points**

- Understanding the nature of VAWG, its causes and consequences and how it impacts women and girls differently and disproportionately is at the heart of its prevention;
- Prevention starts with the ability to identify and analyse the root causes of VAWG in order to drive solutions;
- Prevention of VAWG requires a collaborative approach between the police, other agencies/service providers and the local community;
- Preventing VAWG means consulting those at greater risk of harm;
- Increased public trust and confidence towards the police are signs that prevention strategies are working;
- Men can, and should, show leadership by taking a vocal stand against VAWG;
- Priority should be on activities that focus on interventions to stop violence, prevent future violence and to encourage women and girls to report for their own safety.



# INTRODUCTION

For prevention to be impactful when reducing widespread and underreported crimes such as VAWG, the police need to be supported by the communities they serve. Investing effort, time and resources on crime prevention for communities is not only a good investment but it also saves lives.

Photo courtesy of MINUSTAH/Logan Abassi (Haiti)

In taking an evidence-based approach<sup>1</sup> to policing, the UK authorities learned that crime increases when there are more opportunities to offend, and falls when the number of opportunities are reduced.<sup>2</sup> This has led them to work on the simple assumption that crime can be prevented by removing the opportunity to commit it. This can only be done in collaboration with affected communities.

Given that communities are often very diverse, it is important that the policing approach is sensitive and responsive to this diversity. This includes understanding that within many communities, there are individuals and groups that are excluded and marginalised in multiple, intersecting ways.

<sup>1</sup> See Guerette, R.T. & Bowers, K.J. (2009), 'Assessing the Extent of Crime Displacement and Diffusion of Benefits: A Review of Situational Crime Prevention Evaluations', in *Criminology*, 47(4), in Modern Crime Prevention Strategy (Home Office UK, 2016).

<sup>2</sup> See Guerette, R.T. & Bowers, K.J. (2009), 'Assessing the Extent of Crime Displacement and Diffusion of Benefits: A Review of Situational Crime Prevention Evaluations', in *Criminology*, 47(4), in Modern Crime Prevention Strategy (Home Office UK, 2016)..

In order to support and collaborate with the police, communities expect a police service that is as legitimate as it is effective. According to the Geneva Centre for Security Sector Governance (DCAF) police legitimacy is a crucial dimension of good policing; it refers to the degree of public support for the police.<sup>3</sup>

**“In accordance with UN standards, every police or other law enforcement agency should be representative of and responsive and accountable to the community it serves.”**

-General Assembly Resolution 34/169 of 17 December 1979

Public support for the police requires them to be responsive to the community's diverse security needs. Integrating women's voices, irrespective of their background, by supporting initiatives and organizations

<sup>3</sup> See Guerette, R.T. & Bowers, K.J. (2009), 'Assessing the Extent of Crime Displacement and Diffusion of Benefits: A Review of Situational Crime Prevention Evaluations', in *Criminology*, 47(4), in Modern Crime Prevention Strategy (Home Office UK, 2016)..

## Box 1

### Coordination means Consultation



Photo courtesy of UNMINUSTAH/ Logan Abassi/ (Haiti)

In order to understand the crime and violence phenomenon affecting women and girls, coordinated efforts need to be informed via a consultative process. This consultative process needs to ensure the meaningful participation of women and girls, so their voices are heard, and their priorities are reflected in coordinated efforts. The European Institute for Gender Equality proposed four steps to stakeholder consultation that can be very useful for the police when establishing coordination partners in general and ensuring their meaningful participation. They include:

- **Planning.** This includes defining the purpose of the consultation and topics to be covered, identifying those that have to be consulted and paying attention to ensuring gender balance as well as an adequate and diverse representation of organisations with gender expertise. At this stage it is important to identify the groups whose voices have been traditionally marginalised in decision-making processes (e.g. migrant women) and who may need tailored support for engagement and to consider specific requirements for participation that need to be met (for instance, providing childcare).
- **Consulting stakeholders.** This process should be conducted early so the right issues influence the decisions to which they relate, disseminate relevant information in advance and be localised to reflect appropriate time frames, context and local languages.
- **Incorporating feedback** from consultations into the strategic planning of coordinated efforts to ensure that stakeholders' opinions, diverse needs and concerns on gender equality are reflected adequately in the final decision/intervention.
- **Documenting** the consultation process and its results and reporting back to the stakeholders. This includes informing those who have been consulted about the key issues raised as an essential step for maintaining engagement.

Source: Adapted from Gender Stakeholder Consultation. European Institute for Gender Equality.

that seek women’s equal and meaningful participation in the development and implementation of crime and violence prevention strategies is one effective way the police can gain legitimacy and support and eventually trust.

In fact, women’s participation in the development and implementation of prevention strategies should not be solely restricted to VAWG and other forms of GBV crimes, but to all categories and tiers of crimes. This will help ensure that not only the specific and diverse security needs of women and girls are adequately considered, but that the use of this perspective is effectively and efficiently used to reduce opportunities to commit crimes in general.

**“Police legitimacy is being responsive to community needs, by showing impartial and professional judgement, and being effective in ensuring security.”**

-Amnesty International (2007)

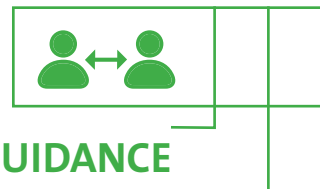
Integrating women’s voices into crime and violence prevention strategies by the police needs to be matched with proactively raising public awareness about VAWG, its causes, and the consequences to women and girls, their families and their diverse communities as well as the punishment that alleged perpetrators can and should face.

Equally important is to regularly inform communities about the police commitment to a victim-centred approach, being perpetrator-focused in investigation strategies and to an institutional transformation process that is accountable and inclusive.

Ensuring that information about services and how victims/survivors can readily access them without dis-

crimination is another way, as it sends a message to the public that victims/survivors of VAWG will have access to protection and support.

In essence, the development and promotion of organisational cultures that work to ensure access to justice without discrimination and prioritise a victim-centred approach will be more successful for crime prevention as it will generate legitimacy and support for police actions and eventual trust from the communities they aim to serve.



## PEER-TO-PEER GUIDANCE

Combatting VAWG is not just the responsibility of the police, in fact **preventing VAWG is the responsibility of the whole of society**; however, you play a critical role. There are a number of key aspects in crime prevention, one of which is the enforcement of existing laws to ensure perpetrators are brought to justice.

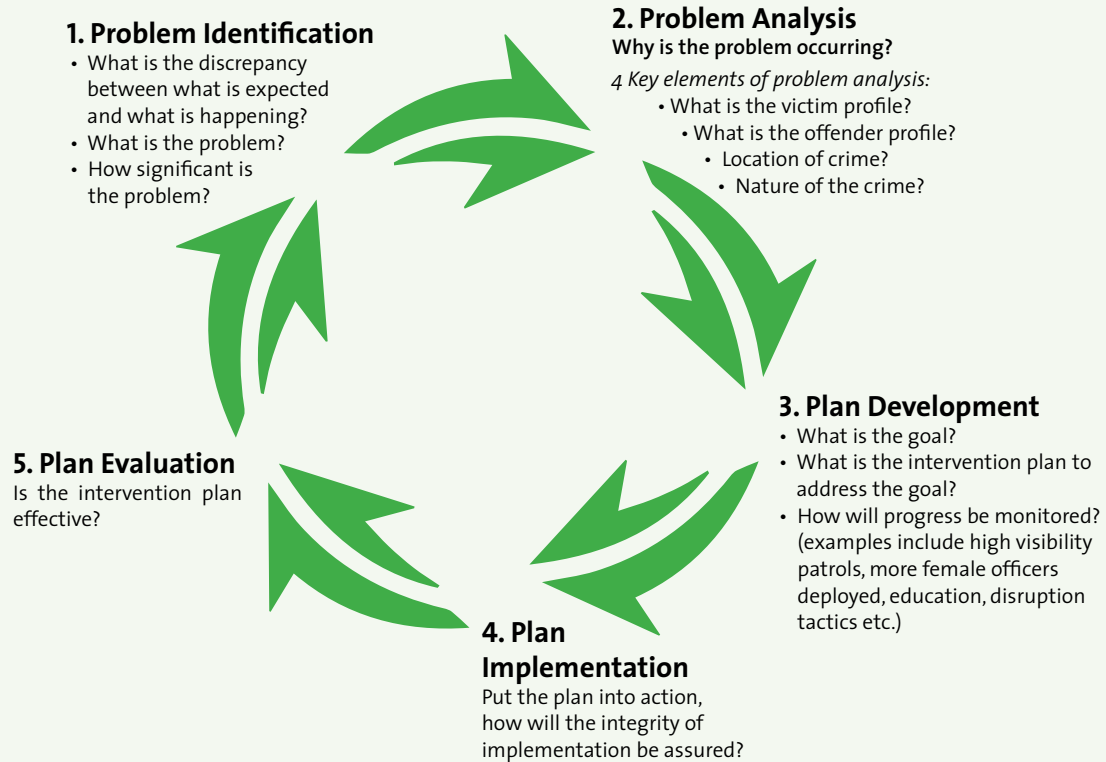
By carrying out a thorough and robust investigation, identifying and preserving evidence in a clear, detailed way, the prospect of securing a conviction and punishment of the perpetrator is increased. Conviction and sentencing will send a clear message to society that VAWG will not be tolerated. Whilst you have no control over sentencing, you do have control over the quality of the investigation, ensuring the strongest case possible is presented to the prosecutor for progress through the court system.

Another key aspect of prevention is being able to analyse the problem in order to identify solutions and implement prevention strategies. There are several models you can use to assist you in the process, below is an example of just one of them:



Figure 1:

Problem-solving Cycle



Police managers often believe that increased reporting of VAWG is a negative reflection on the competence of the police responses to such crime when in fact, in the initial stages, it should be seen as a positive outcome.

The more trust and confidence women have in the police, the more they are likely to report VAWG crimes. More reporting provides you with more data enabling you to identify the problems more effectively so you can direct appropriate preventative interventions which, in the longer term should start to see an overall reduction in this type of crime.

If there is no reporting, there is no crime and therefore there can be no justice for victims. Data on VAWG can also be obtained from other agencies. What reports, for example, do other service providers receive when the victims are too scared, or a lack of trust prevents them from reporting it to the police? How can you access such information? Have you built collaborative relationships with other agencies to enable the sharing of information for the prevention of VAWG?

For prevention of VAWG to be effective it requires collaboration between the police, other agencies/service providers and the local community.



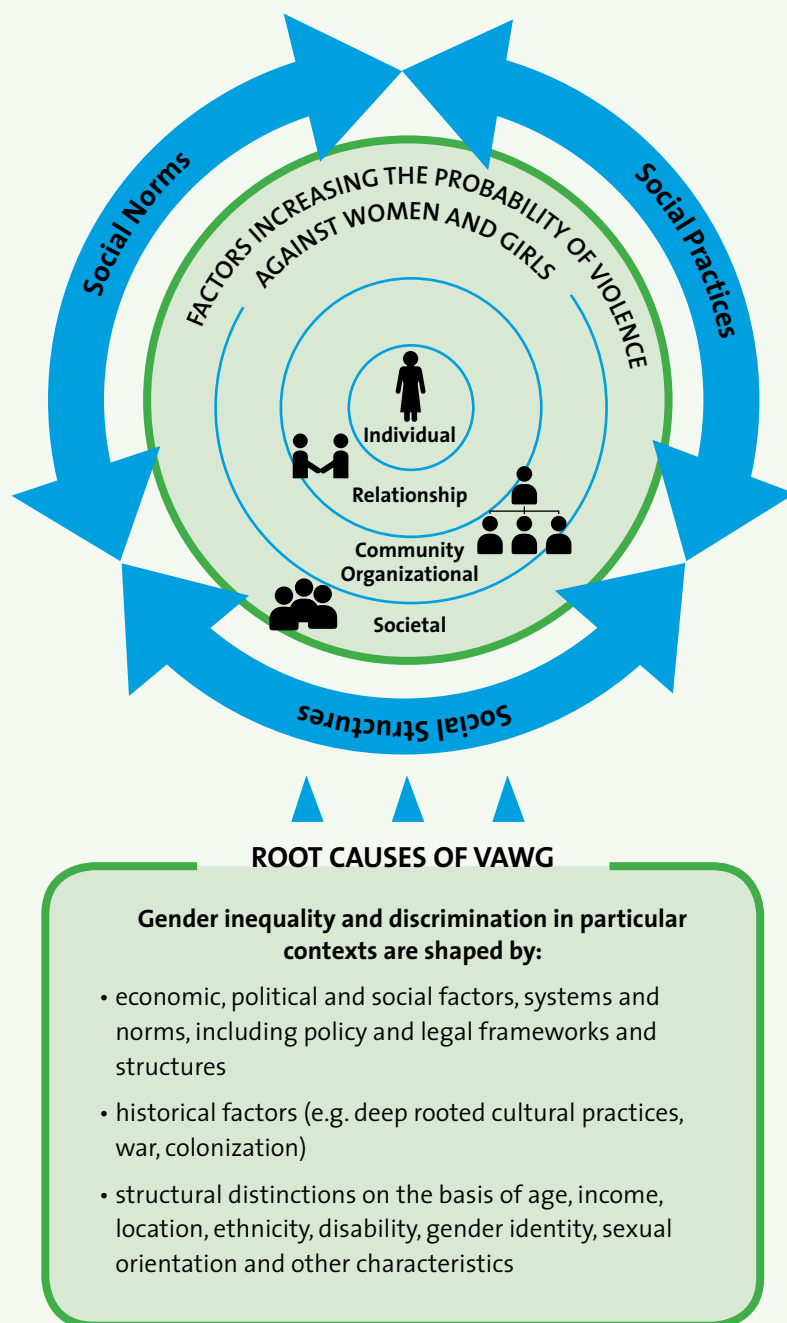
Figure 2:

### Understanding Violence against Women\*

To enable you to effectively analyse the problem you will require data that is both recent and accurate.

Intelligence is valuable in this process and the more trust and confidence there is of the police within your local community, the more likely you are to receive relevant intelligence. Here are some things for you to consider:

- How do you ensure accurate records are maintained not only of crimes of VAWG but also incidents that may not amount to a crime?
- How often do you analyse VAWG crimes to establish what patterns of offending are prevalent in your area of jurisdiction?
- How can you prevent future crimes if you are not aware of the problem and therefore are unable to effectively deploy your limited resources?
- How do VAWG crimes in your area compare with nationally held data?
- How does the diversity of your local community impact on the types of VAWG crimes being committed and the levels of reporting?
- What is the cultural makeup of your community?



4 A Framework to Underpin Action to Prevent Violence against Women (UN Women, 2015), p. 23 at: [https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2015/prevention\\_framework\\_unwomen\\_nov2015.pdf?la=en&vs=5223](https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2015/prevention_framework_unwomen_nov2015.pdf?la=en&vs=5223).



Photo courtesy of UNMIT/Bernardino Soares (Timor Leste)

What existing collaborative networks or community partnerships/forums exist within your police area? If they do not exist you will need to be pro-active in engaging with other agencies and service providers, including civil society, who can help you to solve crime problems within your area of responsibility. The most important factor is that you all agree to commit to the delivery of actions to prevent VAWG. There may be existing partnerships or collaborative networks that the police have not been invited to join, you need to ensure the door is opened so that you can be part of the solution, not only in helping victims/survivors of VAWG but also helping your efforts in preventing such crimes in the first place.

The link between community engagement and increased trust and confidence in the police is critical. It can facilitate a greater willingness for the public to cooperate with the police and as a result improve intelligence collection, therefore improve data collection for problem analysis, which can help drive prevention across all crimes.

See UK College of Policing *Confidence Cycle*<sup>5</sup> (Figure 3) as an example of how the link between community engagement and increased trust and confidence in the police can be viewed as a cyclical process.

*Additional information on engagement can be found within the Chapter 7: 'Support and Assistance' and Chapter 8: 'Coordination Among Justice Agencies.'*



Photo courtesy of Graham Goulden retired Chief Investigator with Police Scotland

5 Engagement and Communication Authorised Professional Practice' (College of Policing, UK).

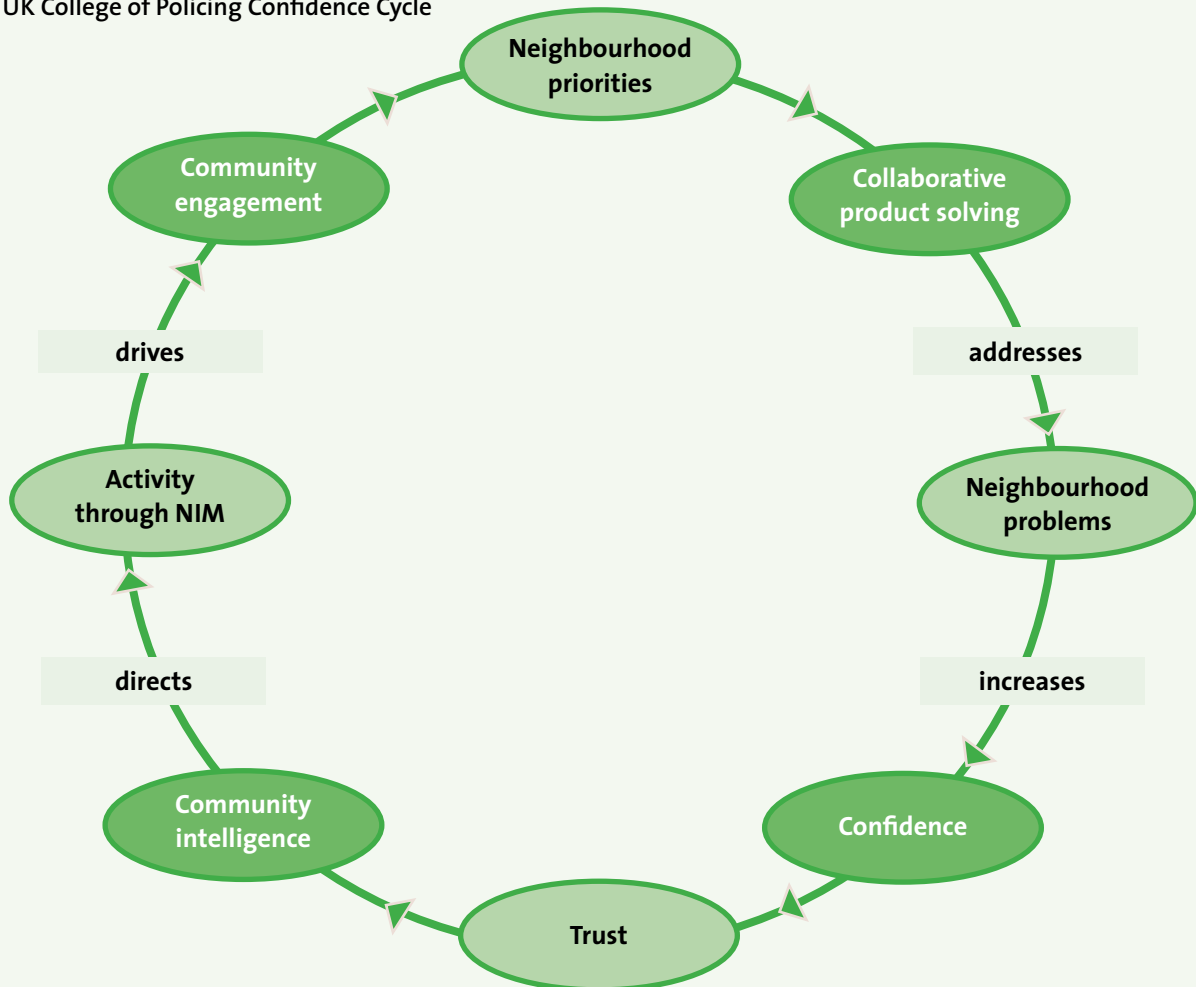
What messages do you provide that **violence of any kind will not be tolerated against anyone, including amongst your own staff**? What messages do you deliver to your staff and the wider community that men and boys have a key role to play in preventing VAWG? As a leader you need to be sending clear and unequivocal messages that VAWG will be taken seriously. Why not consider identifying male staff and male members of the community who can act as ‘male champions’ educating and influencing their peers on why VAWG must be taken seriously?

Engaging men and boys to address VAWG is both a challenging and rewarding endeavor. It requires commitment to lead by example and to be able to understand how social and cultural norms can influence the perception of such violence.

In Annex 1 ‘Engaging Men’, Graham Goulden, a retired Chief Investigator with Police Scotland with thirty years of service, including as an investigator specialising in criminal investigation, drug investigation, training and crime prevention offers guidance on action men can take to help prevent VAWG.

Figure 3.

UK College of Policing Confidence Cycle



Note: NIM is National Intelligence Model (UK) which provides a structured approach to the collection, analysis and use of intelligence across 3 levels, 1. Local issues; 2. Cross-border issues; 3. National and International issues - Serious and organised crime. See also the UK College of Policing, Engagement and Communication Authorised Professional Practice.

Credit: <https://www.app.college.police.uk/app-content/engagement-and-communication/engaging-with-communities/>

## DEALING WITH CHALLENGES IN RESPONDING TO VAWG STARTS WITH IDENTIFYING THE GAPS IN YOUR TEAM'S PERFORMANCE

A lack of effective strategies to prevent crime and violence will have far-reaching consequences. Victims/survivors of VAWG are at high risk of severe and long-lasting health problems and even loss of life. At the societal level, VAWG can lead to social stigma, rejection, break-up of families, homelessness, dispossession, and destitution.<sup>6</sup> In addition, studies have shown that children growing up with violence are more likely to become victims/survivors themselves or perpetrators of crimes such as VAWG in the future.<sup>7</sup>



*An individual's social identity such as being a person with a disability or from a minoritized group, can combine with situational circumstances, such as armed conflict to increase the levels of risk of VAWG.*

An ineffective response to VAWG by responding police can be traced back to lack of a clear understanding of the nature of VAWG, its causes and consequences and how it impacts women and girls differently and disproportionately. Gaps in team performance fuelled by bias and stereotypes can be attributed to not understanding the impact gendered violence and crime has on women and girls but also on society in general.

As a result, it is critical that police leadership at all levels understand why investing in prioritising prevention strategies makes not only policing sense but socio-economic sense.

6 Gender-based Violence Resource Pack: A Standardized Training Tool for Duty Bearers, Stakeholders, and Rights Holders' (UN Women, 2019).

7 Ending Violence Against Women: From Words to Action. Study of the Secretary-General (United Nations publication, Sales No. E.o6.IV.8).

For example, the economic consequences of VAWG are enormous. In Egypt, a national study concluded that the total national cost of women's exposure to violence exceeds 785 million Egyptian Pounds (LE) a year and over three billion LE over the last three years between 2007-2010.<sup>8</sup>

A similar study in Kenya showed that out-of-pocket medical-related expenses (money that survivors or their families paid out of their own financial resources) and productivity losses from injuries were estimated at a total loss of KES 46 billion, which translates to about 1.1 per cent of Kenya's gross domestic product.<sup>9</sup> Moreover, the World Bank reports that in some countries, violence against women is estimated to cost countries up to 3.7% of their Gross Domestic Product – more than double what most governments spend on education.<sup>10</sup>

In 2018, UNFPA developed an informative illustration as part of their *Guidelines to Estimate the Economic Cost of Domestic Violence in the Arab Region* to help governments and their partners understand how VAWG, as a social phenomenon, has serious economic and social implications.<sup>11</sup>

8 A Study for Creating a Multidisciplinary Response Mechanism to Violence Against Women in Egypt' (UNODC, 2015).

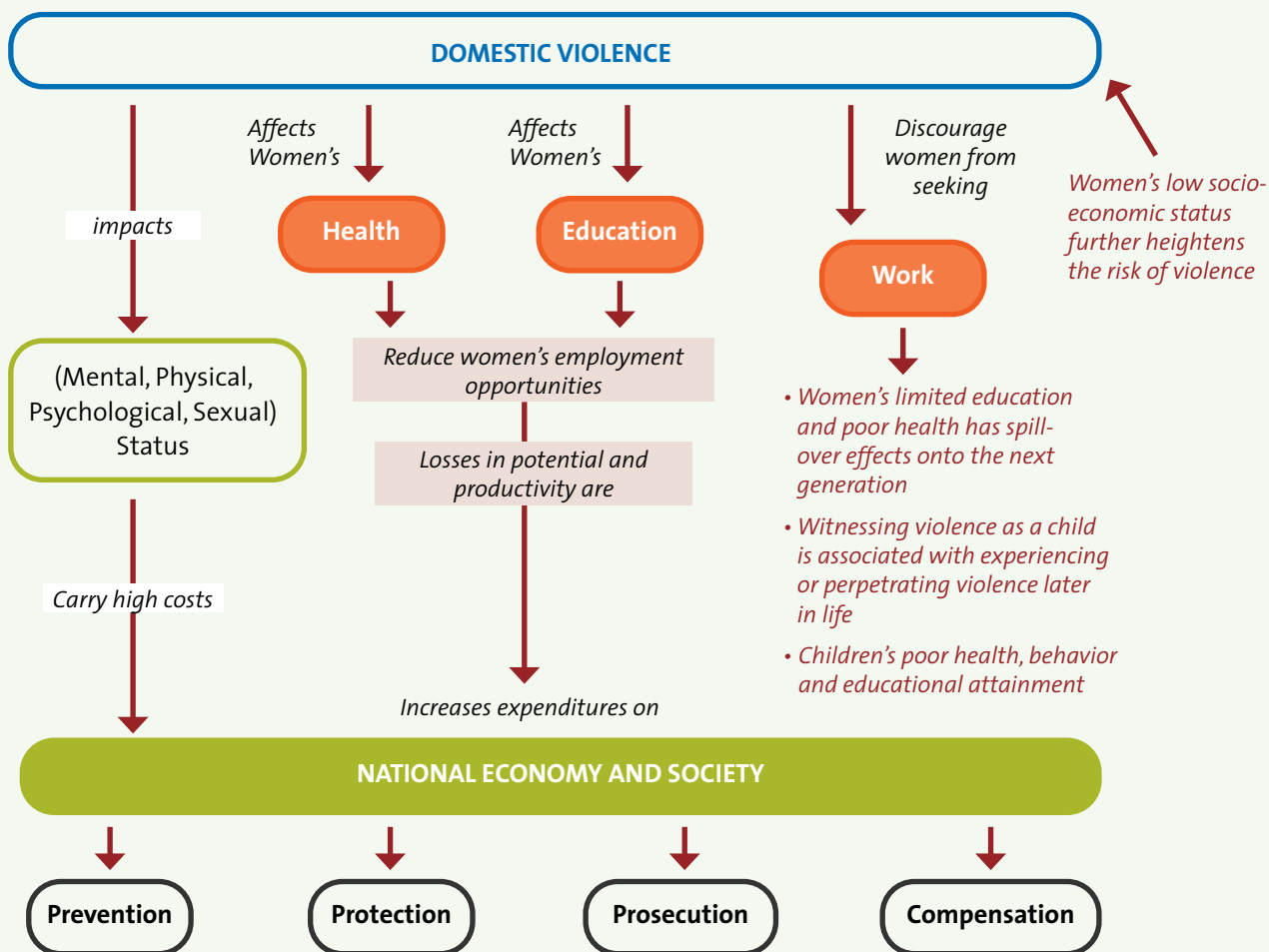
9 Gender-based Violence Resource Pack: A Standardized Training Tool for Duty Bearers, Stakeholders, and Rights Holders (UN Women, 2019).

10 Gender-Based Violence (Violence Against Women and Girls), (The World Bank, April 2019) at: <https://www.worldbank.org/en/topic/socialdevelopment/brief/violence-against-women-and-girls>

11 'Guidelines to Estimate the Economic Cost of Domestic Violence in the Arab Region' (UNFPA, 2019) at: [https://www.unescwa.org/sites/www.unescwa.org/files/publications/files/guidelines-estimate-economic-cost-domestic-violence-arab-region-english\\_o.pdf](https://www.unescwa.org/sites/www.unescwa.org/files/publications/files/guidelines-estimate-economic-cost-domestic-violence-arab-region-english_o.pdf) Also, see 'Estimating Costs of Marital Violence in the Arab Region Operational Model (UN Women E/ESCWA/ECW/2017/Technical Paper 4, 18 July 2017).

Figure 4:

Estimating Costs of Domestic Violence in the Arab Region



Source: <http://www.nuigalway.ie/media/researchcentres/womensstudies/womenstudies2020/Guidelines-to-estimate-the-economic-cost-of-domestic-violence-in-the-Arab-Region.pdf>

The above diagram from the UNFPA 2019 *Guidelines* demonstrates how domestic violence has multiple impacts on women's health, education and work opportunities.

For example, the diagram highlights how a women's ability to take advantage of employment opportunities and their work performance are impeded as a result of being subjected to domestic violence, leading to productivity losses that affect the national economy.<sup>12</sup>

VAWG plays a major role in excluding women and girls from political and economic life as a result. This affects entire communities. Studies such as those documented

in the UNFPA 2019 *Guidelines* that women's economic empowerment and inclusion supports economic growth of the entire country.

It is also important to point out that VAWG, in particular interpersonal violence, can cause temporary or permanent disabilities, both mental and physical. This can directly and indirectly influence women's or girls' opportunity to access and enjoy education, employment and other opportunities, including many years after the abusive act(s) took place, due to all the barriers they will face as women and girls with disabilities but also due to discrimination and stigma.<sup>13</sup>

<sup>12</sup> See: <http://www.nuigalway.ie/media/researchcentres/womensstudies/womenstudies2020/Guidelines-to-estimate-the-economic-cost-of-domestic-violence-in-the-Arab-Region.pdf> p.6

<sup>13</sup> See further: Humanity & Inclusion at: <https://www.hi-us.org/>



UNFPA adds that such violence has long-term effects on children's health and education, potentially limiting their future economic participation. Which when combined together, results in significant costs for the national economy. UNFPA finds that increased investment in prevention, protection, prosecution and compensation would, in fact, result in significant savings for governments.

In understanding the impact on children as a result of direct or indirect impact from VAWG, it is useful to examine the results of findings from a U.S. study on Adverse Childhood Experiences (ACEs). These findings are being developed and utilised to create prevention initiatives within a number of police forces across the UK (see Box 2).

**Box 2:**

**What are Adverse Childhood Experiences (ACEs)?**

ACEs are adverse childhood experiences that harm children's developing brains and lead to changes in how they respond to stress. ACEs damage a young person's immune systems so profoundly that the effects show up decades later. In many ways whilst the mind might forget the body doesn't.

ACEs cause much of our burden of chronic disease, most mental illness, and are at the root of most violence in society.

"ACEs" comes from the Centers for Disease Control and Prevention (CDC)-Kaiser Adverse Childhood Experiences Study, a ground-breaking public health study that discovered that childhood trauma leads to the adult onset of chronic diseases, depression and other mental illness, violence and being a victim of violence, as well as financial and social problems.

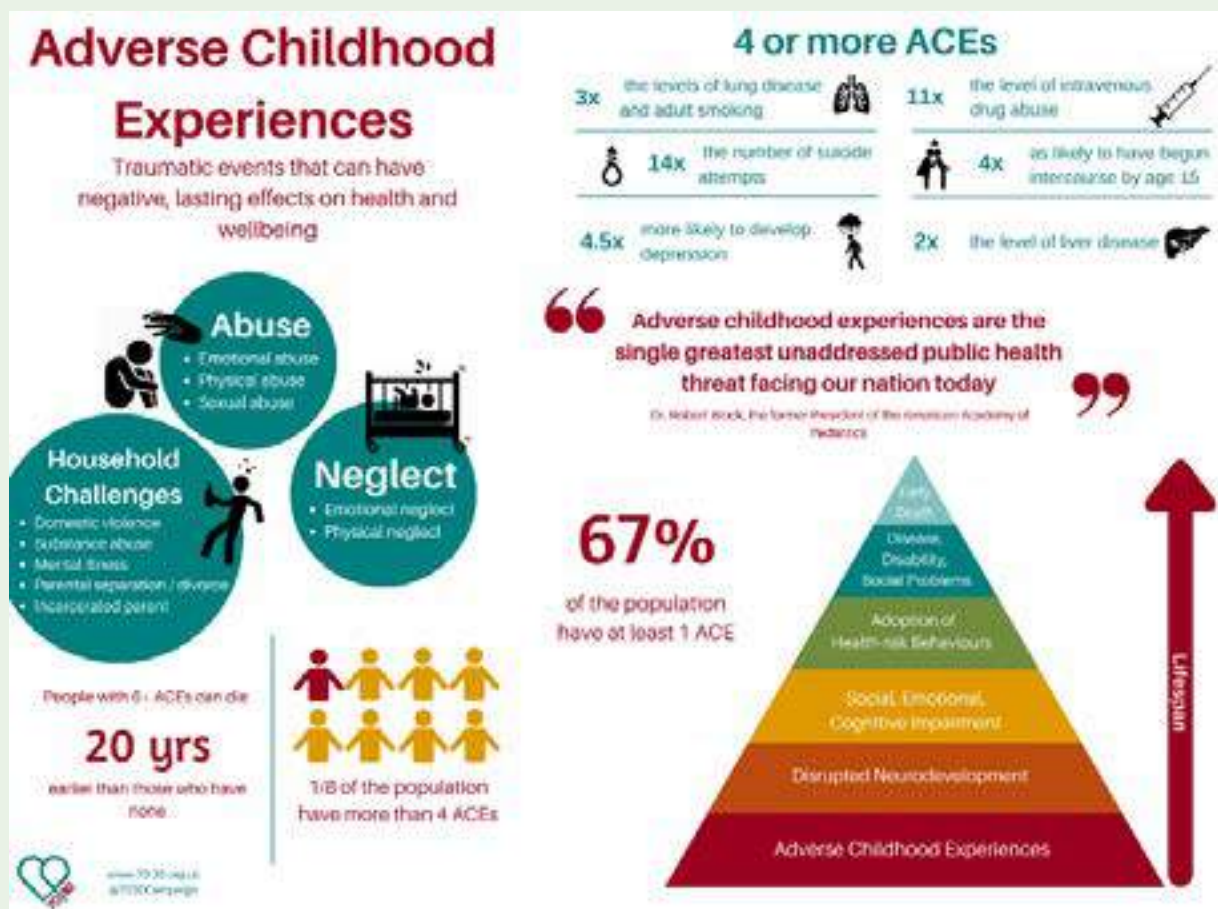


Image from Adverse Childhood Experiences (ACEs). Courtesy of the charity WAVE Trust, see: [www.wavetrust.org](http://www.wavetrust.org)



The 10 ACEs the researchers measured:

- Physical, sexual and verbal abuse.
- Physical and emotional neglect.
- A family member who is:
  - depressed or diagnosed with other mental illness;
  - addicted to alcohol or another substance;
  - in prison.
- Witnessing a mother being abused.
- Losing a parent to separation, divorce or other reason.

Subsequent to the ACE Study, other ACE surveys have expanded the types of ACEs to include racism, gender discrimination, witnessing a sibling being abused, witnessing violence outside the home, witnessing a father being abused by a mother, being bullied by a peer or adult, involvement with the foster care system, living in a war zone, living in an unsafe neighbourhood, losing a family member to deportation, etc.

The inclusion of being a victim or witnessing abuse suggests that a focus on VAWG can support the reduction of ACE's in society and contribute to reductions in violence in all communities. Police awareness of ACEs and how to reduce them should always be discussed within any violence prevention strategy.

Tackling ACEs in your community involves you working in partnership with a range of organisations and looking at ways ACEs can be minimised and prevented with the aim of supporting a more resilient, safe and healthier society. The World Health Organisation in its "What works" briefing suggests a focus on 'safe, supportive parental relationships' is key to violence prevention.

Whilst supporting parenting might not seem a role for policing, a focus on VAWG is and therefore officers should be aware of the ACE study and how such a focus will support policing overall.

Source: Graham Goulden for Cultivating Minds UK. Also see World Health Organization Violence prevention: The Evidence [https://www.who.int/violence\\_injury\\_prevention/violence/the-evidence/en/](https://www.who.int/violence_injury_prevention/violence/the-evidence/en/) and ACES too High News <https://acestoohigh.com/>

A recent review (2019) of the ACE study approach has added that in order to prevent ACEs it is important that routine and ongoing monitoring align with the work of multiple essential services to achieve a more comprehensive understanding of ACE exposures, their consequences, and effective prevention efforts in this area. Equally important is for the police and other essential services to track progress of their prevention efforts and to evaluate the impact of those efforts.<sup>14</sup>

This means that the police should not only be sensitive to understanding of the nature of VAWG, its causes and

consequences such as ACEs and how it impacts women and girls differently and disproportionately but to also be proactive and diligent in reporting to institutional monitoring systems that seek to track progress of prevention efforts.

Responding officers who are not able to identity their role(s) within a prevention strategy can undermine collective efforts to respond effectively to VAWG. Police leadership at all levels play critical roles in ensuring their responding officers are aware of their individual contributions to the prevention of VAWG.

The following is a non-exhaustive list inspired from an extensive global mapping of good practices and capacity gaps of police organisations when responding of VAWG.

<sup>14</sup> Preventing Adverse Childhood Experiences (ACEs): Leveraging the Best Available Evidence' (Division of Violence Prevention National Center for Injury Prevention and Control Centers for Disease Control and Prevention, Atlanta, Georgia, 2019).

The mapping involved outreaching to several serving and retired police officers, and UN agency staff with experience working with the police and non-governmental organisations specialising in addressing VAWG.

The capacity gaps listed below have been recognised as detrimental to the police effort at all points in the investigation process, but in this case, they are particularly counterproductive to VAWG prevention strategies. The list is meant to help police leadership with operational command responsibility to quickly identify capacity gaps at the earliest stage possible before harm or further harm is committed against victims and survivors of VAWG.

The categories headings are meant to help the reader relate to a key issue of the identified capacity gap but, in fact, they are all applicable and/or complimentary to each point:

## Gender Bias

- A lack of understanding of the nature of VAWG, its causes and consequences and how it impacts women and girls differently and disproportionately fuels harmful gender bias and stereotyping and undermines prevention efforts;
- It takes the actions of only a few police acting inappropriately and/or biased towards women and girl victims/survivors to undermine the trust needed from the police by partners, especially from civil society, when seeking to work collaboratively to prevent VAWG;
- Police leadership often do not have institutional standards that provide clear and uniform guidance for managers when preventing and responding to gender bias and stereotyping exhibited by staff.

## Malpractice

- Strategies that are not preventative in nature often prove to be ineffective for operational guidance for police *First Responders* when confronted with certain types of VAWG such as child marriage and female genital mutilation;

- A disproportionate focus on reaction rather than on a prevention strategy. This commonly results in new risks of experiencing VAWG, such as online and ICT-facilitated VAWG, and some police commanders recognize related crimes too late. In many cases, this is due to the lack of detailed reporting by subordinates who don't value or understand the data requirements of effective prevention;
- In general, national crime prevention policies do not consider the unique and diverse experiences of women and girls, including victimisation, thus this is left to police commanders operating at the local level without the adequate resources to do so.

## Training and education gaps

- A significant number of police officers are usually unaware of their individual role in the partnership framework when preventing VAWG;
- Even though they are aware of it, police leadership managing operational teams do not have managerial training to effectively address the implicit or explicit acceptance for VAWG crimes, such as interpersonal violence, "honour" crimes and gender-motivated killings of women and to empower communities to prevent them;
- Training programmes for the police do not sufficiently address VAWG perpetrator behaviour especially the elements of coercive controlling that is critical for prevention approaches. As a result, police officers struggle to understand how this coercive control impacts on the actions taken by VAWG victims and survivors. For example, in the case of interpersonal violence:
  - remaining with the partner;
  - not wishing to support police action; or
  - withdrawing from supporting a criminal case.
- A lack of institutional standards that provide clear and uniform guidance for police leadership when preventing and responding to bias and stereotyping in policing often indicates operational managers are not in an ideal position to respond to it.

## DEFINITION AND FRAMEWORKS

The ESP’s framework guidance directs the user towards the *Model Strategies on Crime Prevention* agreed to by the UN General Assembly in the 2010 Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice (2011, General Assembly resolution 65/228, annex) as well as the *United Nations Guidelines for the Prevention of Crime* (Economic and Social Council resolution 2002/13, annex).

These internationally agreed upon documents mutually reinforce each other in emphasising that prevention in policing entails the following elements: being human rights-based, managing risk and promoting victim safety and empowerment while ensuring offender accountability.

“Crime Prevention comprises strategies and measures that seek to reduce the risk of crimes occurring, and their potential harmful effects on individuals and society, including fear of crime, by intervening to influence their multiple causes.” Guidelines for the Prevention of Crime ECOSOC Resolution 2002/13, Annex.

In parallel, the European Union recommended<sup>17</sup> to its State members the *Austrian Law on Domestic Violence and Intervention Model* for its innovative solutions in establishing a prevention-focused, integral, and coordinated system of protection of domestic violence victims better known as *the Austrian Model of Intervention in Domestic Violence Cases*.<sup>18</sup> Coincidentally, the Austrian Model was awarded the Future Policy Award 2014 as a best-practice policy for ending VAWG as a result of receiving positive feedback from victims of violence.<sup>19</sup>

### Box 3

#### Measures of Prevention\*

Primary: precluding the emergence of violence	Secondary: identifying risk factors and at-risk groups, providing help	Tertiary: measures to preclude further violence
Awareness raising, campaigns, community initiatives, human rights education, educational programs for kids and adolescents, general measures against discrimination and in favour of actual equality of women, gender mainstreaming	Sensitisation programs in various institutions, establishing a helpline for women, health screening, measures to strengthen the independence of women at the legal, economic and social levels, initiatives supporting immigrant women	Helping the women affected by violence, establishing women’s shelters, making laws for the protection against violence, considerate and effective police interventions, effective criminal court procedures

\*Source: The Austrian Model of Intervention in Domestic Violence Cases

The ESP adds that police-led prevention measures should prioritise activities that are primarily focused on interventions to stop violence, prevent future violence and to encourage women and girls to report for their own safety.<sup>15</sup>

In 2002, the UN Economic and Social Council provided guidelines for crime prevention based on best practices including a working definition<sup>16</sup>:

15 Module 3: Justice and Policing Essential Services Package for Women and Girls Subject to Violence: Core Elements and Quality Guidelines, (United Nations Joint Global Programme on Essential Services for Women and Girls Subject to Violence, 2015).

16 Guidelines for the Prevention of Crime ECOSOC Resolution 2002/13, Annex

17 The ‘Austrian model’ has been adopted/adapted in a number of European countries. See: ‘Combating Violence against Women: Minimum Standards for Support Services’, Directorate General of Human Rights and Legal Affairs, (Council of Europe, Strasbourg, 2008); See also Analytical study of the results of the 4th round of monitoring the implementation of Recommendation Rec (2002) 5 on the protection of women against violence in Council of Europe member states, (Council of Europe, 2014), at: <https://rm.coe.int/16805915e9>.

18 See Logar, Rosa, ‘The Austrian model of intervention in cases of domestic violence’, Paper presented at the UN Expert Group Meeting: Violence against Women: Good practice in Combating and Eliminating Violence against Women (Vienna, 17–20 May 2005).

19 See ‘Ending violence against women and girls: The World’s Best Land Policies’ (Future Policy Award, 2014) in Eliminating Violence Against Women in the Asia Pacific: It’s all of our responsibility’ (UN Women, World Future Council and Inter-Parliamentary Union).

**Box 4****UN ECOSOC Primary Measures for Prevention of VAWG**

<b>UN Commission on Crime Prevention and Criminal Justice Recommends:</b>	<b>Examples of Police Action:</b>
Changing attitudes and challenging stereotypes in society and assisting communities to end the acceptance of gender-based violence	Introduce compulsory gender bias training and related merit system across all ranks that targets and actively discourages harmful attitudes and stereotypes within the police organisation
Women to be empowered both politically and economically, so as to overcome their subordinate position in society	Introduce and reinforce an institutional sexual harassment 'Zero Tolerance' policy and complaint mechanism to help female officers fulfil their potential in the organisation itself and to make a career in policing more attractive for future female officers
Physical environments should be altered to promote women's safety	Collaborate with stakeholders in local government and civil society to broadly consult diverse women and girls in all communities to determine the most effective way to make physical environments more safe and secure for them
Extensive alcohol and drug abuse prevention, treatment and rehabilitation programmes should be offered to those whose substance dependence increases their likelihood of violence	Participate in community awareness initiatives to promote a common understanding of the nature of violence, its causes and consequences and how it impacts women and girls differently and disproportionately

The Austrian Model is instrumental in sending a strong message that VAWG is not a private issue, but a public one by, amongst other measures, providing greater powers to the police to intervene when such acts of violence occur.

The Austrian Model is also well recognised for providing concrete examples of prevention measures that have led to results, which have been classified into primary, secondary and tertiary measures. These three classifications of measures (see Box 3 table of measures of prevention) can be referred to by the police as opportunities for collaboration and coordination in the prevention and investigation of VAWG: <https://www.un.org/womenwatch/daw/egm/vaw-gp-2005/docs/experts/logar.dv.pdf> P.2

Additionally, it is important to clarify that at-risk groups are not limited to immigrant women. Women and girls with disabilities are also at heightened risk. Therefore, the police should include tertiary prevention mea-

asures that ensure women and girls with disabilities can access justice services, be protected and further empowered to break the victimization circle.<sup>20</sup>

Inspired by the Austrian Model's three measures approach, the UN Economic and Social Council Commission on Crime Prevention and Criminal Justice recommended four key measures of prevention for responding to VAWG.<sup>21</sup> The list (Box 4) provides the four key measures of prevention as proposed by UN ECOSOC Commission on Crime Prevention and Criminal Justice with corresponding examples of police action(s) that can be taken in compliance:

<sup>20</sup> Women and Young Persons with Disabilities: Guidelines for Providing Rights-Based and Gender-Responsive Services to Address Gender-Based Violence and Sexual and Reproductive Health and Rights", (UNFPA-WEI November 2018). Also in that sentence can you replace 'victimisation' with 'victimization'.

<sup>21</sup> Aspects of violence against women that pertain directly to the Commission on Crime Prevention and Criminal Justice Commission on Crime Prevention and Criminal Justice, Note by the Secretariat, E/CN.15/2008/CRP.1 (2008) and Secretary-General's study on violence against women, A/61/122/Add.1, para. 337.

The common denominator between all the definitions and frameworks outlined is the focus on the proactivity of the police, within their means and competency, to modify the conditions and situations that may increase the probability of crimes such as VAWG. In other words, reduce opportunities for crimes like VAWG to occur.

**“Effective police engagement identifies all community groups, in particular women and children, and provides the opportunity for feedback through representation on advisory groups, community surveys, forums and meetings.”**

-A Framework to Underpin Action to Prevent Violence against Women (2015). UN Women.

The UNPOL Gender Toolkit recommends police middle managers apply the SARA model as a tool to help resolve the problems identified with communities.<sup>22</sup> SARA is a form of analysing while looking for solutions. The SARA model has four steps:

- Scanning: Define the problem
- Analysis: Study the problem
- Response: Take Action
- Assessment: Evaluate how well the actions worked

The SARA model can be used as an effective engagement tool with the community to solve problems through participatory approaches.<sup>23</sup>

In the previous chapter, goal planning guidance inspired from the ESP is provided for police leadership with operational command responsibility (or middle managers). As a strategy to modify the conditions and situations that may increase VAWG crimes, the previous chapter’s guidance pointed to focusing police efforts on three pillars of prevention: 1) Community cohesion for community-based solutions to VAWG; 2) Communicating political and societal commitment to respond

<sup>22</sup> United Nations Police *Gender Toolkit* (UN Department of Peace Operations - DPO/ DPET/Integrated Training Service, 2015).

<sup>23</sup> See Project Tool 130: Checklist on problem resolution using the SARA model in the UNPOL *Gender Toolkit* Standardized Best Practices on Gender Mainstreaming in Peacekeeping Compendium of Project Tools (2015).”

to VAWG and its impact on community members and society; and 3) Justice and security actors are learning and reforming to adequately respond to VAWG. The following guidance offered is inspired directly from the ESP Module 3, and feeds into the three strategic pillars already mentioned.

Complementary and detailed guidance can be found in UNODC’s 2014 publication series on *Strengthening Crime Prevention and Criminal Justice Response to Violence against Women* as well as the UNPOL 2015 *police Gender Toolkit: Standardised Best Practices on Gender Mainstreaming in Peacekeeping*.

The guidance provided by these UN documents stems from experience shared by police institutions all over the world upholding the rule of law in challenging environments often confronted with limited resources. These documents should be viewed in association with UN Women’s document “*A framework to underpin action to prevent violence against women* (UN Women et al., 2015). This document will help strengthen a shared understanding regarding the factors contributing to and protecting against VAWG, and the role different sectors and disciplines can play to prevent this violence.

## KEY MANAGERIAL COMPETENCIES FOR IMPLEMENTING PREVENTION STRATEGIES OF VAWG

The following list of behavioural competencies for police leadership have been inspired from the 2010 *Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice (General Assembly resolution 65/228)*.<sup>24</sup> Its sets out internationally recognised behaviours and values and describes how you should carry out your work for crime prevention to be successful resulting in you and your team performing at a higher level and increasing the satisfaction of those you serve.

<sup>24</sup> See Code of Conduct for Law Enforcement Official Adopted by General Assembly resolution 34/169 of 17 December 1979



## Senior Scots police officer backs White Ribbon campaign to end gender-based violence



Photo courtesy of Police Scotland/PA Wire

This is a reference that is designed to ensure that there are clear expectations of the international standards<sup>25</sup>, and at the same time complement and reinforce your national police organisation's policies on values, ethics, and integrity.

It is a non-exhaustive list of key performance competencies police managers with operational command responsibility should apply and promote when aiming to deter VAWG as a result of prevention strategies that are adequately informed by stakeholders, supported by communities and are victim/survivor-centred in their approach. Managers should ensure responding officers are able to:

### **Effective communication and participation by stakeholders in design, implementation and assessment of services:**

<sup>25</sup> Ibid.

- Promote equality, cooperation, mutual respect and shared responsibilities between women and men;
- Give clear directions and communicate explicit expectations of the well-defined responsibilities of specialised police, competent agencies, institutions and personnel involved in VAWG preventive efforts;
- Give clear directions and have explicit expectations, helping others to understand how their prevention work operates in the wider context;
- Lead a team towards containing and managing levels of VAWG (good investigation and good enforcement);
- Collaborate with partners to shape social norms that contribute to the causes of VAWG;
- Engage in outreach programmes for offenders or persons identified as potential offenders in order to pro-



mote the peaceful resolution of conflicts, the management and control of anger and attitude modification about gender roles and relations;

- Lead on multidisciplinary and gender-sensitive approaches with public and private entities through partnerships for the protection of women and girls victims of violence;<sup>26</sup> This could include police planning regular proactive campaigns with a focus on VAWG (see photo of Deputy Chief Constable Iain Livingstone of Police Scotland's executive giving his support to the White Ribbon pledge – part of a global campaign to encourage men to proactively end male violence against women<sup>27</sup>)
- Engage in outreach programmes and be ready to offer information to women, including victims/survivors of violence, about the human rights of women and the social, health, legal and economic aspects of violence against women, in order to empower women to protect themselves against all forms of violence;
- Engage youth for their participation in delinquency prevention policies and processes, including recourse to community resources, youth self-help, and victim compensation and assistance programmes. This can include the police engaging in school-based programmes such as the WHO recommended *Gangs Resistance Education and Training (G.R.E.A.T.)* which has had success in the U.S. and Central America (see Box 5).<sup>28</sup>

### Adaptability

- Develop relations with groups representing the interests of specific groups of women and girls, such as

<sup>26</sup> This could include police planning regular proactive campaigns with a focus on VAWG.

<sup>27</sup> Senior Scots police officer backs White Ribbon campaign to end gender-based violence. Bussey, K. for the The Sunday Post. 25 November 2017, at: <https://www.sundaypost.com/fp/senior-scots-police-officer-backs-white-ribbon-campaign-to-end-gender-based-violence/>

<sup>28</sup> 'School-based violence prevention: A practical handbook' Geneva: World Health Organization. For further guidance on addressing school-related gender-based violence, see: 'Global Guidance on Addressing School-Related Gender-Based Violence' (UN Women and UNESCO, 2016) at: <https://www.unwomen.org/en/digital-library/publications/2016/12/global-guidance-on-addressing-school-related-gender-based-violence>

### Box 5

#### Box 10 Gangs Resistance Education And Training (G.R.E.A.T.)

G.R.E.A.T. is a classroom curriculum aimed at 8- to 13-year-olds that aims to prevent violent behaviour and gang membership as well as develop positive relationships between youths and the police. The 13 lessons are delivered by police officers, who receive training in working with youths. Lessons include developing social and emotional skills and learning about crime and gang membership. G.R.E.A.T. was developed in the USA, where it was found to decrease the risk of gang membership and increase more positive and helpful attitudes among 11- to 13-year-old students. The approach has now been expanded to Central American countries such as Belize, Costa Rica and El Salvador, where police officers have been trained in delivering the project to primary school children.

Source: Esbensen et al, 2012; <https://www.great-online.org/GREAT-Home>

persons with disabilities, minoritized or underrepresented communities, migrants, those with linguistic barriers, or women in conflict with the law.

### Linking with other sectors and agencies through referral and coordination

- Identify agencies/groups that could be resources for crime and violence prevention;
- Establish and/or implement mechanisms for the appropriate co-ordination of prevention efforts between governmental and non-governmental agencies;

### Data collection and information management

- Conduct in-depth analyses of the problem using gender-sensitive information and inventories of operations, services, facilities and resources available.

## Box 6

### Prevention starts with you!



The Geneva Centre for Security Sector Governance (DCAF) has recommended in their Police Integrity Toolkit (2012) three control measures to prevent errors, corrupt practices or unethical behaviour. Such errors, practices and behaviour can easily destabilise the trust being built by police with the communities they serve and as a result increase the underreporting of VAWG leading to greater impunity of such crimes. The recommended control measures start with you as a police commander and manager of a team. They are designed to avoid deliberate or unintended events or consequence as a result of action by individuals in your team.

Preventive controls are grouped into three main areas: 1) supervision, 2) internal accountability, and 3) abolition of high-risk procedures that may foster corruption or misconduct. They have been modified for the purposes of this Handbook:

**1. Supervision:** ensure your team is clear on the chain of command and the oversight mechanisms in place. Every officer on your team, including yourself, should be trained on the control activities and should be encouraged to report bad practices. Knowing your personnel will be very important, even more important than being able to assess your team's work. Knowing your team members well means being able to identify possible vulnerabilities to bad practices because of their private environment and hostile views of people or groups of people.

**2. Accountability:** Responsibilities and delegations of authority must be coherent. Police leadership at every level must encourage a collective sense of individual leadership when preventing bad practice. This means that bad practice is immediately corrected both by the supervisor but potentially by others who may be able to take on a form of champion role and lead by example when acting with professional integrity when responding to VAWG. In this way clear signals are sent throughout the police ranks that management and staff are working together to remain accountable to the organizational rules of integrity and codes of conduct that underpin an effective and legitimate police service.

**3. Risk management of high-risk procedures:** Some areas of police work are more exposed to bad practices than others; these areas, such as border control or penitentiary security, should be clearly identified as high risk. In these cases, routines and risk management procedures can be created that reduce opportunities for misconduct. These can include peer-to-peer mentorship and psychosocial support visits by experts to and for the police in high security prisons or isolated border control points.

## REFERENCE INDICATORS FOR THE POLICE PROVIDING ESSENTIAL SERVICES: PREVENTION

As discussed in the previous Chapter, the ESP proposes that all justice and support services for victims and survivors need to share a range of common characteristics and common activities to ensure maximum impact.

They are applicable regardless of the specific 'sector' that may be responding to women and girls experiencing violence. The following list is inspired by the

common characteristics and activities of the ESP; it proposes some examples of reference indicators for police activities when aiming to implement VAWG prevention strategies that are adequately informed by stakeholders, supported by communities and are victim/survivor-centred in their approach. These are indicators that police leadership with operational command responsibility can reference (if they exist), but equally encourage senior management to include if they don't exist:



**Availability and accessibility:** Number of community satisfaction/confidence in local police service surveys disaggregated by sex that

**“A strategy for encouraging the public to act as partners with the police in preventing and managing crime as well as other aspects of security and order is based on the needs of the community.”**

-UN Police Operations 2015

incorporate differences in place of residence, nationality, ethnicity, caste, class, migrant or refugee status, indigenous status, age, religion, language and level of literacy, sexual orientation, marital status, disability or any other characteristic not considered.



**Adaptability and accessibility:** Number of police projects involving local communities and specific at-risk groups within these communities such as youth, LGBTI<sup>29</sup> and women and girls with disabilities. Police-community projects that aim to build safer environments through ensuring that communities assist them in understanding *evolving* trends in VAWG, and solving problems that generate violence, crime or insecurity.



**Appropriateness and accessibility:** Number of police-supported crime prevention fora or joint activities led by, or with, the meaningful involvement of local women or women's organizations working to end VAWG as well as those focusing on advancing gender equality and women's empowerment.<sup>30</sup> In certain cases, it may be necessary to do some outreach to allow more women to attend events. Separate female-only discussions might be necessary

<sup>29</sup> Lesbian, Gay, Bisexual, Transgender and Intersex.

<sup>30</sup> IPolice and other essential services should ensure that women organizations with which they partner represent a diverse group of women and take appropriate actions to ensure the inclusivity of *all* women or, at the very least, ensure the inclusivity of the largest minoritized groups in the respective country. Inclusivity can be achieved through social engagement, increasing access to support services, taking into account linguistic accessibility. For more guidance, see '*Intersectionality and the inclusive approach to dealing with gender-based violence*' (2018). A Position Paper from Women Against Violence Europe (WAVE), at: [http://fileserver.wave-network.org/researchreports/WAVE%20\\_positionpaper\\_intersectionality2018.pdf](http://fileserver.wave-network.org/researchreports/WAVE%20_positionpaper_intersectionality2018.pdf)

to ensure women and girls are able to speak openly. Crime prevention in general depends a great deal on what the public does for itself by way of enhancing its own community's resilience to criminal threats including VAWG.

**“Effective police engagement identifies all community groups, in particular women and children, and provides the opportunity for feedback through representation on advisory groups, community surveys, forums and meetings.”**

-A Framework to Underpin Action to Prevent Violence Against Women (UN Women et al., 2015)



**Prioritize safety:** Number and quality of police community outreach products that specifically inform women and girls on how to report VAWG, including sexual harassment and/or stalking online (e.g., on social media), seek protection and health support when violence occurs, as well as avoid high crime areas and/or other forms of online and ICT-facilitated violence targeting women and girls. Equally, outreach products should target men and boys in the community in a way that encourages them to take proactive roles in building solutions towards VAWG.



**Informed consent and confidentiality and accessibility:** Number of regular and formal meetings with local communities that focus on the specific evolving and differential security needs of women and girls. These meetings should aim to input the victim/survivor-centred approach within the overall police strategy for violence and crime prevention. Organising police station visitors' week with local and diverse communities<sup>31</sup> can be one very important initiative where a victim/survivor environment can be monitored.

<sup>31</sup> When engaging with community leaders, the police should prioritise the inclusion of female leadership and influence within targeted communities.

**“The engagement of people needs to be encouraged and there need to be sure and visible consequences for those who act contrary to a culture of lawfulness. This includes holding men and women who abuse women accountable for their action.”**

-A Framework to Underpin Action to Prevent Violence Against Women (UN Women et al., 2015)



**Effective communication and participation by stakeholders in design, implementation and assessment of services:**

Number and frequency of external (joint) communications understandable to all members of the local communities, including those with different types of disabilities that detail police commitment to perpetrator-focused and victim/survivor-centred approaches when responding to VAWG. This should include details on VAWG early intervention strategies, partnerships with other service providers and influential community members (particularly female community members), and internal police gender equality policies, such as anti-sexual harassment policies.



**Data collection and information management:**

Number of independent evaluations

of police VAWG strategies implemented at the local or municipal level. These evaluations should provide findings at the outcome level, give insight on learning opportunities and propose recommendations for strengthening the prevention of VAWG. The evaluation should ideally be made public or shared with a steering committee of diverse community stakeholders and essential service providers.

**Police Station Visitor’s Week (PSVW) is a global initiative created by Altus Global Alliance which invites community members to visit local police stations, interact with police personnel and assess policing services**

-(Altus Global Alliance, 2012)



**Linking with other sectors and agencies through coordination:**

Number and quality of joint training on prevention and referral strategies designed and implemented by police, with local essential service actors and local women’s or children’s non-governmental organisations. Signing of service delivery/partnership agreements for provision of referral services in VAWG will help immensely.

## CASE STUDY

### LOCAL SECURITY COUNCILS: CONGO, ECUADOR AND MEXICO<sup>31</sup>

Images courtesy of COGINTA for Police Reforms and Community Safety<sup>32</sup>

According to the UN Commission on Crime Prevention and Criminal Justice, active participation of communities and other segments of civil society is an essential part of effective crime prevention. Communities play an important role in identifying crime prevention priorities, in implementation and evaluation, and in helping to identify a sustainable resource base.<sup>34</sup>



Good practice in community mobilization involves a participatory process and the engagement of all levels of society, including local government representatives, community leaders, NGOs and women's groups.<sup>35</sup>

However, such mobilization requires government-sanctioned mechanisms to ensure the sustainability of the combined efforts and ownership from local duty bear-

ers. **Local security councils or LSCs** are such mechanisms where police and other local service providers can convene together with local civil society to discuss and plan joint security projects at the community level including on VAWG prevention.



LSC-type mechanisms exist in every continent. In France and the Republic of Guinea they are called local security councils for the prevention of delinquency (CLSPD); in the Democratic Republic of the Congo (DRC) they are known as local community

security councils or CLSs, in Ecuador they are known as municipal security councils or CSM. Depending on the model and population size of the municipality, senior community policing offices can be the main police representative at LSCs.

Generally, LSCs act as coordination mechanisms amongst security stakeholders at both decentralised and federalised levels. If inclusive and sustainably funded, LSCs can be a common space where threats faced by specific groups and their resulting security vulnerabilities can be identified and addressed through targeted and collaborative approaches.

LSCs can play critical roles in both the strategic planning and operationalisation of the national security and justice strategies and policies for the benefit of the local population. This also extends to national policy and strategy for responding to VAWG. For the police, LSCs can be very important as they can be used to strengthen police partnerships for a more intelligence-led policing approach and to communicate

<sup>32</sup> Inspired by Fernandez, M., Piaget, K., Hernandez, T., and Berthoud, S. (2017), 'Decentralisation of Security Governance: Facilitator of a Human Rights-based Approach (HRBA) to SSR?' ISSAT HRBA Working Group Paper 3.

<sup>33</sup> Coginta for Police Reforms and Community Safety, at <http://www.coginta.org/en>. For further information see *Understanding Local Security Councils in Two Minutes* (Coginta, 2015) at : [https://www.youtube.com/watch?v=7fGFo\\_nteGA](https://www.youtube.com/watch?v=7fGFo_nteGA) and *Guide Pratique Conseil Local de Sécurité et de Prévention de la Délinquance en République de Guinée* (Coginta 2017).

<sup>34</sup> Article 16, United Nations Guidelines for the Prevention of Crime (Economic and Social Council resolution 2002/13, annex). [https://www.unodc.org/documents/justice-and-prison-reform/crimeprevention/resolution\\_2002-13.pdf](https://www.unodc.org/documents/justice-and-prison-reform/crimeprevention/resolution_2002-13.pdf)

<sup>35</sup> Aspects of violence against women that pertain directly to the Commission on Crime Prevention and Criminal Justice. Commission on Crime Prevention and Criminal Justice V.08-52191 (E) \*0852191\* Seventeenth session Vienna, 14-18 April 2008.



strategically to local government officials and community-based stakeholders.

LSCs are platforms of dialogue where various agencies with stakes in public security can consult each other, identify problems and agree on a local plan for the prevention of insecurity.<sup>36</sup> Based on this, LSCs have the potential to assume competency for the quality control of coordinated actions involving the police and their partners in the justice continuum, including when responding to VAWG.

As LSCs normally include municipal authorities, local government agencies, justice officials and sometimes representatives of civil society along with the police, they can generate critical collective inputs for the VAWG coordinated response learning process.<sup>37</sup> This can include commissioning reviews and external evaluations of coordination responses for cases of VAWG for example.

LSCs can also bring about greater accountability from justice and security providers, given they collaborate with the communities they are serving. These models would in theory be an important precondition to building trust between justice and security providers as human rights duty bearers and the community as the rights holders. In this way, LSCs can be conducive to bringing about a human rights-based approach (HRBA)<sup>38</sup>, as security threats and needs facing the community would be identified from different perspectives including those from persons/groups considered vulnerable as a result of societal discrimination.

36 Understanding local security councils in two minutes', Coginta for Police Reforms at: [https://www.youtube.com/watch?v=7f-GFo\\_nteGA](https://www.youtube.com/watch?v=7f-GFo_nteGA)

37 See Fernandez, M., Piaget, K., Hernandez, T., and Berthoud, S (2017), 'Decentralisation of Security Governance: Facilitator of a Human Rights-based Approach (HRBA) to SSR?' ISSAT HRBA Working Group Paper 3, and 'Guide pratique conseil local de sécurité et de prévention de la délinquance en république de guinée' (Coginta for Police Reform, 2017).

38 the UN characterises a HRBA as a "conceptual framework that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights". A HRBA recognises that women and girls have equal human rights to men and boys and that violence against women is a violation of these rights. See UN Women: Flagship programme initiatives <https://www.unwomen.org/en/how-we-work/flagship-programmes>

## DEMOCRATIC REPUBLIC OF THE CONGO (DRC)

The security sector has been identified by the Government as one of the most critical sectors warranting attention in the context of conflict resolution, especially in the eastern part of the country, where there have been on-going allegations of human rights violations at the hands of armed forces and the police.

Following decentralization efforts by the Congolese Government, *Comités Local de Sécurité* ('CLSs') were established in 2013 to help prevent insecurity and to link the central state with local authorities CLSs are made up of a President (who can be the mayor of the town, sector manager or head of the chiefdom, depending on the territorial entity), an officer of the Attorney General's office, the commander of the police station and two representatives of the civil society.



They are legally financed by a provincial fund, although not always in practice, and *forums de quartiers* serve as local meetings open to all members of the community, where they can voice their concerns about insecurity. However, it is vital to the CLS's impact that the police actively promote consultation with civil society and the community, so they also include women's groups and ensure security threats gathered at the *forums de quartiers* are reported, and that statistics are disaggregated by, inter alia, gender, ethnicity, and sexual orientation. .



## CUYABENO, SUCUMBÍOS, ECUADOR

In Ecuador, decentralisation of security governance has reached constitutional (2008) status. This has resulted in legal frameworks for municipal security councils all over the country, including in the municipality of Cuyabeno located in the Amazon region bordering Colombia.

Cuyabeno's proximity to Colombia and richness in natural resources, including petroleum, facilitates many security challenges that place youth, women, children, and indigenous groups in expressed positions of vulnerability.

In response, the legal framework for the Cuyabeno Municipal Security Council (MSC) has been adapted to include a regular consultation that includes representatives from the municipal administration, the police and the military, Indigenous and Afro-Ecuadorian communities and women's organisations, as well as from the health services, and child welfare agencies.

Also invited is a representative from the most influential hydrocarbon company. From the human rights perspective this is very positive and progressive as it provides space for third parties with human rights obligations, such as the oil companies and their private security, to participate with some degree of oversight on security issues impacting the area. The Cuyabeno MSC is self-financed but is entitled to receive State resources though the national police budgets under the rubric of community policing.

## JUAREZ, CHIHUAHUA, MEXICO

In 2010, a community-centric strategy to deliver security and justice to Ciudad Juárez, Chihuahua, Mexico was launched. The 'Mesa de Seguridad de Cd. Juárez' (MSCJ) was thus launched with a mandate to tackle the effects and identified sources of violence. The MSCJ is an independent body from the local government, and as the first of many LSCs in México, it inspired the creation of over 15 MSCJ's across the country. As a network, the different Mesas are coordinated by the NGO SOS México, which is dedicated to citizen participation in public security.<sup>39</sup> The MSCJ is constituted by government officials and citizens, and favours results-based reporting on the issues it tracks. However, MSCJs need to ensure readily available information on the finances, organisational composition or inclusiveness of the MSCJ to be considered a legitimate mechanism by all sectors of the population. A lack of such information detracts from the intended transparency and service delivery the MSCJ has aimed to embody.

Even though civil society is normally represented as a sector, MSCJ actors such as the police need to ensure the constant disclosure of data disaggregated by gender and other diversity factors, such as ethnicity, (Indigenous) affiliation, disability and age on its membership. MSCJ have the competency to engage with gender as a theme or topic, and reinforce national strategies targeting domestic and gender-based violence. MSCJ's potential as an effective coordination mechanism for essential services for victims/survivors of VAWG should be inherently linked to the broadness of its representation and its capacity to ensure accentuality of local public safety interventions.

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<sup>39</sup> SOS Mexico' was established in 2008 by Alejandro Marti, owner of a large sports chain in Mexico, whose son was kidnapped and killed. SOS Mexico aims to maintain an effective security and justice system in Mexico. It has three main objectives: institutional strengthening, legislative reform and citizen participation.

# ANNEX 1

## Engaging Men in Prevention

### Box 7

“As long as we take the view that these are problems for women alone to solve, we cannot expect to reverse the high incidence of rape, child abuse and domestic violence. We do know that many men do not abuse women and children and strive always to live with respect and dignity. But until today, the collective voice of men of these men has never been heard, because the issue has not been regarded as one for the whole nation. From today, those who inflict violence on others will know that they are being isolated and cannot count on other men to protect them. From now on, all men will hear the call to assume their responsibility for solving this problem.”

—Nelson Mandela,  
National Men’s March, Pretoria, South Africa, 1997

When we talk about violence against women and girls, most people would see it as a woman’s issue. Why wouldn’t they? When you speak to girls and women around the world, the majority think about abuse and harassment every day. Some will continue to experience of harassment and abuse.” And the next sentence after that with “Many will be individuals recovering from past victimization, either as adults or as children. In all cases, many girls and women continue to plan their days, so as to prevent or reduce the threat of men’s violence..

It’s a mistake to call this form of violence a women’s issue. Whether we look at rape, sexual assault or domestic violence, the vast majority of these involve boys and men as perpetrators. Shouldn’t these facts confirm that men’s violence is in fact a men’s issue?

Thus, VAWG’s is a “men’s issue” not only because men are most often the perpetrators, but because preventing VAWG benefits entire communities – including men.

When we talk about men in roles as perpetrators, we seem comfortable to discuss them as monsters or beasts but not as men. In many ways, as uncomfortable as it may be we need to reframe these issues as men’s issues that men can help prevent.

A more direct approach is needed to help prevent VAWG and, in many ways, reduce the demand on policing caused by this form of violence. Whilst

bringing perpetrators to account remains a priority we need to think wider and look at the culture that produces these violent and abusive men. We need to be bold, brave, and become uncomfortable with the truth that violence is predominantly a man’s issue.

Whilst the majority of men don’t abuse or use violence, to simply say “I’m a good guy, I don’t do that” isn’t enough. We need men to show leadership and take a stand against the abusive behaviours of the ‘some men’ that do abuse.

There is much that men can do to prevent men’s violence against women. Finding a collective will in male culture to make it a priority is key. It’s clear that a majority of men are uncomfortable with other men’s abusive behaviours but they have not figured out what to do about it or have not yet mustered the courage to act on their own.

So, here are ten things all men can do to help prevent VAWG:

- 1 Own the problem** – Take time to reflect on the issue of VAWG and don’t become defensive when men are viewed as perpetrators. Remember the words of Nelson Mandela, it’s only some men.
- 2 Do the Knowledge** – Learn more about the subject. The fact you are reading this suggests you have an interest.

- 3 **Talk to others** – Use your newly acquired knowledge to talk to other men on the issues. Help them overcome their defensiveness.
- 4 **Speak to the women in your life** – Listen to their experiences of harassment and abuse. Learn from these experiences.
- 5 **Have courage to look inward** – Self-inspection as they say is good for the soul. All men will have, at times, been involved directly or indirectly making derogatory comments about women. It's in the air that men breath. Don't be ashamed. With this new lens, be angry and do something to make a difference.
- 6 **Be that guidepost** – Men are likely to be fathers. Your sons are watching how you behave. Be that role model in their lives. Be a gentle man, be kind. Your sons will learn to do as you do. Your daughters will learn how men will treat them.
- 7 **Be an ally for women** – With your new knowledge you need to put it to use. Support women and other men who are taking a stand against harassment.
- 8 **Support others** – Where you suspect a friend or relative is a victim/survivor of abuse, support them. Don't be a bystander, be a friend. Your job isn't to fix the problem. Simply acknowledging a victim's/survivors experiences will provide support. Make sure you tell them it's not their fault.

- 9 **Challenge others** – When you hear peers or others acting in an abusive way, say something. It will be difficult, it will take courage. Be a leader and say something that communicates that what they are doing is wrong. The reality is that other men will actually support your stance.
- 10 **Challenge the culture** – As well as challenging others have courage to challenge the culture that boys and men grow up in. Only by addressing this culture will we see reductions in levels of VAWG.



Photo courtesy of Graham Goulden, retired Chief Investigator from Police Scotland



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## INITIAL CONTACT

*“One positive step to increase accountability is to make rape universally illegal. Currently more than half of all countries do not yet have laws that explicitly criminalize marital rape or that are based on the principle of consent. Along with criminalizing rape, we need to get much, much better at putting the victim at the centre of response and holding rapists to account. This means strengthening the capacity of law enforcement officials to investigate these crimes and supporting survivors through the criminal justice process, with access to legal aid, police and justice services as well as health and social services, especially for women who are most marginalized.”*

—Phumzile Mlambo-Ngcuka, UN Women Executive Director





# INTRODUCTION

A positive initial contact experience with the justice system is crucial for victims/survivors of violence. Services must be available and accessible to all women.<sup>1</sup> According to the ESP, the most important element of the initial contact will be the ability of the police to demonstrate to the victim/survivor that the justice system, and the justice service providers in this system are committed to her health and safety, take her complaint seriously, allow for her story to be heard and want to ensure that she is well supported on her journey through the justice system.<sup>2</sup>

Photo courtesy of UNMIT/Martine Perret (Timor-Leste)

Police leadership with operational command should ensure that organizational protocols for first responding officers or *First Responders* in cases of VAWG are inherently designed to safeguard victim/survivor wellbeing and are a starting point for an effective and professionally conducted investigation.

To this end, police leadership managing officers who respond to VAWG should apply their operational independence to contextualize the guidance they provide when staff are implementing *First Responder* protocols. This is to ensure they are adequately addressing the immediate security and diverse needs of the victims/survivors, irrespective of their background, legal status and physical or mental capacity.

In contextualizing their *First Responder* guidance, police leadership should seek to broadly consult rep-

<sup>1</sup> See Module 3: Justice and Policing, *Essential Services Package for Women and Girls Subject to Violence: Core Elements and Quality Guidelines* (2015), ps. 6-7.

**“While women and girls universally experience some form of gender-based violence (GBV), it’s a double tragedy for indigenous and minority women and girls. In several countries, there is a lack of legal recognition of their identity as a distinct community with distinct lifestyle, culture and a way of life, leaving them invisible in national statistics and social services.”**

-Minority Rights Group International

representatives of individuals in greater positions of vulnerability such as minority<sup>3</sup> or under-represented

<sup>2</sup> For essential services and guidelines that relate to girl victims/survivors, see the *Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime* (ECOSOC resolution 2005/20).

<sup>3</sup> Minoritization’ effectively creates and maintains the social, political, economic and other conditions that lead to groups of people being treated and defined as minorities e.g. ‘ethnic minority’ and ‘minority ethnic’. It is an ongoing, active process that marginalizes particular groups on the basis of race, ethnicity and other grounds.

women's organizations<sup>4</sup> and leaders from minority ethnic communities (particularly female leaders) or, at least, request such information from police colleagues who regularly engage with communities in their area of competence.

The consultation process in itself is good practice for establishing working relationships with local communities, which can help police to recognize the impacts of violence on different groups of women and communities in general. Having the support of the community in responding to VAWG, will help lay the foundation for victims/survivors to view police as a legitimate source of immediate protection and inspire them towards initial contact.



## PEER-TO-PEER GUIDANCE

The first member of your staff who has contact with a victim/survivor has a critical role to perform; they are the 'shop front' for you and your police agency. It is important that they understand the principle of 'every contact leaves a trace', when it comes to engaging with the community, therefore the quality of that initial contact is vital.

To enable victims/survivors of VAWG to report the crime to you or your staff, you need to ensure the reporting mechanism is understood and is accessible to all victims/survivors. Women and girls do not always have the means to attend a police station, which is due to many factors. It may be difficult for them leave their home without being accompanied; the police station may be too far from where they live; they may have no funds to access transport or transport is not safe or accessible to them; they may have caring responsibilities at home, and/or be living in fear of the alleged perpetrator, family members or the wider community. They may also simply not realize that the police can deal with such crimes,

<sup>4</sup> In some minority groups, the organizations may be led by men and/or male dominated. This has been the case for long time for organizations of persons with disabilities, for example. It is important such voices are still included as interlocutors, if women with disabilities led organizations are not present.

as these may be considered a 'private' issue. If they do attend a police station, they may still face barriers such as negative attitudes of officers; a lack of victim/survivor-friendly facilities, or such facilities not being available or accessible to those victims/survivors with different types of disabilities.

Therefore, in order to uphold the victim/survivor's right to seek justice, you have a responsibility to assist them. You need to consider the following:

- Do you have female officers appropriately trained on VAWG and deployed so they are accessible to all women and girls?
- Do you have appropriate and accessible reporting mechanisms for victims/survivors of VAWG?
- Are they widely published and available in different languages and formats (braille, large print, easy to read) where appropriate?
- Are there any female help desks or other separate victim/survivor-friendly reporting locations within your police area?
- If help desks do exist, are they located in appropriate areas? For example, victims/survivors should not have to walk through main areas accessible to the public, including within police stations, to be able to report crimes that are often sensitive, especially considering that victims/survivors are often fearful of the consequences of reporting to the police. How can privacy and confidentiality be maintained if a female victim/survivor has to walk through a busy police station, passing the cell area in order to reach the help desk? If you have no victim/survivor-friendly facilities, consider asking for assistance from other essential services, such as a health service providers, so your staff can meet victims/survivors in a location away from the police station.

The first role of the police is to ensure the immediate safety and health of the victim/survivor, following any report of violence, and so a prompt response is paramount.

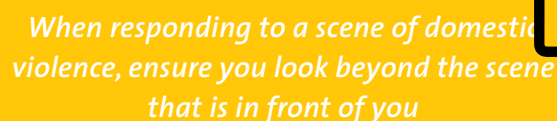
Even during the initial response phase, your staff need to be assessing the potential risks to the safety of the victim/survivor and their family, in order to prevent or mitigate any intimidation, retaliation or re-victimization. Despite the fact that the victim/survivor may be reluctant, often through fear of engaging with the criminal justice process, you and your staff still have a responsibility to safeguard them or any family members who may be at risk. This is particularly important if children are at risk, including from both physical and psychological harm.

You have a duty to protect and therefore positive action, in whatever form, is required, and doing nothing is not an option. Positive action may be ensuring the safety of the victim/survivor and others by removing them to a place of safety or, perhaps a shelter or one-stop centre if available, or preferably by removing the alleged perpetrator from the location. You need to ensure you utilize the full range of powers available to you at the same time remembering that alleged perpetrators also have rights which need to be upheld.

On arrival at the scene, it is important that those initial police responders understand the concept that what they see when they arrive may not be what they expect. For example, in the case of interpersonal violence, the victim/survivor may have already tidied the house following the violence.

You need to ensure your fellow officers understand the importance of looking beyond the scene that is presented front of them, and that they are there to help not just in this instance, but in the longer term. A basic rule is that the victim/survivor and alleged perpetrator need to be separated to enable the victim/survivor to be spoken to on their own, in order to establish what has happened.

A victim/survivor often decides to deal with an incident by herself as a result of thinking she will not be believed by her family, police, and the wider community. This is probably the most common reason given for not contacting the police or other service providers (as is the case in the European Union). This particularly is an issue for those individuals with different types of disabilities.



*When responding to a scene of domestic violence, ensure you look beyond the scene that is in front of you*

Qualitative research provides additional reasons why women do not involve the police (or other services). For example, the *Organisation for Security and Cooperation in Europe (OSCE)* offers insight on the typical barriers that women and girls face and why they prefer to deal with incidents of violence themselves<sup>5</sup>:

- **Shame**, including shame associated with certain types of violence and with divorce;
- **Financial reasons**, including concerns that the woman cannot support herself and her children financially and would not receive support from her family;
- **Lack of trust in institutions**: women do not expect an effective response from the police or fear that they will not be believed;
- **Lack of awareness of specialist services**: women do not know where they can go to get help;
- **Fear of retribution on the part of the alleged perpetrator**: women are afraid that the violence could escalate.

The environment in which the initial contact with a victim/survivor takes place is of vital importance - remember, she may be fearful of even coming to you in the first place, and in the case of IPV, it is unlikely to be the first time she has suffered violence at the hands of the alleged perpetrator. Therefore, your key priority is to make her feel safe, that she can speak freely in privacy and that the information she provides will remain confidential. You need to ensure that your staff understand the importance of this, and they need to identify any particular needs of the victim/survivor and provide accommodation as needed.

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<sup>5</sup> OSCE-Led survey on violence against women: Main report Organisation for the Security and Co-operation in Europe (Vienna, 2019).



*As police you are sent to help and not to judge*

For example, elderly people may be hard of hearing or experience poor vision. In these circumstances finding a place to speak with no background noise, well-lit or with good natural can help immensely. If the victim/survivor is a person with a hearing and/or speech disability, it will be important for the officer to establish if she knows sign language and provide an interpreter to continue the communication.

It is good practice to speak to victims/survivors of VAWG away from the police station, unless you have a victim/survivor-friendly space where they can feel comfortable and it provides them with privacy and confidentiality. Depending on their background, particularly if they are not from your country, such as a **refugee** or **migrant**, they may associate police organizations and other uniformed security personnel with violence, so it is important that your staff try to understand the victim/survivor’s circumstances.

**Box 1**

**Who is a Refugee and Who is a Migrant?**

Refugee	Migrant
A refugee is someone outside their country of origin who is in need of international protection because of a serious threat to their life, physical integrity or freedom in the country of origin as a result of persecution, armed conflict, violence or serious public disorder against which the authorities in the home country cannot or will not protect them. <sup>6</sup>	International migrant (migrant) refers to “any person who is outside a State of which they are a citizen or national, or, in the case of a stateless person, their State of birth or habitual residence”. <sup>7</sup> There is no universal and legal definition of “migrant”. <sup>8</sup>

**For further information on providing a ‘safe space’ to speak with victims/survivors see Chapter 7: ‘Support and Assistance’.**<sup>6,7,8</sup>

To provide a ‘victim-centred approach’, you and your officers need to understand the victim/survivor’s perspective, and they need to be taken seriously. Any conscious or unconscious bias you or your staff may have must not be conveyed to the them. For example, how the victim/survivor is dressed, whether she was consuming alcohol or drugs, whether she was out alone, what location she was in or at what time she was there, whether she is involved in the sex industry, does not

mean she is responsible for the violence perpetrated against her. None of these factors excuse what the perpetrator has done. **Remember you and your staff are there to ‘help, not to judge.’**

Victims/survivors of VAWG are often blamed for making themselves vulnerable by how they behave or where they go, but ask your staff to consider this - if a homeowner reports a burglary, is it their fault because they didn’t have locks on all the windows or doors? No, their report is taken, and the crime investigated. Victims/survivors of VAWG should be treated the same way.

### Gender Bias and False Reports

Gender bias<sup>9</sup> – whether implicit (unconscious) or explicit (conscious) – is shaped and informed by gender-based

6 Principles and Guidelines, supported by practical guidance, on the Human Rights Protection of Migrants in Vulnerable Situations (OHCHR and the Global Migration Group).

7 See OHCHR, ‘Recommended Principles and Guidelines’ chap. I, para. 10. UNHCR consistently distinguishes between refugees and migrants, both to be clear about the causes and character of refugee movements and the specific entitlements of refugees under international law.

8 For an explanation of the term “migrants in vulnerable situations”, see the introduction in *Principles and Guidelines* (n.6).

9 Definition inspired from the four-part series by Huhtanen, H., Lonsway, K.A., Archambault, J., ‘Gender Bias in Sexual Assault Response and Investigation. Training Bulletin Series’, *End Violence Against Women International* (EVAWI, 2017).



stereotypes and attitudes that assign various characteristics, roles, and behaviours to men versus women – and this includes sexual roles and behaviours. Gender also intersects with other factors resulting in beliefs about particular groups of women and men e.g., that some groups of women are more sexually ‘available’, thus negatively impacting their credibility.

While many of us hold attitudes and values in support of gender equality, as well as equal, impartial and fair access to justice, implicit gender bias can nonetheless affect these attitudes and values. That is because implicit biases operate at an unconscious level. Our judgments can be made in a matter of seconds, without any conscious awareness. In fact, they can, and often, contradict our consciously held beliefs and values.

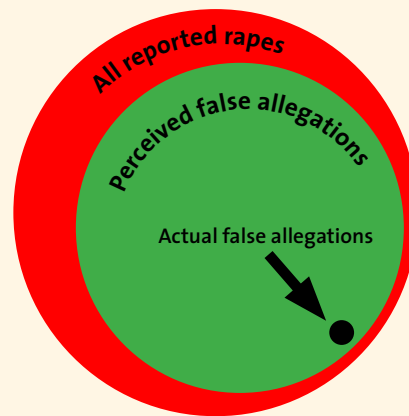
Gender bias may, therefore, partly explain widely held beliefs that sexual assault reports are often false. This belief, in turn, can affect the responses of professionals, both inside and outside the criminal justice system. Responding professionals will inevitably make unconscious determinations about the veracity of a report – but if these judgments are wrong, they can fail to take appropriate action or may draw inaccurate conclusions. Gender biases and judgements are highly likely to force the victim/survivor to shut down, refuse to provide information or even recant her story.

What happens if law enforcement does not believe that a victim/survivor’s story is credible? What happens if law enforcement does not believe a victim/survivor to be worthy of police resources to conduct a thorough evidence-based investigation?

Your staff need to begin with the understanding that false allegations of rape are actually very rare, and that of greater concern is that crimes of rape, sexual assault and child sexual abuse globally are under-reported and that they have an opportunity to change this by treating victims/survivors with dignity and respect.

Sometimes the greatest support to a victim/survivor is to show that she is believed and that you have sympathy for the ordeal she has experienced. Building trust, confidence and rapport with the victim/survivor is key

Figure 1:  
**False Accusations (Rape Crisis Scotland)**



**FACT:**

False allegations are no more common for rape than they are for other crimes.

The perception that they are harms rape survivors.

to them feeling able to tell their story in full, but this may take time, even hours in an interview.

You need to allow your staff the time to build a relationship with the victim/survivor - this must not be rushed. It is likely the victim/survivor of VAWG will have suffered some kind of trauma and, depending on the severity of their reaction, it will determine how much time might be needed with them, providing reassurance and encouraging them to describe in detail what has happened to them.

For more detailed information on speaking with victims/survivors and witnesses, see Chapter 9: ‘Communications’.

You may not have access to either specially trained and/or female staff, so you need to ensure all your staff understand the minimum standards as described below:

- **Environment** – Make sure privacy can be maintained, that the victim/survivor is safe and secure, that there will be no interruptions, ideally in a victim/survivor-friendly room or building, and where she will not come into contact with the alleged perpetrator. The victim/survivor must be handled with care and respect;
- **Staffing levels** – Having just one officer present when the victim/survivor is spoken to is ideal, unless the investigating officer is not of the same gender, in which case a chaperone may be required.

## Box 2

### Start by Believing: Improving Responses, One Disclosure at a Time\*

Start by Believing (SBB) is an awareness campaign focused on the public response to sexual assault, as the first person a victim confides in is typically a friend or family member. How they react determines in large part what happens next. A positive reaction can improve victims' well-being and increase the chance that they will report to law enforcement and reach out for help from other sources. It is also designed to improve professional responses as well.

Sergeant Archambault – *“The initial inspiration for the campaign was this: Time and time again, I saw sexual assault victims treated as though they had to prove they were a legitimate victim, before they would be taken seriously: “You say you were raped? Prove it!”*

*I never heard any officer demand that a victim of a burglary prove that they had a TV before taking a crime report. Yet this is exactly what we do to sexual assault victims every day – across this country, and around the world”.*

While it looks different in every community, the message is always the same: “When someone tells me they were raped or sexually assaulted, I Start by Believing.”

SBB is a philosophical stance that should guide our responses to sexual assault. It “flips the script” on the message victims have historically received from professionals and support people, which is: “How do I know you’re not lying?”

Truly implementing a SBB approach will have profound implications for virtually every aspect of an agency’s and community’s response. The philosophy should carry over into policies, daily practices, and multidisciplinary protocols. It should affect the language that we use, and the way we do our jobs. This is the type of strategy needed to reduce gender bias in criminal justice responses. Again, Joanne Archambault sums it up:

*Victims know when they are being heard and taken seriously – but it isn’t because we say a few words. They know it from our actions. SBB is about listening carefully to victims, suspects and witnesses, and doing a thorough investigation, so decisions are based on all the information and evidence.*

\*‘Start by Believing’ (SBB) is a philosophy developed in the United States by Sergeant Joanne Archambault of Ending Violence Against Women International (EVAWI) and launched in 2011. Also, see Tanner, H., ‘Start by Believing to Improve Responses to Sexual Assault and Prevent Gender Bias’ (2017).

- **Free narrative** - Allow the victim/survivor to recall the incident without interrupting them;
- **Active Listening** – Use positive non-verbal communication (NVC) or body language - eye contact, posture, facial expressions such as smiling where appropriate, nodding of head to show empathy;
- **Avoid negative body language** - such as lack of eye contact, folding of arms, looking away or past victim/survivor, shaking of head, negative facial expressions e.g. frowning;
- **Use of language** – positive expressions describe possibilities, options, choices and alternatives, negative expressions describe what cannot be achieved;
- **Adapt communication style** – according to the age and/or ability of the victim/survivor; Children, particularly if they are young, should not be considered as ‘small adults’, so speak and behave in a way they understand.
- **Undertake a risk assessment** – centred on the victim/survivor and any vulnerable family members, such as children, and consider what needs to be included in a safety plan;
- **DO NOT** – commence any form of mediation,<sup>10</sup> as this is not the role of the police. The responsibility of the police is to gather all evidence through a thorough investigation and present the facts for a prosecution to be considered.
- **Secure and preserve** – any potential evidence at the earliest opportunity. This includes the manner in which any evidence is obtained, e.g., recording the victim’s/survivor’s statement in a way that increases the chance

<sup>10</sup> 2013 CSW 57 Agreed Conclusions call on States to take necessary legislative and/or other measures to prohibit compulsory and forced alternative dispute resolution processes, including forced mediation and conciliation, in relation to all forms of violence against women and girls (E/2013/27 – E/CN.6/2013/11, para (g).

es of a successful prosecution without victim testimony. A video-recorded interview, where facilities permit, can often be appropriate, but this is not always possible.



*We know that victims/survivors often blame themselves for what has happened. Having an officer say “this was not your fault” or something similar is a good way to engage with the victim/survivor, showing that you care about them*

Remember, due to trauma, a victim/survivor may not behave as expected. For example, she may not be visibly upset, or tell her story in a chronological, coherent or precise way, and your staff need to understand this does not mean she is not telling the truth. A victim’s/survivor’s response in some situations may not fit within pre-conceived ideas of appropriate behaviour. The opportunity to create the greatest trust and confidence is when you first speak to a victim/survivor.

If the victim/survivor is alienated at the very beginning of the justice process, then it is likely that her family, friends and, subsequently, the wider community will also be alienated, and your role and that of your staff becomes much harder.

You have a responsibility to ensure your staff treat the victim/survivor with empathy and sensitivity, reassuring her that she is believed, but **DO NOT** allow your staff to make promises they cannot keep, such as telling a victim/survivor that the alleged perpetrator will be sent to prison. That is not a promise the police can make, as it is the court that decides any punishment. The police can, however, promise to do everything in their power to ensure a strong case is put to the prosecutor/ or court and that the victim/survivor will be supported by the police throughout the process.

The overarching impact of trauma, whether as a result of a single event or series of events, often results in the victim’s/survivor’s inability to cope. People react differently to trauma, and what may be traumatic for one person, may not be to another. This is why it is vitally important that your staff do not pre-judge victims/survivors based on their own beliefs and experiences or how they perceive victims/survivors are expected to react.

The initial response to trauma can be different for each victim/survivor. The three recognized responses - **fight**, **flight** or **freeze**, are all are ‘automatic’ responses, and therefore the victim/survivor will have no control over how their body responds to a traumatic event. This is why, when a victim/survivor reports a crime, she may not behave as your officers would expect. Therefore, they need to understand that this does not mean that she is lying about what happened or the impact it has had on her.

**Box 3**

**Signs and Symptoms of Trauma in a Victim/Survivor<sup>11</sup>**

<ul style="list-style-type: none"> <li>• Hyper vigilance</li> <li>• Mistrust</li> <li>• Decreased concentration</li> <li>• Chronic pain/headaches</li> <li>• Substance abuse</li> <li>• Eating disorders</li> <li>• Feeling unreal or out of body</li> <li>• Self-destructive behaviour</li> <li>• Loss of sense of ‘who I am’</li> <li>• Loss of sense of future – hopelessness</li> </ul>	<ul style="list-style-type: none"> <li>• Generalised anxiety/panic attacks</li> <li>• Numbing</li> <li>• Loss of interest</li> <li>• Dissociation</li> <li>• Depression</li> <li>• Little or no memories</li> <li>• Emotionally overwhelmed</li> <li>• Nightmares and flashbacks</li> <li>• Shame and worthlessness</li> </ul>
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<sup>11</sup> Gender-Based Violence Training Manual for Judicial Officers in Uganda (UN Women, unpublished 2019).

#### Box 4

#### Impact of Trauma on Victim/Survivors

Common post-traumatic behaviours associated with VAWG that lead to the withdrawal of a complaint or a refusal to cooperate with the justice process



The impact of trauma may be that she simply does not remember everything, or certainly not in a logical order. This is another reason why it is so important for your staff to take the time to build a rapport with her, so she can eventually relate in detail what has occurred, and a formal statement recorded.

Your staff need to be patient with a victim/survivor, and you need to be patient with your staff while they are dealing with her. Time spent reassuring her in these early stages will increase your prospects of gaining sufficient evidence to bring the alleged perpetrator before court.

### DEALING WITH CHALLENGES IN RESPONDING TO VAWG STARTS WITH IDENTIFYING THE GAPS IN YOUR TEAM'S PERFORMANCE

At first contact, victims/survivors are often and falsely made to feel by police that the responsibility is on them to file charges, make a formal denunciation or specifically request prosecution, either in law or practice. Much of this stems from misconceptions of VAWG (see Box 5 on 'VAWG Misconceptions') which, if left unchecked, can have a detrimental impact on the investigation and future reporting by women and girls.

The following is a non-exhaustive list inspired from an extensive global mapping of good practices and capacity

gaps of police institutions when responding to VAWG.<sup>12</sup> This mapping involves outreaching to several serving and retired police officers, UN agency staff with experience working with police and non-governmental organizations specializing in addressing VAWG. The capacity gaps listed below are detrimental to the police effort at all points in the investigation process, but in this case, they are particularly counterproductive to police effectiveness when responding to VAWG as part of first contact with victims/survivors.

The list is meant to help police managers to quickly identify capacity gaps at the earliest stage possible before harm or further harm is committed against victims/survivors of VAWG. The categories titles are meant to help the reader relate to a key issue of the identified capacity gap but, in fact, they are all applicable and/or complimentary to each point:

#### Gender Bias

- Police often don't connect that unchecked gender bias and stereotypes by responding police personnel contributes to non-reporting of VAWG and attrition of reported cases.

#### Secondary Victimization

- Police often make intrusive and disproportionate demands on the personal data of victims/ survivors

<sup>12</sup> Also see Module 3: Ending Violence Against Women, Table 3.1 on Challenges for women survivors of violence along the justice chain in 'A Practitioner's Toolkit on Women's Access to Justice Programming' (UN Women et al., 2018).

without consideration of the added trauma and distress it causes;

- Police stations in certain areas do not have basic infrastructures to make women feel safe and can pose as one stop shops for criminality instead. Victim-shaming and blaming also happens in police stations, especially by perpetuating myths about certain groups.

## Malpractice

- First-responding police fail to take into account that women may have limited financial or other resources to effectively navigate the system due to coercive and controlling behaviour by their aggressor(s);
- First-responding police fail to take into account how women who have been arrested or detained may be at risk of sexual and other forms of violence from State officials;
- Often, there is no system or procedures in place to ensure effective continued communication with the victim/survivor;

- Data input for case management tends to be inadequately integrated, not continuously updated and normally not easily accessible to criminal justice agencies responsible for the follow-up of victims/survivors, considering national laws on protection of personal data.

## Training and education gaps

- First-responding police may not be aware that a police form or a written acknowledgement of their complaint is required for a medical examination which could be used in evidence as proof of the crime;
- Training and related protocols are not inclusive enough to support responding officers when a victim/survivor or alleged perpetrator has a disability;
- A lack of sufficient knowledge about what causes domestic violence, how relationship violence can be cyclical, and why some partners will not leave abusive relationships readily is common. This knowledge can underscore both the necessity of arrest and the complexities of why arrest may not always be the most effective response.

### Box 5

#### VAWG Misconceptions

*Common misconceptions about rape:*

- **Rape involves a stranger, physical force and physical injury.** Rape usually involves someone the victim/survivor knows, without visible physical injury.
- **Rape is a crime of lust or passion.** Rape is an act of violence and aggression in which the offender uses sex as a weapon to gain power and control over their victim.

*Common misconceptions about domestic violence:*

- **Some women provoke domestic violence or think it is an expression of love and like being abused.** Researchers have found that many abused women suffer in silence, endure physical abuse and remain in the relationship for a variety of reasons, including that they: have no place to go, are financially dependent on their abusive partner, feel it is better for the children and are afraid of social stigma.
- **Alcohol and drugs are the main causes of domestic violence.** Although alcohol appears to be involved in about 50 per cent of incidents of domestic violence, offenders have also often assaulted their partners when sober. Abuse of alcohol is a risk factor that contributes to spousal abuse by lowering inhibitions, but alcohol and drugs do not cause domestic violence.

- **Physical abuse is the most serious form of domestic violence.** Research indicates that domestic violence may be physical, emotional/ psychological, economical and sexual in nature. Most victims/survivors confess that emotional/psychological abuse affects them more seriously and deeply than physical abuse.
- **Men who abuse their partners are usually mentally ill.** Clinical studies on men who abuse their partners do not support this view. The majority of wife abusers are not suffering from mental illness - most seem to be quite ordinary men.
- **Most abusers are unsuccessful men who are violent in all their relationships with other people.** Research indicates that, like abused women, abusing men come from all walks of life.
- **Abuse is acceptable in certain cultures.** Violence is never an acceptable method of solving conflict. Spouses/ partners do not have the right to physically assault one another, regardless of the provocation.
- **Domestic disputes are a private affair and should be settled between couples rather than involving the police, health professionals or social workers.** Victims/survivors of domestic violence have often experienced extreme levels of physical violence, emotional abuse and trauma for months or even years before they seek help. Victims/survivors tend to report the abuse to the police, health professionals or social workers only after they have tried unsuccessfully to resolve their disputes in private.
- **Victims/Survivors of domestic violence could leave the violent relationship if they really wanted to.** Given their religious and/or cultural beliefs, victims/survivors of domestic violence may believe that abuse is part of every marriage. If the victim/survivor has grown up in an environment where domestic violence was condoned, it is more likely that she will stay in the abusive relationship. Furthermore, abused women are usually prevented from leaving home by a number of factors. These may include fear of reprisals, social isolation, financial dependence, social stigma, emotional dependence and poor self-esteem.
- **Children are generally not affected by domestic violence and it is better to have a father at home even if he is violent.** Children living in an abusive home are more likely to be abused themselves, are at risk of injury during a violent incident and are also at risk of developing trauma symptoms. Research has shown that children from violent homes have higher risks of alcohol and/or drug abuse and juvenile delinquency. They may also learn that when people abuse others they do not get into trouble.

Source: *Handbook on Effective Police Responses to Violence Against Women* (UNODC, 2010) p. 18 at [https://www.unodc.org/documents/justice-and-prison-reform/Handbook\\_on\\_Effective\\_police\\_responses\\_to\\_violence\\_against\\_women\\_English.pdf](https://www.unodc.org/documents/justice-and-prison-reform/Handbook_on_Effective_police_responses_to_violence_against_women_English.pdf) and *Handbook on Effective Prosecution Responses to Violence against Women and Girls* (UNODC and UN Women, 2014) p. 31 in [https://www.unodc.org/documents/justice-and-prison-reform/14-02565\\_Ebook\\_new.pdf](https://www.unodc.org/documents/justice-and-prison-reform/14-02565_Ebook_new.pdf)

## DEFINITION AND FRAMEWORKS

In the absence of a universal definition for what constitutes initial contact between the police and victim/survivor, the ESP framework applies the following description:

*Initial contact includes reporting to the police, documentation of the report, registration of a criminal case, advisory services provided by lawyers, civil cases*

*registered, or administrative applications made to state compensation schemes, and applications made for separation, custody, and/or urgent/emergency protection measures through criminal, civil, family courts or administrative bodies/mechanisms.*<sup>13</sup>

<sup>13</sup> Module 3: Justice and Policing, *Essential Services Package for Women and Girls Subject to Violence: Core Elements and Quality Guidelines* (United Nations Joint Global Programme on Essential Services for Women and Girls Subject to Violence, 2015).



**“A responding officer is expected to keep the victim and their children safe; give them confidence in the policing response; assess future risk so that the force can keep them safe in the longer term; investigate the incident; and gather evidence to support a prosecution.”**

— Everyone’s business: Improving the police response to domestic abuse (HCIM, 2014)

It is very important to highlight that the police aren’t always the first official authority a victim/survivor engages with when seeking judicial protection from VAWG. Apart from the police, the range of official *First Responders* can include firefighters, military, professionals in the health sector, one-stop centre workers, helplines and even internet intermediaries.

Regardless of who is the *First Responder*, the priority, above all for the police, is the victim’s/survivor’s safety. This includes ensuring the confidentiality of information, and to anticipate and address the unintended consequences of the actions taken and/or to be taken, so further harm will be prevented. Failure to prevent, protect and respond appropriately to VAWG where the police knew, or should have known, about offender actions will trigger state responsibility.<sup>14</sup>

The police should be well aware of all the common reporting opportunities for victims/survivors of VAWG and ensure the coordination of the *First Responder* when not a police official, so that evidentiary information and material is transferred according to chain-of-custody procedures.

When victims/survivors of VAWG decide to go through an informal process, such as mediation, or are subjected to an informal process, securing evidentiary information and material becomes more challenging. Police

14 States have a human rights obligation to ensure that both State and non-State agents refrain from engaging in any act of discrimination or violence against women. Within this framework, non-state actors include private individuals, such as private companies, in accordance with Article 2 (e) of the Convention on the Elimination of All Forms of Discrimination against Women. According to Article 4 (c) of the Declaration on the Elimination of Violence against Women, States should exercise due diligence to prevent, investigate and punish acts of violence against women.

managers should ensure their staff and essential service partners are clear about the risks and challenges victims/survivors face when mediation becomes the channel for addressing a case of VAWG.

In line with relevant international standards, the UN provides clear guidance on avoiding mediation in cases of VAWG (see: Box 6).<sup>15</sup> The ESP cautions that mediation or restorative justice should only be allowed where procedures are in place to guarantee that no force, pressure or intimidation has been used, and establishes some minimum requirements, including:

- The process must offer the same or greater measures of protection for the victim’s/survivor’s safety as the criminal justice process;
- The perpetrator has accepted responsibility;
- The justice service provider approves;
- The mediators are trained and qualified;
- A validated risk assessment has determined that the woman is not at high risk;
- The victim/survivor is fully informed of the process and she approves of the mediation;
- The victim/survivor consents to participate.

Normally, national protocols<sup>16</sup> exist for detailing the procedures and the associated duties of the first official or *First Responder* on the scene of a crime, or the first to directly receive information about VAWG, either from the victim/survivor herself or a witness(es).

These national protocols for *First Responders* should in general orientate police towards providing a safe and calm environment, whereby they listen supportively,

15 See the ESP (Module 3, essential service 4.9); Strengthening Crime Prevention and Criminal Justice Response to Violence against Women (UNODC, 2014), p. 77-78); A Practitioner’s Toolkit on Women’s Access to Justice Programming (UN Women et al., 2018) ps.232-235.

16 *First Responder* protocols should enable the gathering and preserving of evidence in accordance with the police service’s investigative procedures, which should include making detailed notes of the actions and utterances of the parties and a detailed occurrence report, regardless of whether any charges are brought, or an offence is alleged. See: Strengthening Crime Prevention and Criminal Justice Response to Violence against Women (UNODC, 2014).

## Box 6

### The Dangers of Mediation in VAWG Cases

Mediation (sometimes referred to as ‘conciliation’) is used in both the formal and informal justice sectors and can be extremely problematic, and indeed dangerous, in cases of VAWG, especially domestic violence/interpersonal violence for the following reasons:

- Cases of violence against women involve unequal power relationships between the parties, based on acts of assault, violent intimidation, and/or controlling, abusive, or humiliating behaviour;
- Mediation assumes that parties approach the process with equal resources and power – which is often not the case in these situations.

However, since mediation is used in many countries, UNODC recommends that any justice reform initiative with a mediation component should strictly comply with the following criteria:

- All those involved in facilitating mediation should be trained in the dynamics of VAWG, particularly domestic violence/IPV;
- Training should focus on conducting risk assessment;
- Development and application of validated risk assessment tools for spousal abuse cases.

In general, UNODC recommends appropriate guidelines for applying mediation and other restorative justice practices in violence against women cases, such as:

- The restorative justice process must offer the same or greater measures of protection for the victim’s safety as the criminal justice process;
- The referral to the restorative justice process is made after the perpetrator has been charged with a crime and with approval of prosecutor or investigative judge;
- Determination by trained and qualified personnel that the case is not high-risk; and
- The victim is fully informed and has consented.

Source: ‘Strengthening Crime Prevention and Criminal Justice Response to Violence against Women’ (UNODC, 2014) and ‘A Study for Creating a Multidisciplinary Response Mechanism to Violence Against Women in Egypt’ (UNODC, 2015)

demonstrate compassion and non-judgment, provide reassurance without making false promises, and promote access to medical care and other support. These actions are in line with a victim/survivor-centred approach.

In their guidance, ‘*Integrating a Gender Perspective into Human Rights Investigations Guidance and Practice*’, the UN Office of the High Commission for Human Rights (UNHCHR) investigating gender-based violence (GBV) such as sexual and gender-based violence that respecting the **“Do No Harm” principle** requires a proper assessment of gender dynamics and cultural norms that may result in victims and witnesses being exposed

to further harm, including re-traumatization or stigma, violence and marginalization at the hands of alleged perpetrators or the victims’ families and communities.<sup>17</sup>

This guidance proposes that prior to arranging an interview with a victim/survivor or witness of GBV, especially with potentially vulnerable victims, the following should be considered by the interviewer(s)<sup>18</sup>:

<sup>17</sup> Integrating a Gender Perspective into Human Rights Investigations Guidance and Practice (UN Office of the High Commissioner for Human Rights, New York and Geneva, 2018), see: <https://www.ohchr.org/Documents/Issues/Women/Publications/GenderIntegrationintoHRInvestigations.pdf>

<sup>18</sup> Ibid.



Photo courtesy of UN/Martine Perret)

- Whether the victim/survivor may experience reprisals, marginalization, stigma, violence, including at the hands of the family or the community as a result of contacting and/or informing the investigation team;
- What facts are critical to the case and whether the victim/survivor or witness can provide the necessary information;
- Whether the victim/survivor or witness has already given a statement, including to other authorities, in order to assess whether it is necessary to ask her/him to recount again traumatic events;
- If the investigator knows how to respond appropriately to the victim or witness if she/he becomes distressed;
- If the investigator is knowledgeable about referrals to counselling and other services.

UNHCHR highlights that at the same time, investigators should be careful about making assumptions about victims'/survivors' needs or conditions such as assuming that all victims/survivors of sexual violence

would find the process of recounting their experience traumatizing.<sup>19</sup> The guidance adds that when interviews are thoroughly conducted, the process itself could be healing and empowering.<sup>20</sup>

UNPOL also offers interviewing guidance as part of its *Gender Toolkit* with their Model Standard Operating Procedures (SOP) on police Investigation of rape and sexual offences.<sup>21</sup> This model SOP provides a comprehensive direction to the investigation of rape and sexual offences, from the initial reporting, through investigation, supervision and disposal.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> See Project Tool 97 in 'Procedures on Police Investigations' (UNPOL Gender Toolkit Compendium of Project Tools, 2015), ps. 272-291.

## KEY MANAGERIAL COMPETENCIES FOR EFFECTIVE AND ADEQUATE INITIAL CONTACT WITH VICTIMS/SURVIVOR OF VAWG

It is very important that commanders or police managers understand and transmit to their team(s) that victims'/survivors' experiences in the initial contact with the police are very mixed. Police managers need to be alert to the negative attitudes, actions and behaviours of their staff, which have damaging consequences.

Police face many challenges when receiving a victim/survivor of VAWG. In many cases, police facilities are not accommodating for women or girls wishing to report, and this could range from not having female officers and/or officers trained on addressing VAWG available to help attend the victim/survivor, to a lack of response equipment in the case of alleged rape, or even lack of transport, if immediate medical attention is required by a victim/survivor.

Moreover, in many cases, first contact by a victim/survivor happens with non-formal justice actors such as traditional and faith-based leaders, family members and community chiefs. Formal justice systems may not be accessible to all populations. Nevertheless, solutions can be found, but these will require partnerships with local communities, community leaders or authorities, and in some instances, local private companies, such as taxi services.

A 2014 UK Home Office report on police response to domestic violence found that the quality of the service that a victim/survivor received was entirely dependent on the empathy, understanding and commitment of the police officer attending.<sup>22</sup>

The report highlighted that without effective supervision and training in place, the police within the UK were leaving the matter of the competence and capability of the responding officer almost entirely to chance. This meant that the service that some of the most vulnerable victims/survivors received from the police was akin to a lottery.<sup>23</sup>

<sup>22</sup> 'Everyone's business: Improving the police response to domestic abuse' (HMIC, 2014).

<sup>23</sup> Ibid.

To help ensure a more uniformed and gender-responsive engagement with victims/survivors at first contact, a list of behavioural competencies is provided below. The list has been inspired by the World Health Organization *Strengthening the medico-legal response to sexual violence* (2015)<sup>24</sup> and the *Blueprint for Action: An Implementation Plan for Criminal Justice Systems to Prevent and Respond to Violence against Women* (contained in the publication entitled *Strengthening Crime Prevention and Criminal Justice Response to Violence against Women*, (UNODC, 2014)

**“Without effective supervision and training in place, police within the UK were leaving the matter of the competence and capability of the responding officer (to a domestic violence call) almost entirely to chance.”**

—UK HMIC 2014 (now Her Majesty's Inspectorate of Constabulary and Fire and Rescue Service)

This list sets out internationally recognized behaviours and values and describes how your team should respond to victims/survivors of VAWG crimes as a *First Responder*. It is designed to provide key examples of the expectations emanating from international standards<sup>25</sup>, and at the same time complement and reinforce your national police organization's policies on values, ethics, and integrity.

It is a non-exhaustive list of key performance competencies police managers can refer to and apply and promote when ensuring responding officers have encouraged and facilitated women and girls' reporting of VAWG crimes by effectively demonstrating a commitment to victim/survivor wellbeing, supporting her and creating confidence that her seeking justice will be without discrimination, bias or prejudgment. Managers should ensure responding officers are able to:

### Availability and accessibility

- Ensure access and be able to use machines and supplies for reporting on any form of violence against

<sup>24</sup> Strengthening the Medico-legal Response to Sexual Violence (WHO and UNODC, 2015)

<sup>25</sup> Code of Conduct for Law Enforcement Officials, adopted by General Assembly resolution 34/169 of 17 December 1979, see: <https://www.ohchr.org/EN/ProfessionalInterest/Pages/LawEnforcementOfficials.aspx>

women and girls (i.e. crime kits, sexual assault evidence collection kits, etc.);

- Ensure women and girls with different types of disabilities have physical access to the police stations and provide all necessary communications tools for victims/survivors with hearing/speaking impairments, such as a sign-language interpreter.<sup>26</sup>

### Effective communication and participation by stakeholders in design, implementation and assessment of services:

- Adequately inform the victim/survivor, without requesting a fee or cost, so she can take informed decisions on how to engage the criminal justice process;
- Communicate with victims/survivors in a non-judgmental, non-trivialising and empathetic way in order to ensure full account of their claims;
- Ensure the flexibility to use the police premises and resources, such as transport vehicles in a victim/survivor needs-oriented manner, to ensure confidentiality, avoid stigmatization and secondary victimization;
- Provide clear guidance on refraining from engaging in informal mediation in cases of VAWG by ensuring frontline police are thoroughly trained in *First Responder* protocols.

### Adaptability

- Apply *First Responder* protocols through an individualized (case-by-case) approach in order to recognize the victim's/survivor's different security and support needs.

### Prioritise safety

- Link acquired local knowledge with the victim's/survivor's profile to help identify the common protection gaps.

<sup>26</sup> This should include proactive efforts to remove physical, attitudinal and communication barriers usually faced by women and girls with different types of disabilities and that these are addressed through specific training provided to officers.

### Appropriateness

- Interact with victims/survivors in ways that minimize further traumatization and harm to them and to the intervening officer(s);
- Register the complaint and provide the opportunity for a victim/survivor to be heard by a female police officer, should they so wish; a lawyer where permitted; and access to independent and competent translators, when required.

### Linking with other sectors and agencies through referral and coordination

- Mobilize to preserve a crime scene, even when the incident occurred in another police jurisdiction, such as a timely referral to the correct police agency;
- Identify the components of the essential services, such as the psychosocial experts and/or child health specialists and how they relate to each other;
- Mobilize promptly in response to medical and security needs, including to detain alleged aggressors;
- Mobilize trained interpreters, including for sign language when needed, avoiding at all cost using children or other family as interpreters, for reasons of confidentiality. For the same reason, the police should avoid using trained or untrained interpreters from the same community, particularly indigenous communities.<sup>27</sup>

**“The timeliness of the victim’s report (i.e. several days after the incident) does not lessen the severity of the incident and must not affect the police response”**

—Strengthening Crime Prevention and Criminal Justice Response to Violence against Women (UNODC, 2014)

<sup>27</sup> Sara Ferro Ribeiro and Danaé van der Straten Ponthoz, 'International Protocol on the Documentation and Investigation of Sexual Violence in Conflict - Best Practice on the Documentation of Sexual Violence as a Crime or Violation of International Law' (UK Foreign and Commonwealth Office, 2nd Edition, March 2017).



### Box 7

#### Children or family members should not be used as interpreters\*

Children should never be expected to interpret sensitive or excessive information regarding health and social care needs that are inappropriate for their age or that a family member may want to keep confidential.

Children used as interpreters for a family member can easily influence the content of the messages they translate, which in turn can affect their family member's decisions.

It can also cause children anxiety or stress concerning their parents' health issues after a traumatic event and/or cause frustration and embarrassment for the child and family member.

Using children as interpreters can place additional burdens on them such as decision-making responsibilities. It can create tension and role reversal within the family structure, possibly leading to child abuse as the adult feels resentment or frustration at a perceived loss of authority within the family.

\*Source: The Children's Society UK

## Data collection and information management

- Stay up to date on applicable laws and national policies of VAWG, including what is considered a crime, and who is competent to collect evidence and/or testify as a professional or expert witness in VAWG cases, such as rape.

## Informed consent and confidentiality

- Share information with other relevant agencies, respecting applicable privacy and confidentiality requirements. Generally, agencies may disclose information for the purpose for which it was obtained or compiled, or for a use consistent with that purpose. An informed consent should be used whenever possible;
- Obtain a victim's/survivor's consent before taking photos of her injuries.

## REFERENCE INDICATORS FOR POLICE PROVIDING ESSENTIAL SERVICES: INITIAL CONTACT

UNODC (2014) affirms that the first contact with the police is the first step to ensuring access to justice for victims/survivors. First contact is also a key opportunity

for the prevention of further harm when early detection is acted upon.

As the police are, in many cases, the *First Responders* to VAWG, it places them in the unique position of being a critical source for accurate data collection on reported incidents.

This initial contact data, if collected accurately, can provide important insight into how the police respond to VAWG in general and whether their intervention and proactive strategies are effective in preventing and reducing such violence. Such information also strengthens the operational quality of early warning indicators useful for prevention.

However, the ability of the police to collect quality data depends on their ability to identify and connect the diverse experience of victims/survivors of VAWG with the common triggers of violence, such as patterns of coercive behaviour by the aggressor(s).

As discussed in Chapter 2, the ESP proposes that all justice and support services for victims and survivors need to share a range of common characteristics and common activities to ensure maximum impact. They are applicable regardless of the specific 'sector' that may be responding to women and girls who are experiencing violence.



The following list is inspired from the common characteristics and common activities of the ESP; it proposes examples of reference indicators for police activities when seeking to enable women and girls to confidently report VAWG crimes by effectively demonstrating a commitment to victim/survivor wellbeing and supporting her access to justice, without discrimination bias or prejudice. These are indicators police managers can reference if they exist, but also encourage their inclusion at senior levels when they do not exist:

- **Availability and Accessibility:** *Percentage of local police stations with victim/survivor-centred, disability inclusive and child-friendly facilities*<sup>28</sup> that offer a cost-free, confidential and safe engagement with the police 24 hours a day/365 days per year and in a language or signage understandable to victims/survivors. Where not geographically accessible, there should be mechanisms in place that enable victims/survivors to safely contact and access police services discretely and confidentially. These mechanisms should be accessible to victims/survivors of every age and with different types of (dis)abilities.
- **Adaptability:** *Ratio (per capita) of staff who become specialized and certified in gender-based violence response in the municipality.* These officers should be counted on to be exemplary when ensuring initial contact with victims/survivors is conducted in a non-judgmental, empathetic, age, gender and disability inclusive, and supportive manner. Police managers should recognise and reward actions that consider and prevent secondary victimization and respond to the victim/survivor’s concerns.
- **Appropriateness and informed consent and confidentiality:** *Percentage of staff who receive training on trauma-informed investigations,* including on vicarious trauma suffered by essential service providers, by supporting local experts. These officers should be counted on to be exemplary when ensuring the victim/survi-

<sup>28</sup> This can include safety features that allow for privacy and confidentiality (e.g., secure filing cabinets for records); satellite facilities in locations within one day’s journey (e.g., for women and girls living in remote and rural areas) and access to telephones, fax or internet to allow for women to report securely and to obtain protection orders.

**“Strategies that change the attitudes of societies, victims, and criminal justice professionals contribute to early detection of these crimes”**

— Strengthening Crime Prevention and Criminal Justice Response to Violence against Women (UNODC, 2014).

vor has the opportunity to tell her story, be listened to, and have her story accurately recorded, as well as be able to inform how the violence has impacted her.

- **Prioritize safety:** *Quantity and quality of feedback from responding staff officers on applicability of risk assessment tools during initial contact.* This information should be actively sought by police managers to ensure a consistent practice of documenting all incidents of VAWG, whether they are a crime or not.
- **Effective communication and participation by stakeholders in design, implementation and assessment of services:** *Number of coordinated responses with other essential service providers in relation to the number of VAWG incidents reported.* This should only include referred cases, where the coordination protocol has been complied and reviewed by line managers.
- **Data collection and information management:** *Percentage of reported VAWG incidents that were accurately categorized by responding police, according to station line management.* This information will allow senior manager to determine whether staff at all operational levels have a consistent and shared understanding of VAWG. However, this practice may be resource-intensive due to the manual examination of incident descriptions.
- **Linking with other sectors and agencies through coordination:** *Percentage of positive feedback from essential services partners on the quality of the police first response in relation to the number of referrals.* Service satisfaction surveys or discussion should also enquire about the appropriateness of the actual questioning/interviewing done by the first responding officer(s).



## GOOD PRACTICE CASE STUDY: TRAUMA-INFORMED POLICE INVESTIGATIONS

In 2019, the Department of Justice Canada released a study on the impact of trauma on adult sexual assault victims. The report highlighted that trauma associated with sexual assault very often has neurobiological impact – meaning it affects the brains and nervous systems of victims/survivors and that this is reflected in victims’/survivors’ testimony during standard interview processes, particularly when conducted by the police.<sup>29</sup>

The report further states that in order to process sexual assault cases more effectively, and to receive evidence in these cases in a more fair and impartial manner, criminal justice professionals such as the police need to have a basic appreciation of the effects and impact of trauma on victims/survivors.

### Some of the key findings from the Report:

Baseless myths about women and sexual violence contribute to mistaken belief that victim-witness testimony lacks credibility or reliability. Some examples of such myths cited in the report include:

- A woman who is ‘promiscuous’ or ‘not honourable’ is untrustworthy and more likely to have consented to the sexual acts in question;
- Women who do not promptly disclose or report sexual assaults are lying, or women who do not want to engage in sex will physically fight back and/or attempt to escape the situation to ‘prove’ they really did not consent.

These myths contribute to creating a false stereotype of what real or ‘ideal’ victims look like and that women who are sexually assaulted are expected to do the following:<sup>30</sup>

- Offer physical and/ or verbal resistance to unwanted sex;
- Express clear and explicit non-consent to unwanted sexual contact;
- Discontinue contact with the person with whom she has been ‘inappropriate’ sexually or who has assaulted her; and
- Demonstrate perfect or near perfect recall, including a consistent and linear narrative of ‘what happened.’

The report indicates that these ‘ideal’ victim characteristics do not represent how most women who are sexually assaulted actually cope and respond. This means that these myths, biases, assumptions, and expectations negatively influence how victims/survivors provide testimony during the processing of their case, and how actors, such as the police, assess their credibility.

The report also identified other common victim/survivor behaviours exhibited as a result of a traumatic experience, and the detrimental actions by the police that exacerbated these:

- Violence trauma has a neurobiological impact on victims/survivors, resulting in fragmented memories of sexual assault, thus making it difficult for victims/survivors to remember many details of a sexual assault in a complete or linear way;
- When a victim/survivor is interviewed in a stressful way, e.g., if they are not treated with compassion; if their testimony is interrupted; if what they are reporting is doubted, they will not be able to recall potentially crucial information that is stored in the brain;
- It is neither realistic, nor rational, to expect victims/survivors of sexual assault to recall all aspects of their traumatic experiences with detailed accuracy from start to finish. The brain responds contrary to this expectation of accurate recall, due to the neurological defences activated in response to the trauma;

<sup>29</sup> Haskell, L. and Randell, M., ‘The Impact of Trauma on Adult Sexual Assault Victims’ (2019). Report submitted to: Justice Canada (2019).

<sup>30</sup> See Randall, M (2010), ‘Sexual Assault Law, Credibility, and “Ideal Victims”: Consent, Resistance, and Victim Blaming’, *Canadian Journal of Women and the Law*, 22(2), 397-43 in Haskell, L. and Randell, M., ‘The Impact of Trauma on Adult Sexual Assault Victims’ (2019). Report submitted to: Justice Canada (2019).

### Box 8

#### When victims of sexual assault feel:

1. That someone is listening to them;
2. That the listener can tolerate what they have to say;
3. That the listener understands what they have to say;
4. That the listener can imagine their story to be true.

They will feel more comfortable disclosing their experience and feel more comfortable providing information about it.

A study on the impact of trauma on adult sexual assault victims (Department of Justice, Canada, 2019)

- The belief that inconsistent statements meant the victim/survivor is lying has resulted in an overreliance on techniques that focus on lie detection. These approaches cause further stress to the victim/survivor and often inhibit what memory the victim/survivor can recall;
- Frequent mistakes were made by the police as a result of applying traditional or standard interrogation practices (to interrogate criminal offenders/suspects) to victims of crime, leading to a closure of information necessary to investigate the assault. Some examples of improper interviewing of victims/survivors cited by the report include:
  - asking sexual assault victims/survivors to repeat their narrative from different points in the sequence, for example, asking a victim/survivor to start the story from the end and tell it backwards;
  - asking victims/survivors questions designed to confuse or test their narrative (as a way to assess its validity).
- Interview questions deemed counterproductive in the report stemmed from using victim-blaming language/questions and assumptions, such as ‘Why did you...’
- Traditional police interviews involve too many interruptions when victims/survivors are giving statements about their sexual assault experiences. Interruptions are a fatal flaw in the investigative approach and impede memory retrieval.

### What’s the way forward

The report identifies several positive actions and techniques that the police can undertake and apply, in order to be more trauma-informed in their approach to VAWG:

- Institutionalize training in trauma-informed investigations for police officers as an integral part of the police interviewing practice;
- Training should promote emotional competency, which requires developing essential social skills to recognize, interpret, and respond constructively to emotions in yourself and others. This means developing the ability to interview victims/survivors in ways that empower and calm them, so they are able to provide more accurate, coherent, consistent and persuasive narratives;
- The initial interview with a victim/survivor who first reports a sexual assault should be brief, then followed by a fuller interview several days later when the victim/survivor has had time to sleep and consolidate

**According to many experts, the attitude conveyed by law enforcement is “the single most important factor in determining the success of the victim interview, and therefore the entire investigation.”**

— A study on the impact of trauma on adult sexual assault victims (Department of Justice, Canada, 2019)

her memories of the traumatic experience.<sup>31</sup> This will allow for more consolidated memories that tend to be more stable, more reliable and more consistently remembered, and hence more useful for detailed victim statements taken by the police.<sup>32</sup>

- During the police interview of a sexual assault victim/survivor, the focus should be on the sensory, emotional memories that the victim/survivor has encoded and remembered rather than expecting the victim/survivor to give a narrative with a chronology.
- It is important for police officers to recognize that disclosure is a process, not a one-time event. It is also important for the police to recognize that disclosing sexual assault incidents, which victims/survivors

often experience as humiliating and disempowering, is particularly difficult. This is especially true in a society where rape myths still exist.

- The effect of the police investigator's attitude towards a victim/survivor, especially a sexual assault victim/survivor, is a very significant variable in a first encounter (and indeed any encounter). Victims/survivors often feel intimidated, ashamed, or afraid when the police respond to them with detachment, harshness, disbelief, or dismissal.
- Often traditional police approaches to victim/survivor interviews in sexual assault cases have focused on peripheral details, which are not easily recalled and may not even be relevant. Instead, the police need to focus on central details which victims/survivors more often and more easily recall.

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<sup>31</sup> Some police services in the United States and Canada allow for memory consolidation after two full sleep cycles before interviewing police officers who have been involved in a shooting. This practice can be applied to the interview process with victims/survivors of VAWG. See Haskell, L. and Randell, M., 'The Impact of Trauma on Adult Sexual Assault Victims' (2019). Report submitted to: Justice Canada (2019).

<sup>32</sup> McGaugh, J. L. 'Memory consolidation and the amygdala: a systems perspective', *Trends Neurosci.* (2002) Sep;25(9):456.



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22. 'Children and informal interpreting: Many children to take on an informal interpretation or translation role for their family', (The Children's Society UK), see: <https://www.childrenssociety.org.uk/youngcarer/refugee-toolkit/children-and-informal-interpreting>
23. 'False Accusations', (Rape Crisis Scotland), see: <https://www.rapecrisisscotland.org.uk/false-allegations/>
24. 2013 CSW 57 Agreed Conclusions call on States to take necessary legislative and/or other measures to prohibit compulsory and forced alternative dispute resolution processes, including forced mediation and conciliation, in relation to all forms of violence against women and girls (E/2013/27 – E/CN.6/2013/11, para (g).
25. Minority Rights Group International, see: <https://minorityrights.org/2019/12/10/marginalized-and-violated-gbv/>
26. *Principles and Guidelines*, supported by practical guidance, on the human rights protection of migrants in vulnerable situations (OHCHR and the Global Migration Group), see: <https://www.ohchr.org/Documents/Issues/Migration/PrinciplesAndGuidelines.pdf>
27. UNPOL *Gender Toolkit* Standardised Best Practices on Gender Mainstreaming in Peacekeeping: Compendium of Project Tools (2015), see: <http://repository.un.org/bitstream/handle/11176/387374/United%20Nations%20Police%20Gender%20Toolkit%20Compendium%20of%20Project%20Tools.pdf?sequence=55&isAllowed=y>





## INVESTIGATION

*“The primary responsibility for initiating investigations and prosecutions lies with the police and prosecution authorities and does not rest with women subjected to violence, regardless of the level or form of violence.”*

—UN General Assembly in the 2010 Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice (2011, General Assembly resolution 65/228, annex).

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# CHAPTER GOALS:

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**Police are effectively meeting the evidentiary and investigative requirements when responding to VAWG by conducting investigations in a timely and professional manner, and in the process, exhausting all available means to ensure perpetrator accountability and prevent reoffending.**

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## **Key Messages and Learning Points**

- The police and prosecution authorities have the primary responsibility for initiating an investigation - not the victim/survivor;
- There is no hierarchy of violence when determining the quality of the police response;
- An investigation that is anchored in victim/survivor empowerment through a victim/survivor-centred approach increases satisfaction and confidence in police;
- The ethos of 'Do No Harm' must be central to any decisions or actions taken during the investigation;
- An indicator of a professionally conducted and gender-responsive investigation is when the victim's/survivor's wellbeing is balanced with meeting the investigative requirements;
- Collecting forensic/medico-legal evidence needs to be both gender-sensitive and diligent in compliance with protocols;
- Particular care is required when the victim/survivor is elderly, very young or a person with a disability, as they may have specific needs;
- Recognizing the stages of coercive and controlling behaviour in interpersonal violence can determine the outcome of an investigation;
- Preventing VAWG acts related to honour-based violence/abuse and harmful practices requires community-based solutions and contextually sensitive investigators.



# INTRODUCTION

Every investigation is different and may require a different investigation strategy or approach. Regardless of the strategy/approach employed, international norms prescribing minimum standards require the police to respond diligently<sup>(see p. 128)</sup>, in a time-effective manner, using all resources available without discrimination.

Photo courtesy of UN/Martine Perret (Timor-Leste)

In cases of VAWG, the ESP adds that an indicator of a professionally conducted and gender-responsive investigation is when investigators skilfully find the right balance between ensuring that the victim's/survivor's safety and dignity is maintained throughout the process and meeting the evidentiary and investigative requirements to prove the criminal and/or violent act.<sup>1</sup>

Key to finding this right balance will be the ability of the investigator(s) to encourage victim's/survivor's meaningful participation, by applying a victim/survivor-centred approach, collaborate with other essential service providers and community-based stakeholders, both formal<sup>2</sup> and informal<sup>3</sup> and to conduct work in a professional manner that mitigates against harmful bias and secondary victimisation.

1 Essential Services Package for Women and Girls subject to Violence: Core Elements and Quality Guidelines (United Nations Joint Global Programme on Essential Services for Women and Girls Subject to Violence, 2015).

2 For example, community medical clinics, victims'/survivors' shelters supported by the state, and local NGO's providing support for victims/survivors entering the formal justice system.

3 For example, female community leaders, religious councils or authorities or traditional justice implementors.

**See Chapter 2: 'Making a Difference as a Manager and Team Leader' for more information on victim/survivor-centred approach.**

Equally successful for the VAWG investigation will be the investigating officer's understanding of what constitutes VAWG and how certain behaviours and biases drive it. This will allow investigating officers to identify the patterns of abusive behaviour by the alleged perpetrator and the different environmental variables influencing the nature of violence that the victim/survivor has experienced, as well as the behaviour and reactions of the victim/survivor.

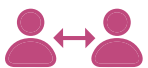
This information will be crucial when planning safety and protection measures to ensure non-repetition of the violence (see Chapter 6: 'Safety and Protection') as it will help place the alleged perpetrator's abusive and coercive behaviour within a cycle of violence model established by experts in the field.

**See Chapter 11: 'Challenges and Strategies to Implementing Gender-Responsive Policing' on applying cycle of violence models in VAWG response strategies.**

Placing the pattern of abusive behaviour of the alleged perpetrator into a cycle of violence model will provide the information needed to conduct an effective perpetrator-focused investigation. This investigative focus will help shed light on how to stop and sanction the abusive behaviour and possibly how to support the alleged perpetrator from reoffending, a scenario commonly preferred by victims/survivors of domestic or intimate partner violence (IPV).

The following chapter will discuss the enabling environment needed to conduct an investigation into VAWG that is effective in meeting the evidentiary and investigative requirements and in parallel, ensuring the victim's/survivor's meaningful participation in the decision-making process.

The guidance provided for police middle managers will be based on current research and practice on unbiased and gender-responsive policing and how this approach can underpin the effectiveness of investigations into VAWG. Additionally, the chapter will closely follow the ESP framework and will recommend the reader to observe the framework guidance provided in Module 3 of the ESP on *Justice and Policing*, essential action number 3 on 'Investigation'. In parallel, readers should also refer to the framework guidance provided in Module 2 of the ESP on *Health*, particularly essential action number 6 on 'Documentation (Medico-Legal)'.



## PEER-TO-PEER GUIDANCE

As a leader, it is essential that you ensure your staff deliver an effective policing service to victims/survivors of VAWG, and while it is recognized you will have competing demands for your services and the resources you have available, the messages you give both to your staff and the local community are crucial. It needs to be made very clear that **VAWG will not be tolerated**, that you and your staff will uphold the law and alleged perpetrators will be pursued rigorously with a view to putting them before a court of law. Have you made it clear to all your

staff what is expected of them and do you monitor and hold individuals account for their performance?

To ensure your staff are meeting the standards expected of them by your organization, they will need to know the contents of any policy or Standard Operating Procedure (SOP) on combatting/responding to VAWG.

If such a document does not exist within your organization, you could consider developing a local set of guidelines for your staff to which they should adhere. You could also urge your superiors to lobby for the development of a SOP for your organization (based on the input and experiences from your own team/unit).

**Violence against women and girls (VAWG) is “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”**

— Declaration on the Elimination of Violence against Women, General Assembly resolution 48/104 (1993).

Whether there is an organizational policy/SOP or not, you need to identify the challenges you and your staff face in dealing with such incidents and what gaps there are in resources or knowledge that need to be addressed or that you need help with either from the community, other service providers or elsewhere within your organization.

You will need to satisfy yourself that your staff are aware of and up to date on any relevant legal provisions pertaining to VAWG. They need to be aware of their roles and responsibilities in upholding both national laws and any international laws, conventions or protocols to which your Government may be a signatory.

A good example would be provisions on human rights contained in the Constitution or international treaties ratified by your country, which apply not only to victims/survivors, but also to alleged perpetrators. Are your staff aware of their responsibility to provide safety and

protection to all people who are either permanently or temporarily within the borders of your country? This would include any refugees, asylum seekers and migrants, whether documented or undocumented.

If you have any refugee camps situated within your local policing area, are your staff aware that those living in the camps still have a right to live there safely and to be treated with dignity and respect? Their safety and protection is not the sole responsibility of the police. All agencies engaged in and around the camps have a role to play, but equally the police cannot absolve itself of any responsibility merely because the camp is run by United Nations Office of the High Commissioner for Refugees (UNHCR)<sup>4</sup> or other international organizations.

There is a clear role for the police in prevention, investigation and support and assistance activities and, in order to be effective, there needs to be a collaborative and coordinated approach between the police and all other agencies and stakeholders.

**For more information on collaborative working see Chapter 3: 'Prevention', Chapter 7: Support and Assistance' and Chapter 8: 'Coordination among Justice Agencies'.**

Having established if your staff are fully up to date on any legislation relating to VAWG, you need to be confident they are aware of their individual roles and responsibilities in combatting such crimes. All staff need to be aware of their specific responsibilities from the one who has first contact with the victim/survivor - be it a call taker, desk officer or patrol officer (*First Responder*), crime scene or forensic examiners - through to general or specialist investigators, case managers, line supervisors and managers.

The way in which the first person who comes into contact with the victim/survivor responds will have

the greatest and lasting impact on the victim's/survivor's trust and confidence in the police. This will then translate into the trust and confidence that their family, friends and community have in the police.

**For further information on dealing with victims/survivors, see Chapter 4: 'Initial Contact' and Chapter 9: 'Communications'.**

Any response to reported incidents of VAWG must be immediate, in order to demonstrate a commitment to combatting such offences and send a clear message that all victims/survivors are important, and that they and their complaints are being taken seriously. An immediate response is critical to ensure their safety and protection and those of any family or other associates who may be at risk. The victim/survivor may be in need of medical attention for any physical or psychological injuries and obtaining this treatment at the earliest possibility not only meets the needs of the victim/survivor but improves the prospect of obtaining potential evidence directly from them.

Even if an investigator or specially trained officer is not available at the time of the report, the victim/survivor should never be left waiting for a response, which is why it is vital that ALL staff have, as a minimum, a general awareness of how to deal with victims/survivors of VAWG, including those who are most vulnerable. Ultimately, from the moment an incident is reported, staff need to understand the ethos of **'Do No Harm'**<sup>5</sup> in relation to any decisions or actions.

It is paramount that everything is done to prevent the victim/survivor suffering further trauma by the instigation of any police processes or procedures which could amount to secondary victimization. They need to understand how difficult it may have been for the victim/survivor to report to the police in the first place, and any additional risk they may face from their family or the wider community as a result of reporting.

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4 The United Nations Office of the High Commissioner for Refugees was established on 14 December 1950 by the United Nations General Assembly. The agency is mandated to lead and co-ordinate international action to protect refugees and resolve refugee problems worldwide, see: <https://www.un.org/youthenvoy/2013/09/office-of-the-united-nations-high-commissioner-for-refugees/>

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5 The 'do no harm' principle refers to ensuring actions and communications do not unintentionally reinforce negative stereotypes about men and women that contribute to violence against women and girls.



### Box 1

#### Are you ensuring the performance of your First Responders to crimes of VAWG is being monitored?

Below is a simple checklist for supervisors of First Responders, based on UK College of Policing advice:

1. Victims/Survivors made to feel safe, *First Responder* demonstrating empathy
2. *First Responder* not making judgements on victim's/survivor's life choices or coping mechanisms
3. Risk Assessment process conducted
4. Check on children's welfare and reassurance provided to children at the scene
5. Safety planning with victim/survivor and children
6. Ensuring privacy when separating victim/survivor and alleged perpetrator
7. Informing the victim/survivor that they are believed and took the right decision to seek help
8. Demonstrates an understanding of why some victims/survivors can be uncooperative
9. Safeguarding according to individual need
10. Dealing appropriately with the needs of victims/survivors from diverse backgrounds
11. Identification, protection and preservation of crime scene(s)
12. Identification, preservation and, where appropriate, collection of evidence
13. Taking positive action and explaining this to the victim/survivor
14. Addressing counter allegations

According to the UNODC Handbook on 'Effective Police Responses to Violence against Women' (2010), an investigation is a methodical exercise in problem-solving that involves identifying the offence by examining facts or circumstances of an incident and identifying the enforcement option appropriate to the facts or circum-

stances. While the complexities and dynamic nature of VAWG are unique from other investigations, the purpose and guiding principles remain largely the same.

Based on the UNODC Handbook, below are checklists on the purpose of an investigation and, additionally, what makes an effective investigation:

### Box 2

#### The purpose of an investigation is:

- To determine whether an offence was committed or to disprove an allegation;
- To identify victim/survivors and witnesses;
- To gather and preserve evidence of any kind that may be relevant;
- To discover the cause, manner and location of an offence;
- To prove the identity of the alleged perpetrator or person(s) responsible;
- Where appropriate, to formulate the grounds on which to bring a charge;
- To document the investigation, and evidence, and to prepare to present evidence at trial;
- To prevent further victimization (includes both the victim/survivor and others who may be affected, such as children).

#### An effective investigation, generally, is one where the investigator:

- Acted in a professional, impartial, inclusive and objective manner;
- Was diligent in the collection of physical or non-physical evidence and statements;
- At all times treated all victim(s)/survivor(s), witness(es) and alleged perpetrator(s) with respect and dignity;
- Ensured that, if there was an offence, which led to the identification of the alleged perpetrator(s), collected sufficient quality evidence, to provide a realistic prospect of a conviction at court;
- Considered the safety and security of the victim/survivor(s), witness(es) and alleged perpetrator(s); Conducted a risk assessment, risk identification and risk management process.



You also need to be confident that all reports of VAWG are being recorded accurately and in sufficient detail to enable a thorough investigation to take place. For example, are the actual words of the victim/survivor being recorded? It will undermine the entire case if, in court, the victim/survivor or witness states in their own words what happened, which does not correspond with the initial police report or their statement.

Not recording in precise detail what was done or said may also result in a case not reaching the court system. If you have summarized or used more 'polite' terminology, this weakens the gravity of the offence presented to the prosecutor or other justice provider. Accurate recording of all incidents, whether validated as a crime or not, is important for you to establish data on the prevalence and type of VAWG crimes, which will enable you to direct resources, where appropriate, to prevent similar or repeat incidents.

**See Chapter 3: 'Prevention', Chapter 6: 'Safety and Protection', Chapter 7 'Support and Assistance' and Chapter**

**8: 'Coordination Among Justice Agencies' for more detail on data capture and use.**

The immediate needs of a victim/survivor must be established from the outset to enable you to understand what additional support and assistance may be required. You and your staff will need help from other service providers to support your investigation, so collaboration is critical. By working with other service providers to support the victim/survivor, your staff can focus on their core role of gathering evidence to identify the facts of the case and present their findings to the prosecutor or courts.

**See Chapter 7: 'Support and Assistance' for further information and examples of good practice such as victim/survivor crisis centres and sexual assault referral centres.**

During the immediate response phase of the investigation, any alleged perpetrators that are present or can be identified quickly, need to be dealt with effectively. It is important that your staff act ethically and profes-

### Box 3

#### **As a minimum ALL reports of VAWG incidents should have the following recorded:**

- Who is involved in the investigation and how they can be contacted? – Police file/incident number, Complainant/victim, Witnesses, Alleged perpetrator, Initial police responders, Investigating officer(s).
- What took place? – Any offence(s) committed; relationship between victim and alleged perpetrator; injuries (visible or otherwise); what evidence is available; its condition and location; any action taken, and further action required; what witness evidence is available and what enquiries were made to trace witnesses. Medical assistance provided and by whom/which medical facility was the victim taken to – details of medical staff and contact details.
- When each event occurred – Time (start/end), date, day. Date/Time reported if different.
- Where each event occurred – Identification of crime scene(s); exact location; location of complainant/victim; location of alleged perpetrator; location of witnesses. Describe the crime scene, apartment, house (which room), store, public building, park, alleyway, road or street. Describe what action was taken to protect and preserve the crime scene(s) from contamination or cross contamination e.g., how did you prevent people gaining access to the scene and destroying physical and/or forensic evidence; documented access/control e.g., what specialist officer(s) and staff entered the scene – and why – the date and time of their entry and the date and time of their exit.
- Details of each event – Were weapons used, if so where are they now? Why did the event occur? History of alleged perpetrator; history of court and/or restraining orders; history of violence involving alleged perpetrator/victim.
- Victim/survivor safety – actions taken to safeguard and protect the complainant/victim, any other family members, including children and other vulnerable individuals and witness(es).

Based on the UNODC- Handbook on Effective Police Responses to Violence Against Women (2010).

sionally towards any alleged perpetrator, whatever their personal views may be.

In addition to considering what risks the alleged perpetrator may pose to the victim/survivor, you also have a 'duty of care' to the alleged perpetrator, who must be presumed innocent until proven guilty by a court of law.

This means that you also need to consider the risks to any alleged perpetrator should the nature of what they are accused of, and their identity become known. This is another aspect of privacy and confidentiality that needs to be respected, and any police actions relating to the release of information to the public must follow legal process pertaining to national laws.

In some countries, for example, the identity of the alleged perpetrator is protected until a formal charge of a crime has been served with a subsequent court date specified. Even when formally charged and within the justice process, the alleged perpetrator and their family could still be at risk from reprisals, intimidation or even physical harm, either inflicted by others or self-inflicted. This can often happen where the alleged perpetrator is someone

who is usually held in high regard within society, such as a teacher, traditional or faith-based leader, or doctor.

**For further information on post-arrest, charge and conviction considerations, see Chapter 6: 'Safety and Protection.'**

You need to ensure compliance with any measures applied to protect the victim/survivor, such as protection orders, and that any reports of breaches initiate an immediate police response. This applies not only after the alleged perpetrator has been apprehended, as protection orders and other measures may have been issued at an earlier stage.

**See Chapter 6: 'Safety and Protection' for more detailed information.**

A key aspect of the investigation is the evidence provided by the victim/survivor, this needs to be recorded by way of a detailed statement of the incident, including any information that can help provide a background to the violence. Not only do the actual words and actions used against the victim/survivor need to be recorded, but it

#### Box 4

##### **Victims/Survivors and Alleged Perpetrators must be guaranteed certain rights**

- These include the right to be treated with respect and dignity by police; to be told at once of the reason for arrest/detention; to be presumed innocent; to be protected from undue violence perpetrated by the State (i.e. abusive police practices) not to incriminate themselves; to privacy and confidentiality; access to legal counsel; to appeal any detention order and to a fair trial.
- It is also important that officers be aware of what they must NOT consider in determining if arrest is appropriate:
  - Marital status; ownership or tenancy rights; verbal assurances that the violence will stop; emotional status of the victim/survivor; visible or nonvisible injuries; denial of domestic violence by either party; belief that the arrest may not lead to a conviction; financial consequences of an arrest to either party; racial, cultural, social, political or professional status or sexual orientation of either the victim/survivor or alleged perpetrator; use of alcohol or drugs or both by either or both parties; or the perception of the willingness of any party to testify or participate in a judicial proceeding.
  - The way the victim/survivor was dressed; whether she engaged in sex work or other types of behaviour that may be judged as 'risky' by others; being out alone; the location she was in or the time of day or night she was out, etc.

Based on: UNODC- Handbook on Effective Police Responses to Violence Against Women 2010

is also helpful to include peripheral information such as family make-up, and previous history of violence. The reason for not previously reporting, such as fear on the part of the victim/survivor, should also be recorded.

Any interview of the victim/survivor, witnesses or suspect should be carried by a specialised investigator trained in investigative interviewing skills, and in the case of victims/survivors and witnesses, or children suspected of having committed the offence, having received specialized training on interviewing vulnerable victims/survivors and witnesses/children (as relevant). Following this method will allow the investigator to collect the most useful evidence and statements and avoid having to repeat the interview, while preventing coercive interviewing and secondary victimization.<sup>6</sup> Such an interview should be carefully planned and take place in an appropriate environment.

Recording of a statement is particularly relevant in IPV cases, as victims/survivors may have suffered on numerous occasions before reporting an incident to the police. In the case of coercive control, there may have been a gradual build-up of dominance of the victim/survivor by the alleged perpetrator over time.

The victim's/survivor's statement needs to capture how they feel both physically and emotionally, the impact of the violence and abuses they have been subjected to and other family members, particularly children, have witnessed. A detailed statement may take some time to complete.

It may not be possible, due to any trauma the victim/survivor is suffering or medical treatment they require, to obtain the statement in one session. **Patience** and **sensitivity** are the key skills your staff need to have, and the more time they spend with the victim/survivor building trust and rapport, the more information they will obtain from them.

It is better to have your staff take their time to obtain an accurate and detailed statement from the victim/survi-

**Gender sensitivity takes into account the unique needs and perspectives of the victim/survivor, respects her dignity and integrity and minimizes intrusion while abiding by standards for the collection of forensic evidence.**

—UN Joint Global Programme on Essential Services for Women and Girls Subject to Violence (2015)

vor once only, than have to spend time re-interviewing the victim/survivor as more information comes to light. Doing so will only add to the victims/survivor's trauma as they will relive the incident every time, as they have to recollect it. This is an example of 'secondary victimization' by the police. If another interview is required, then the specific reasons for holding it needs to be carefully explained to the victim/survivor, or they may feel they are not being believed, adding to their trauma. If the victim/survivor has communication barriers, perhaps due to a disability such as deafness, further time may be needed to collect their statement.

If the victim/survivor is a child, it is even more important to record the actual words they use. Children are less likely to use or, in some cases, understand adult or legal terms and so your officers must not be tempted to change what they tell them into 'adult language'. Child victims/survivors should also be interviewed by specialist investigators.

When your officers work with girls who may be victims/survivors, it is important that they recognize their unique needs based on their age and adapt their response accordingly. They need to ensure the environment in which they speak to the girl is child-friendly, and that a parent, guardian, legal representative etc. who is not involved in the incident being investigated, is present and actively engaged in the process. They also need to ensure that children are accorded the same considerations as adults in relation to confidentiality and privacy, and that medical, psycho-social and victim/survivor support services are age-appropriate.

When obtaining a statement from a victim/survivor, especially if they have suffered significant trauma, such as during a serious sexual assault, it is good practice to

<sup>6</sup> See the forthcoming 'Protocol on Effective Interviewing Gathering Information with Scientific Expertise, Evidence-Based Practice, Human Rights Standards and Professional Ethics' ('Mendez Protocol').

## Box 5

### WHO/UNODC Collection of Forensic Specimens Guidance

#### Background/rationale

Consent for collection should be obtained from all individuals. Specimens may corroborate contact between individuals or between an individual and location; evidence of contact occurs at the time of the offence but disappears quickly. Only evidence that has been correctly collected, stored and analyzed should be used in the investigation/court proceedings. Results of analysis must be interpreted carefully, objectively and in the context of the investigation; it is exceedingly rare for a case to proceed on a single piece of evidence, e.g. DNA, fingerprint.



#### Key Points:

- Consent for the collection and release of the specimens (to investigators) should be obtained from the victim/survivor. The impact of the collection of specimens on the victim/survivor (both physically and psychologically) should be carefully considered;
- The account provided by the victim/survivor (or witnesses), and the time between the alleged assault and examination, will dictate whether collection should occur and what type of specimens are collected;
- Collect specimens from locations where biological material might have been deposited: skin, hair and oral, vaginal and anal orifices;
- Pay careful attention to detail in the labelling and recording of specimens collected;
- Allow any wet specimens to dry. Do not use culture media for forensic specimens;
- Collect blood and urine samples for toxicological analysis if there are allegations of covert or non-consenting drug administration;
- Document transfer of specimens (chain of custody): what, to whom and when transfer occurred. Alternatively, ensure specimens are stored appropriately;
- Take precautions against contamination: restrict access to examination facilities, ensure facilities are cleaned between cases and change gloves frequently.

Source: 'Toolkit on Strengthening the Medico-Legal Response to Sexual Violence' (WHO/UNODC, 2015).

listen to their first account, perhaps taking brief notes so that an investigation can be initiated as soon as possible. Remember that trauma can impact victims/survivors in different ways, and they may not initially remember everything that happened to them, or in a chronological order. They may not appear to your staff to have acted rationally during the incident, but this does not mean they are not telling the truth.

Including reasons for acting or not acting the way they did when subjected to violence is also useful evidence in the statement. Allowing time for the victim/survivor does not mean that taking the statement should

be unduly delayed; however, a victim/survivor-centred approach requires your staff to consider her needs at all times, helping to guide the investigation, particularly during the very early stages.

**See Chapter 4: 'Initial Contact' for more detailed information on trauma and Chapter 9: 'Communication' for guidance on how to build trust and rapport with victims/survivors.**

Any forensic/medico-legal examination needs to be arranged promptly, again to ensure that the victim/survivor is not subject to secondary victimization, so adding

to their trauma. **Gender sensitivity**<sup>7</sup> is paramount, and female victims/survivors must only be escorted during the examination by a female member of staff.

It is imperative that you ensure the officer is fully aware of all evidential requirements and how to handle, mark and preserve any exhibits that may be handed to them by the medical examiner.

The WHO/UNODC *Toolkit on Strengthening the Medico-Legal Response to Sexual Violence (2015)* provides guidance for the collection of specimens from individuals alleging sexual violence and may provide investigators (and a court) with information to support or negate allegations (see Box 5). The WHO/UNODC *Toolkit* stresses the need for all individuals to provide their informed consent when collecting specimens.

A common issue at stations, particularly in rural areas, is a lack of female investigators or female staff who are not trained to obtain statements or handle exhibits in cases of VAWG, but merely used as chaperones. If this applies to you, then you need to consider training all female officers under your command on how to obtain statements from all victims/survivors of VAWG, including those with disabilities.

Particular focus should be given to obtaining statements from victims/survivors of sexual violence, and in forensic evidence awareness and handling of exhibits. This would then ensure you can provide the victim/survivor with the most appropriate sensitive response, which she needs, treating her with dignity and respect, and at the same time obtaining critical evidence to enable your male investigators fulfil their role.

*First Responders* and anyone else attending the scene must avoid the temptation to move into an area or touch anything present that is not necessary, once any risk to life has been dealt with such as attending to a seriously injured victim/survivor.

7 Gender sensitivity aims to understand and take account of the societal and cultural factors involved in gender-based exclusion and discrimination in the most diverse spheres of public and private life (European Institute for Gender Equality, 2019), see: [https://eige.europa.eu/thesaurus/terms/1218?utm\\_source=newsletter&utm\\_medium=email&utm\\_campaign=how\\_gender\\_equal\\_is\\_your\\_parliament&utm\\_term=2019-11-27](https://eige.europa.eu/thesaurus/terms/1218?utm_source=newsletter&utm_medium=email&utm_campaign=how_gender_equal_is_your_parliament&utm_term=2019-11-27)

You need to ensure your officers understand that no one should be allowed access to the scene unless they have critical role within the investigation or are providing medical treatment to anyone who cannot otherwise be removed safely.

Are your *First Responders* aware that in the case of serious crimes such as murder and rape, the scene should be secured and a log commenced of anyone attempting to gain access, even officers more senior in rank?

During the initial response, and throughout the investigation, your staff need to maintain an open mind, and allow the evidence to guide their decision-making rather than pre-judging any situation.

### Important Investigation Principle

Transfer of material between a person and items they come into contact with will always occur, this is based on Locard's Principle of Exchange – “Any action of an individual, and obviously the violent action constituting a crime, cannot occur without leaving a trace.”

Any such ‘cross-contamination’ can have a disastrous impact on the subsequent investigation and the credibility of any evidence, particularly forensic evidence presented at court.

Jane Townsley, Former Chief Inspector, British Transport Police, UK and current Executive Director of the International Association of Women Police (IAWP).

Protecting crime scenes is critical in preserving any potential evidence from being damaged, destroyed, lost altered in any way from its original state. This allows for the crime scene investigators to record everything in detail and to recover as much potential evidence as possible.

Evidence gathering is key in every investigation. In cases of VAWG, evidence of crime may not always be obvious. It is important therefore that officers consider all opportunities when attending incidents. This should also be extended to situations where you speak with victims/survivors, witnesses and also while interview-

## Box 6

### Examples of Evidence in Domestic/Intimate Partner Violence

- • Victim/survivors account of what happened and what life is like for them
- • Phone records, in particular evidence of “open phone lines” demanded by the alleged perpetrator
- • Text messages copies of emails, notes containing rules or demands
- • Evidence of abuse over the internet, digital technology and social media platforms
- • Evidence of an assault
- • Previous police history of calls to address
- • Police history regarding the alleged perpetrator
- • Officer statements, to include observations on arrival
- • Casualty surgeon for examination purposes if no immediate medical attention
- • Forensic evidence within the property: blood marks, weapons used.
- • Forensic evidence from victim/survivor and/or the alleged perpetrator: nail scrapings/swabs
- • Photographs of injuries such as: defensive injuries to forearms, latent upper arm grabs, scalp bruising, clumps of hair missing; Signs of strangulation
- • Clothing
- • Emergency call number tapes or transcripts
- • Closed circuit television or CCTV in the home/public space/other places i.e. places of work/restaurants
- • Lifestyle and household, including at scene photographic evidence
- • Records of interaction with services such as support services, (even if parts of those records relate to events which occurred before the new offence came into force, their contents may still, in certain circumstances, be relied on in evidence)
- • Medical records
- • Witness testimony, for example, the family and friends of the victim/survivor may be able to give evidence about the effect and impact of isolation of the victim/survivor from family and/or friends
- • Evidence from work colleagues
- • Local enquiries: neighbours, regular deliveries, postal, milk delivery, window cleaner etc.
- • Bank records to show financial control
- • Previous threats made to children or other family members
- • Diary kept by the victim/survivor
- • Evidence of isolation such as lack of contact between family and friends, victim/survivor withdrawing from activities and also if the victim’s/survivor’s home is in an isolated place
- • Contact with other agencies; DA specialist agencies, both internally with the Police and externally
- • Interview tapes/transcripts
- • Consideration of child interview(s)
- • DNA from the alleged perpetrator
- • Preservation/recovery of digital media evidence
- • Housing records to confirm occupancy



ing the alleged perpetrator. Traditional, faith-based and community leaders may also be able to provide relevant evidence, especially if they are female.

When identifying potential evidence, it is important to look for what is unseen, not just what is obvious. This can be particularly useful in cases of IPV where coercive control is a feature, often manifesting as small individual incidents carried out by the alleged perpetrator over a long period of time. Taken in isolation, they could be seen as insignificant, but as a whole, can provide crucial evidence regarding the controlling of the victim/survivor. See Box 6 on 'Examples of Evidence in Domestic/Intimate Partner Violence.'

While officers will not always spot signs of abuse, it is worth knowing these stages and what may be presented by a victim/survivor when responding to a call. The following is a list of recognized stages of coercive and controlling behaviour within a relationship developed by Graham Goulden, at *Cultivating Minds UK*<sup>8</sup>:

- Grooming
- Managing the situation
- Distortion of perspective
- Defining abuse
- Re-evaluating the relationship
- Ending the relationship
- Ending the abuse

**Please refer to Annex 1 for more details on Goulden's 'Recognized Stages of Coercive and Controlling Behaviour within a Relationship.'**

You need to reinforce the message to your staff that the police role is to gather and analyze the evidence to establish the facts and therefore whether the allegation is credible; it is NOT to focus on the 'credibility' of the victim/survivor. The police are there to help and investigate, not to judge.

Some crimes have specific indicators that officers should be looking for, so they can identify what constitutes 'best

evidence' in specific and more complex cases. Certain cultural and traditional practices can amount to a crime, not only in certain countries, but also within communities of different origin from the host country. Some examples of such crimes include honour-based violence/abuse and harmful practices e.g. Female Genital Mutilation (FGM), and Child, Early and Forced Marriage (CEFM). Additional information on these, together with their indicators are contained in **Annex 2 on 'Honour based violence / Abuse and Harmful Practices.'**

Witnesses can provide valuable evidence and, as with all evidence, they can corroborate or even disprove an allegation. The role of your staff is to present all the evidence, and it is for the courts to decide guilt or innocence. It is therefore imperative to identify potential witnesses as soon as possible, and the *First Responders* to any incident or crime scene must make every effort to obtain the details of any persons present or in the vicinity, even if they say they did not see anything.

As new information comes to light during the investigation, such people can be revisited if it is believed they may be able to provide evidence of something that was not obvious at the time. Obtaining their details needs to be carried out with dignity and respect and within legal parameters, ensuring their rights are protected. Some witnesses may also need specific support and/or accommodation to ensure they can provide valuable evidence. This could be the case for witnesses with different types of disabilities or witnesses who are elderly or very young. Girls have unique needs based on their age, whether a victim/survivor or a witness.

**See Chapter 4 on 'Initial Contact' and Chapter 9 on 'Communications' for tips on speaking to children, elderly, women and girls with a disability and other individuals with specific needs. See also Chapter 2 for a definition of 'Intersectionality.'**

Particular care is needed when either the victim/survivor or witness is elderly, very young or a person with a disability, as they may have specific needs. For example, if the victim/survivor or witness is elderly, they may be hard of hearing. In this case make sure your staff speak to them somewhere quiet with lim-

8 Graham Goulden, Chief Inspector (retired), Violence Reduction Unit, Police Scotland; now Director of **Cultivating Minds UK** <https://grahamgoulden.com/cultivating-minds-uk/about/>

## Box 7

### Minimum Standards Checklist for initial response

- To immediately separate the victim/survivor from the alleged perpetrator and to ensure the victim's/survivor's safety. As it is often a power and control situation, it is incumbent upon the officers to ensure that the parties are out of sight and hearing of each other, while always keeping officer safety a priority;
- To identify and secure any weapons that may be on hand, so as to protect all persons present;
- If present, to isolate, search and secure the alleged perpetrator - have him removed from the scene;
- To arrange medical treatment for any injured persons;
- To ascertain the initial facts of what has happened and to identify the offence;
- To begin to identify and collect all potential evidence of the offence;
- To conduct an initial interview of the victim/survivor (an in-depth interview may take place later, including a formal written statement);
- To interview all witnesses and collect written statements as necessary;
- To arrange for any required follow-up/secondary investigation (e.g. forensics, medical examination);
- To contact victim/survivor services (if available) to assist with care and support of the victim/survivor;
- To commence documentation of the investigation, evidence and statements.

Source: Handbook on Effective Police Responses to Violence Against Women (UNODC, 2010). P. 49

ited background noise. If short-sighted, they should be spoken to in a well-lit room, perhaps somewhere with additional lighting.

They may also have memory issues due to their age and this can be exacerbated by the impact of trauma, so your staff need to be patient and understanding of their additional needs. Your staff need to ensure they consider any disabilities the victim/survivor may have to ensure the specific needs of each victim/survivor is considered and that relevant adjustments are made.

Women and girls with disabilities who face violence and discrimination also encounter barriers to accessing justice, due to harmful stereotypes, discriminatory attitudes, and lack of procedural and reasonable accommodations, which can lead to their credibility being doubted and their accusations being dismissed.<sup>9</sup>

Further helpful guidance on interviewing alleged victims/survivors of disabilities can be found in UNDP's *'Investigation, Protection, and Support Measures for GBV Victims*

<sup>9</sup> Lisa Adams and Yumi Sera, 'Gender Guidelines'. *Disability Rights Fund & Disability Rights Advocacy Fund* (2018)

- *Resource Book: Experience and Guidelines of the Korean Police'* (2019).<sup>10</sup> In relation to interviewing persons (including children) with disabilities, the resource book provides general guidance on: 1) setting the interview; 2) verbal and non-verbal communication; and 3) attributes of disabilities to help police officers understand the considerations required in the interview process.

The UNDP Resource Book specifically states that children need to be dealt with according to their age, as they develop through different stages, children under 10 years of age are particularly vulnerable.

Reasonable accommodation and other specific arrangements are required when managing cases where a

<sup>10</sup> Investigation, Protection, and Support Measures for GBV Victims - Resource Book: Experience and Guidelines of the Korean Police (UNDP Seoul Policy Centre, 2019).



victim/survivor or witness is a person with a disability, addressing the barriers faced by victims/survivors with disabilities throughout the justice process.<sup>11</sup>

As an example, the SAVE program conducted by Cape Mental Health in South Africa aims at supporting victims/survivors with intellectual disabilities.<sup>12</sup> Further guidance can be found in the UNFPA and Women Enabled International Guidelines on providing

rights-based and gender-responsive violence and sexual reproductive health and rights.<sup>13</sup>

**More information on how to communicate with child victim/survivors and witnesses can be found in Chapter 9: ‘Communications’.**

In Box 8, are some suggestions<sup>14</sup> of how your staff may demonstrate dignity and compassion towards child victims/survivors and witnesses of crime:

### Box 8

#### Demonstrating Dignity and Compassion to Child Victims/Survivors and Witnesses of Crime

Security	Choose a secure and comfortable setting to meet and/or interview the child. If such a setting is not available, choose a location that is as comfortable and as child sensitive as possible.
Not in trouble	Assure the child, especially if he or she is very young, that he or she has not done anything wrong and is not “in trouble.” Young child victims/survivors and witnesses often feel they might be blamed for problems and/or feel accountable for what they have suffered. Clearly explain to the child that the person who has inflicted harm upon him or her has violated the law. The child is not, and should not feel, responsible for others’ behaviour and wrongdoing.
Trust and rapport	Take time to establish trust and rapport before the specifics of the case or the incident are discussed. This is best done by listening to the child and giving him/her the opportunity to ask questions and to share whatever he/she wants. Child victims/survivors and witnesses usually have many questions, concerns and fears. They are more likely to be cooperative and comfortable if they feel that professionals are listening to their concerns and ideas
Empathy	Maintain a non-judgemental attitude and empathize with the child.
Respect	As a result of their victimization, child victims/survivors and witnesses may be very sensitive to any hint of disrespect. Words should be chosen very carefully.
Uniqueness	Treat the child as an individual with his or her own needs, wishes, feelings and concerns. Never compare a child with other children - even to give an example.
Age-sensitivity	Realize that child victims/survivors and witnesses tend to regress emotionally during times of stress. They may act younger than their actual age. For example, an 8-year-old victim/survivor may suck his or her thumb again.
Appropriate language	Use child-sensitive language appropriate to the child’s age. Avoid “childish” talk.
Play	Allow young victims/survivors and witnesses, and where appropriate, also older children, to play. Encourage them to explain what happened in a playful way, for example, with the help of a doll or stuffed animal or through drawing or painting.
Taking time to listen	Take enough time to listen to the child and to understand what happened to him or her. If the child can say everything he or she wants, the situation could be addressed adequately.
Taking views into account	Include the child, whenever possible, in decision-making and problem-solving discussions. Identify and patiently answer all his/her questions, so he/she can express informed views and concerns.

11 Submission to the Special Rapporteur on the Rights of Persons with Disabilities: Good Practices for Increasing Effective Access to Justice for Women and Girls with Disabilities, August 9, 2019, *Women Enabled International*.

12 See <https://www.westerncape.gov.za/facility/cape-mental-health>

13 ‘Women and Young Persons with Disabilities: Guidelines for Providing Rights-Based and Gender-Responsive Services to Address Gender-Based Violence and Sexual and Reproductive Health and Rights’, (UNFPA-WEI, 2018), see: <https://www.womenenabled.org/wei-unfpa-guidelines.html>

14 ‘Training Programme on the Treatment of Child Victim/Survivors and Child Witnesses of Crime’ (UNODC, 2015), see: [https://www.unodc.org/documents/justice-and-prison-reform/Training\\_Programme\\_on\\_the\\_Treatment\\_of\\_Child\\_Victims\\_and\\_Child\\_Witnesses\\_of\\_Crime\\_-\\_Law\\_Enforcement.pdf](https://www.unodc.org/documents/justice-and-prison-reform/Training_Programme_on_the_Treatment_of_Child_Victims_and_Child_Witnesses_of_Crime_-_Law_Enforcement.pdf) p.44.

Your role as both a manager and leader is to ensure that investigations of incidents of VAWG begin and remain victim/survivor centred, and this will require overseeing the investigation and case management process by ensuring effective and appropriate supervision is taking place. Oversight is required to ensure the investigation is being carried out according to ethical and integrity standards. As a leader, you should encourage, be supportive and approachable, yet still be able to hold individuals to account when appropriate.

- How do you ensure your staff are working according to your expectations and those of your organization?
- How do you ensure privacy and confidentiality is being maintained?

**For more information on what constitutes a ‘victim/survivor-centred’ approach, see Chapter 2: ‘Making a Difference as a Manager and Team Leader’.**

Consider the following:

- How do you ensure oversight of case files prior to submission to the next stage of the justice process?
- Are you aware of what, if any deficiencies there may be within an investigation that could result in discontinuance of a prosecution or an acquittal at court?
- How well does your police station or department perform when compared with your peers?
- Do you, or any of your staff meet regularly with prosecutors or court officials to discuss your respective needs and expectations? It is good practice to involve other justice agencies at the earliest opportunity in any case file preparation. In some countries, police and prosecutors working on VAWG cases are co-located, thus providing an opportunity for on-going dialogue between them and strengthening specialist skills leading to fewer acquittals at court. It also helps to reduce the number of interviews to which victims/survivors are subjected, therefore reducing the possibility of secondary victimization, and fostering a sense of trust and confidence on the part of victims/survivors in the justice system;

- How do you ensure there are ‘lessons learnt’ from any cases that do not meet prosecution criteria?
- What is the attrition rate of VAWG cases that go to court?
- What are the reasons for attrition?
- To enable you to answer these questions, you will need to analyze data, which you could request from prosecutors or court officials through coordination and collaboration. (See Chapter 8: ‘Coordination between Justice Agencies’).

Until file data has been analyzed, how confident can you be that the police investigation was robust with no gaps in the evidence? There may be some simple changes that can be made by you, such as issuing new instructions to your staff; however, unless you have examined the data, you may not be aware of any issues.

To ensure continuous professional development, you need to be aware of what weaknesses there are within your area of responsibility and receiving and dealing with public complaints is one mechanism for gaining that information. Again, by understanding the issues, you are better placed to provide clear guidance to your staff, to make positive changes where relevant, with the ultimate aim of building trust and confidence within your local community.

- What procedures do you have in place to enable victims/survivors to make a formal complaint about any police action or inaction in relation to their report?
- How accessible is the process, and has it been communicated to communities within your locality?

Management and oversight of investigations is not about micro-managing your staff, but you are accountable to your senior managers as well as to the local community for results. You need to demonstrate visible leadership, empowering and enabling your staff by coaching, mentoring and, where necessary, holding them to account for their actions, or a lack of action. By doing this, you will send a clear strong message regarding your expectations and they will understand what is required of them.

## DEALING WITH CHALLENGES IN RESPONDING TO VAWG STARTS WITH IDENTIFYING THE GAPS IN YOUR TEAM'S PERFORMANCE

The following is a list inspired from an extensive global mapping of good practices and capacity gaps of police organizations when responding to cases of VAWG. This mapping included outreach, inter alia, to several serving and retired police officers, and UN staff with experience working with police and non-governmental organizations specializing in addressing VAWG. The categories titles are meant to help the reader relate to a key issue pertaining to the identified capacity gap; however, they are all applicable and/or complimentary to each point:

### Attitude

- A general perception that it is too difficult to investigate rape or that it is a specialized task;<sup>15</sup>
- Disabled people are often portrayed as infantile, dependent and incapable of making their own decisions, adding to stigma and fear.

### Gender Bias

- Belief in myths surrounding VAWG, e.g., that commanding officers are aware of allegations of sexual violence perpetrated by police, but this is not addressed (see below on the common results of gender bias by police forces as identified by the United States Department of Justice);
- Myths related to the 'ideal victim/survivor behaviour, particularly in crimes of sexual violence against women and girls, affecting police officers' and thus the quality of the investigation;
- Police officers might blame victims/survivors, believing they provoked an attack by how they dressed or behaved.

<sup>15</sup> Erin Gallagher, 'SGBV Investigation Planning', *Institute for International Criminal Investigations (IICI) and the Justice Rapid Response* (2015).

### Secondary Victimization

- Victims/survivors are repeatedly interrogated numerous times by male police officers and treated disrespectfully when providing statements.

### Malpractice

- Police investigators often place the burden of proof on the victim/survivor to prove she was threatened or subject to violence (i.e. did not give consent) in a sexual assault case rather than focusing on the actions of alleged perpetrator to prove he attained consent from her.
- Misclassifying or underreporting sexual assault or domestic violence cases, or inappropriately concluding that sexual assault cases are unfounded. For example, in cases of reported missing women and adolescent girls, police often wait for confirmation that a crime has actually been committed before responding;
- Inadequate resources, such as transport to take victims/survivors to the correct destinations, resulting in police demanding money from victims/survivors to essentially perform their roles in preventing and investigating VAWG;
- Case management systems are not adequately integrated, continuously updated and easily accessible to criminal justice agencies responsible for the follow-up of victims/ survivors;
- Officers can prioritize the investigation over victim/survivor welfare by mainly using the victim/survivor as a source of information or evidence;<sup>16</sup>
- Protocols for information-sharing with other criminal justice agencies to ensure timely sharing of relevant information, are generally not monitored for compliance and learning.

<sup>16</sup> Nathan Birdsall, Stuart Kirby & Michelle McManus (2017), 'Police-victim engagement in building a victim empowerment approach to intimate partner violence cases', *Police Practice and Research*, 18:1, 75-86, DOI: 10.1080/15614263.2016.1230061.

## Box 9

### Common Results of Gender Bias by Police Forces\*

- Provides less protection to certain victims /survivors on the basis of gender;
- Fails to respond to crimes that disproportionately harm people of a particular gender;
- Offers reduced or less robust services available due to a reliance on gender stereotypes;
- Misclassifies or underreports sexual assault or domestic violence cases;
- Inappropriately concludes that sexual assault cases are unfounded;
- Fails to test sexual assault kits;
- Interrogates rather than interviewing victims/survivors and witnesses;
- Treats domestic violence as a family matter rather than a crime;
- Fails to enforce protection orders;
- Fails to treat same-sex domestic violence as a crime;
- Impede the ability to ascertain the facts, determine whether the incident is a crime, and develop a case that supports effective prosecution and holds the perpetrator accountable.

\* Source: U.S. Department of Justice, 2015

## Discrimination

- Victim/survivors with disabilities or who are illiterate are often not supported adequately when reporting VAWG, especially when signing statements that have serious legal implications.<sup>17</sup>

## Training and education gaps

- The police have limited knowledge on how to support survivors of rape in the usual 72 hours response time (prevent HIV, pregnancy etc.) which is already available at a hospital;
- Training on trauma-informed interventions is often not incorporated into the training and education of all officers who potentially will engage with victims/survivors of VAWG;
- General lack of understanding of national laws on protection of personal data by officers.

<sup>17</sup> 'A Practitioner's Toolkit on Women's Access to Justice Programming' (UN Women et al., 2018).

## DEFINITION AND FRAMEWORKS

The ESP describes the process of a police investigation of a VAWG incident, which includes the following activities:

- Assessment of the case and investigation, generally conducted in the criminal justice system;
- Scene management;
- Investigation planning;
- Victim/survivor, and witness interviewing;
- Risk identification, assessment and management,
- Evidence gathering, processing, and analysis;
- Forensic examinations;
- Intelligence in relation to alleged perpetrators and repeat locations;
- Alleged perpetrator identification, interviewing, arrest and processing; and
- Documentation of findings and actions taken.

Critical to this process is distinguishing between who is the alleged perpetrator and who is the victim/survivor,



## Box 10

### Examples of Doing no Harm\*

The police should consider whether their actions and communications unintentionally reinforce unhelpful traditional stereotypes about men and women that contribute to violence against women and girls.

The police should also be conscientious about unintentionally generating other gender discriminatory attitudes (such as men feeling that they need to 'protect' women by limiting their mobility, freedom or privacy) or anti-equality perspectives (such as homophobia) that sometimes arise.

How to avoid doing harm:

- Ensure that interventions centre on safeguarding a victim's/survivor's safety and well being, informed by women's and girls' diverse experiences in the community and experts in the field of VAWG;
- Ensure the cultural appropriateness of the approaches and actions by engaging local organizations and individuals – both men and women – who have knowledge of both the context and of the outcomes of past interventions;
- Involve boys and men in developing campaign messages, communication materials, and other important products or interventions;
- Field test all outreach materials with the specific target audience (for example, by age sub-group, language group, ethnic group or other important group characteristic);
- Continually monitor and evaluate interventions;
- Include feedback from women in the evaluations (for instance, in corroborating men's self-reported attitudinal or behavioural changes).

\*Adapted from 'Do No Harm' UN Women (2010) <https://endvawnow.org/en/articles/200-do-no-harm.html>



then to treat that relationship accordingly.<sup>18</sup> This practice will set the investigating officers on course towards identifying the different dimensions of suffering experienced by the victim/survivor and the resulting protection needs; an important step when initiating the victim/survivor-centred approach.<sup>19</sup> It should also steer investigators towards identifying the patterns of abusive behaviour used against the victim/survivor and the environmental variables influencing the nature of violence.

Armed with this information, the police can establish the proportionality of their response to ensure the right balance between ensuring the victim's/survivor's safety and dignity is maintained throughout the process and meeting the evidentiary and investigative requirements

<sup>18</sup> The Handbook recognizes that many perpetrators of violence are or have themselves been victims of violence.

<sup>19</sup> According to the ESP framework, a victim/survivor-centred approach places the rights, needs and desires of women and girls as the centre of focus of service delivery. This requires consideration of the multiple needs of victims and survivors, the various risks and vulnerabilities, the impact of decisions and actions taken, and ensures that services are tailored to the unique requirements of each individual woman and girl. Services should meet her needs.

to prove the criminal and/or violent act. Key to this will be applying the 'do no harm principle'. See below for examples of how the police can 'do no harm', when responding to VAWG:

A sensitive and observant police response working swiftly on the principles of 'do no harm', objectivity and without discrimination will be key to applying a victim/survivor-centred approach to a **perpetrator-focused investigation**.

A victim/survivor-centred and perpetrator-focused investigation has three main actions:

1. Starts by believing the victim/survivor (investigate *ex officio*);
2. Ensures that there is no further harm to the victim/survivor and other family members, as well as the possibility of harm (or self-harm) to the alleged perpetrator;

3. Relies on gathering material<sup>20</sup> and biological/forensic evidence to establish the elements or facts of the case, using all means available and in a timely manner;<sup>21</sup>
4. Seeks to build a strong case that does not exclusively burden the victim/survivor as the only source of evidence, nor bases evidence on testimonies made under duress, including from alleged perpetrators or witnesses.

For example, in cases of sexual violence against women and girls, a perpetrator-focused investigation seeks to focus the attention on the alleged perpetrator, in order to objectively determine whether consent was actually attained from a victim/survivor as opposed to placing the burden of proof on her to prove she was threatened or subject to violence (i.e. did not consent).

In such a case, determining how the alleged perpetrator's pattern of abusive behaviour fits within an expert-sanctioned cycle of violence model will be in line with an impartial and objective investigative approach, as promoted by international best practice.

**Consent** is defined as when an individual makes an informed choice to freely and voluntarily do something. There is no consent if it is obtained by use of or threats, force, coercion, fraud, deception, or misrepresentation.<sup>22</sup>

With this definition in mind, police need be particularly mindful when establishing the facts surrounding consent in a case of sexual violence, if the alleged victim/survivor suffered at the time of the act, any mental or physical defect that would influence the ability to consent.

<sup>20</sup> Material evidence should not be restricted to physical evidence but to also include the effect of violence and trauma on the victim/survivor and her behaviour, such as staying in a relationship with the perpetrator of intimate partner violence.

<sup>21</sup> See: Nathan Birdsall, Stuart Kirby & Michelle McManus (2017), 'Police-victim engagement in building a victim empowerment approach to intimate partner violence cases,' *Police Practice and Research*, 18:1, 75-86, DOI: 10.1080/15614263.2016.1230061 and Ellison, L. (2002), 'Prosecuting domestic violence without victim participation', *Modern Law Review*, 65, 834-858.

<sup>22</sup> 'Gender-based Violence Resource Pack: A Standardized Training Tool for Duty Bearers, Stakeholders, and Rights Holders' (UN Women, 2019).

**“Perpetrator accountability requires essential services, where appropriate, to effectively hold the perpetrators accountable while ensuring fairness in justice responses. Essential services need to support and facilitate the victim’s/survivor’s participation with the justice process, promote her capacity of acting or exerting her agency, while ensuring that the burden or onus of seeking justice is not placed on her, but on the state.”**

—UN Joint Global Programme on Essential Services for Women and Girls Subject to Violence (2015)

Moreover, consent should never be considered as a factor when the victim's/survivor's age is below the national legal minimum age at which an individual is considered legally old enough to consent to participation in sexual activity.

According to UNICEF, international standards do not indicate a minimum age for sexual consent.<sup>23</sup> However, the Committee for the Rights of the Child ('CRC') has considered 13 years to be “very low.”

Moreover, the CRC requests Member States to respect the evolving capacities of the child and for this minimum age not be set too high. States should consider, as a criterion, the age difference between the partners involved as one indication of the balance of power between them and also address cases in which two underage adolescents are involved.<sup>24</sup>

**Refer to Chapter 9: ‘Communications’ for examples of what does and doesn’t constitute consent.**

The proactive collection of such evidence is vital in ensuring victim/survivor cooperation with the police, as it has the compounded effect of easing the burden of proof on the victim/survivor through supporting evidence, while lending credibility to the violence to which she was subjected, and ensuring that police

<sup>23</sup> 'Legal minimum ages and the realization of adolescents' rights' (UNICEF), see: <https://www.unicef.org/lac/media/2806/file>

<sup>24</sup> See General comment No. 40 of the Convention on the Rights of the Child (CRC/GC/2003/4 of 2003) and General Comment No. 21 of Committee on the Elimination of Discrimination against Women (CEDAW/GC/21 of 1994).

**“The objective of the minimum age of sexual consent is to protect adolescents from sexual abuse and from the consequences of early sexual activity on their rights and development.”**

— Minimum age of sexual consent (UNICEF)

investigate cases with a realistic prospect of prosecution from the outset.<sup>25</sup>

The following graphic illustrates the sequence from a victim/survivor-centred approach, through to perpetrator-focused investigation into VAWG:

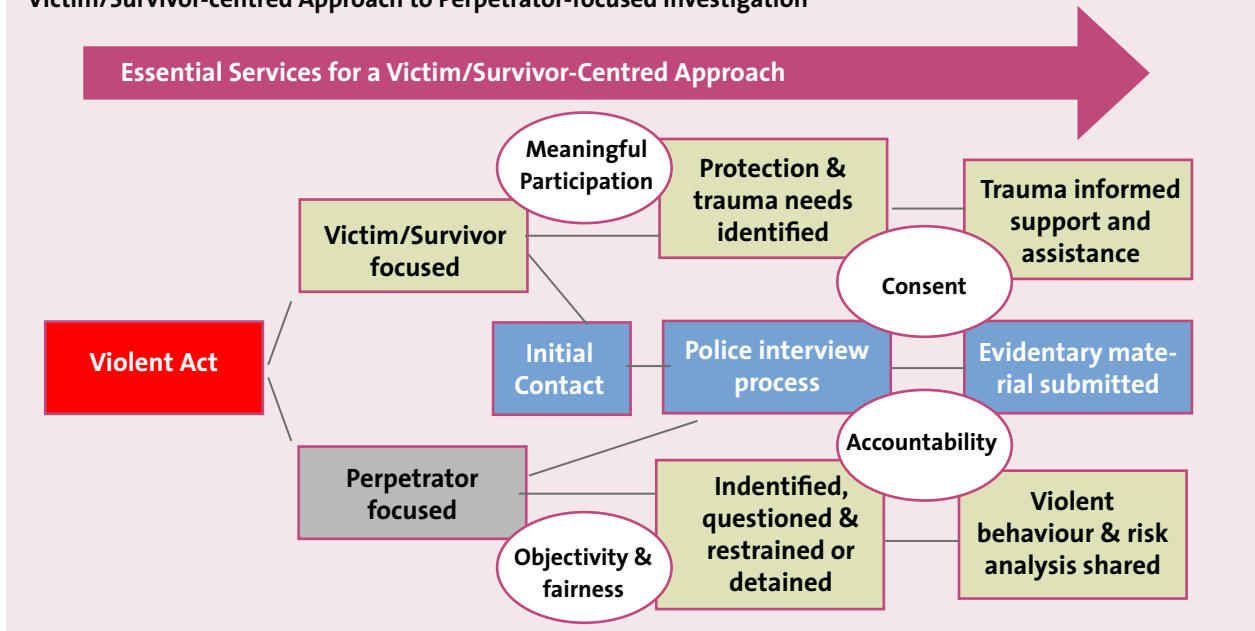
views, but they may be perpetrators of VAWG themselves or otherwise condone it.

In some cases, gender biases, specifically those regarding stereotypes about gender roles, sexual assault, and domestic violence have resulted in the police blurring or even switching the classifications or status of the victim-perpetrator.

In such instances, responding officers can start to question the credibility of the victim/survivor, even blame her for the violence itself, when they feel inaccurate or inconsistent information has been provided. As a result, the delegated investigating police officer tends to

Figure 1:

**Victim/Survivor-centred Approach to Perpetrator-focused Investigation**



Regrettably, studies indicate explicit and implicit biases from police officers involved in VAWG responses have and continue to play a significant role in determining how they will manage cases.<sup>26</sup> Not only will some police officers and other justice actors hold discriminatory

lose focus from investigating the alleged perpetrator’s behaviour and activities to, counterproductively, shifting attention to the victim’s/survivor’s behaviour, while at the same time downplaying the alleged perpetrator’s responsibility and criminality for the alleged violence.

<sup>25</sup> See Nathan Birdsall, Stuart Kirby & Michelle McManus (2017), ‘Police-victim engagement in building a victim empowerment approach to intimate partner violence cases’, *Police Practice and Research*, 18:1, 75-86, DOI: 10.1080/15614263.2016.1230061

<sup>26</sup> Huhtanen, H., Lonsway, K.A., Archambault, J. (2017), ‘Gender Bias in Sexual Assault Response and Investigation’; Training Bulletin Series: Part 1-4. *End Violence Against Women International* (EVAWI).

In order to mitigate the destructive impact of gender bias in policing, police organizations need to make an institutional commitment supported by informed policies and accountability mechanisms that drive a shift in thinking and attitudes of VAWG. This shift of thinking

and attitudes needs to be based on the recognition that VAWG is: a) a human rights violation and: b) a systemic challenge that isolates and marginalizes certain groups of a society and hinders social cohesion, integration and sustainable development.<sup>27</sup>

The 2010 *Updated Model Strategies* recommend developing enforceable standards of practice and behaviour and codes of conduct and to ensure that police officials are held accountable for any infringement thereof, through appropriate oversight and accountability mechanisms.<sup>28</sup>

**See Chapter 10: ‘Institution Building for an Effective and Accountable Police Response to VAWG’ and Chapter 11: ‘Challenges and Strategies to Implementing Gender-Responsive Policing’, for guidance on the development and enforcement of policies and mechanisms to ensure gender-responsive policing.**

Particularly in IPV cases, there can be counter allegations made against the person making the initial complaint to the police. Such situations need to be handled carefully, and without falling into the trap of believing both individuals are ‘as bad as each other’, and therefore dismissing the complaints altogether.

In this situation of ‘one word against the other’, officers can look for other indications of who may be the victim/survivor, and who is the alleged perpetrator, in order to identify the power dynamics of the domestic abuse. The following are examples of indications of victim/survivor behaviour:

- **Fear** – a victim/survivor is more likely to fear either their partner or the consequences of the police involvement, expressing it either verbally or by way of non-verbal communication, which the officer needs to be looking out for.

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27 ‘Investigation, Protection, and Support Measures for GBV Victims’, Resource Book: Experience and Guidelines of the Korean Police (UNDP Seoul Policy Centre, 2019)NDP Seoul Policy Centre.

28 ‘Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice’ (2011, General Assembly resolution 65/228, annex).

- **Responsibility** – Victims/survivors often justify their partners violent or abusive behaviour and either take responsibility for antagonising the situation or for not doing what was expected of them. Alleged perpetrators may admit to violent or abusive behaviour and justify it.

- **Details of the Incident** – Alleged perpetrators are more likely to be vague when it comes to the detail of what occurred whereas victims/survivors are more likely, providing they are not too traumatised, to describe in detail what happened.

Taking these simple indicators into consideration, operational managers should critically assess the background, statements, scene, injuries and likely mechanism of those injuries to identify the ‘Primary Aggressor.’ The ‘who is the Primary Aggressor’ question is a good one to use in cases of IPV where lines may seem blurred with ‘he said/she said’ statements and injuries to both parties.

Police managers and their teams should promptly intervene in cases of VAWG on the understanding that the primary responsibility for initiating investigations and prosecutions resides with the police and prosecution authorities and not victims/survivors, and that there is no hierarchy of violence when determining the quality of the response.<sup>29</sup>

Instead, the police should view VAWG as cyclical phenomena with certain behaviours driving each phase. By intervening effectively closer to the ‘beginning’ of the cycle at a point indicative of less severe form of violence, the police can prevent further violence.

This would be a more efficient way for the police to investigate VAWG, but it requires an understanding of the cycle of violence and the alleged perpetrator’s behaviours associated in each cycle phase.

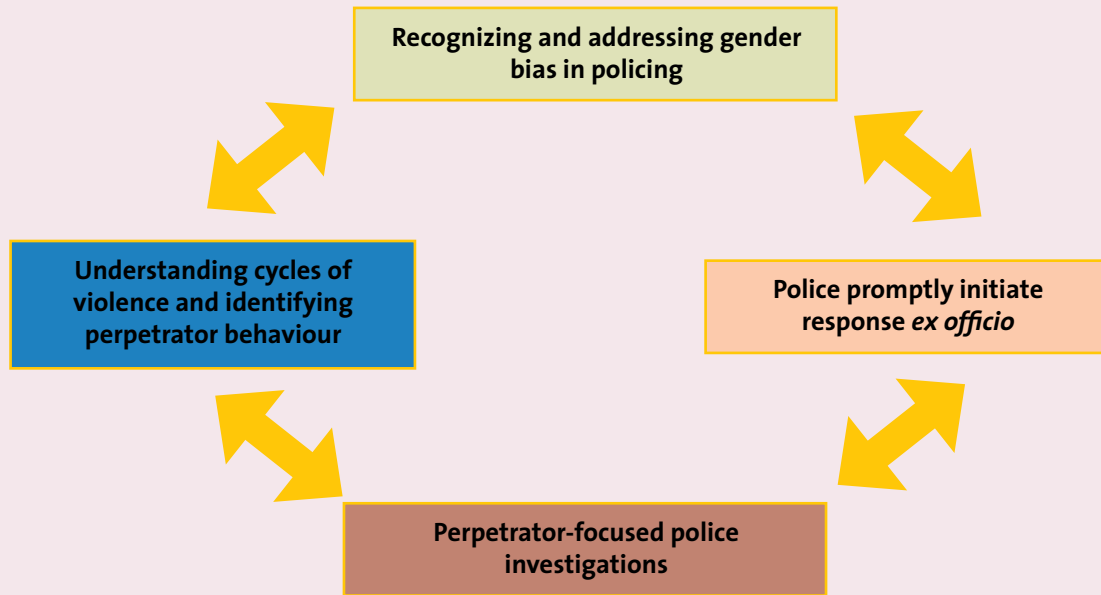
The application of the cycles of violence models in VAWG investigations is the core strategy underpinning a perpetrator-focused investigation. Figure 2 illustrates how these elements come together to mutually benefit

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29 In fact, acts of VAWG may not lead to physical harm, therefore leave no physical evidence, but are still a form of violence and should be effectively addressed.

Figure 2:

Fernandez-Townsley 'Four-Point Model'



an effective and efficient alleged perpetrator-focused investigation into VAWG (Fernandez-Townsley 'Four-Point Model').

The Fernandez-Townsley 'Four-Point Model' is applicable to all forms of VAWG investigation from domestic violence to cyber harassment to human trafficking and is relevant to both conflict and non-conflict contexts. The Fernandez-Townsley 'Four-Point Model' should be viewed as an illustration of key elements needed for a victim/survivor-centred approach to impact organizational protocol application and practice of police investigations into VAWG.

The investigative strategy or approach, whether reactive or proactive<sup>30</sup>, will depend on the crime itself and the elements needed for prosecution. In this regard, the 2010 *Updated Model Strategies* recommend developing

<sup>30</sup> According to the UK College of Policing, initiating a police investigation can be classified into the following two approaches: 1) a **reactive approach**, where the information is primarily gathered from reports from the general public, referral by other agencies, intelligence links to other crimes (linked series), re-investigation as a result of new information or as a consequence of other police actions; or 2) a **Proactive approach**, which generally comes from intelligence sources such as crime pattern analysis, network analysis, operational intelligence assessment, problem profiles, or tactical assessment, amongst others. See: 'Investigation Process', *UK College of Policing*.

investigative techniques that do not degrade women subjected to violence and minimize intrusion, while maintaining standards for the collection of the best evidence.<sup>31</sup>

It is important to emphasize that understanding perpetrator behaviour and the cycle(s) of violence, whether resulting in physical violence or not, will also play a key role in preventing harm to the victim/survivor, her close relatives or friends, and can even help prevent the alleged perpetrator from self-inflicting harm. Prompt and trauma-informed interventions by the police helps prevent VAWG and associated crimes.

**See Chapter 11: 'Challenges and Strategies to Implementing Gender-Responsive Policing' for guidance on understanding cycles of power and control/dominance.**

<sup>31</sup> 'Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice' (2011, General Assembly resolution 65/228, annex).

## KEY MANAGERIAL COMPETENCIES FOR A PERPETRATOR-FOCUSED INVESTIGATION INTO VAWG

As explicit and implicit gender biases are embedded in our culture, it is very challenging for police managers to mitigate negative and counterproductive assumptions and stereotypes about victim/survivors who seek access to justice as a result of experiencing violence.

It will require willingness on the part of the police officers to confront the possibility of an unconscious inclination to expect victim/survivors to act in a manner comparable to what they perceive to be a 'good victim', including being of 'honourable' character and able to offer tangible and logical evidence easily presentable for prosecution.

Addressing gender bias will also require heightened awareness of current studies in the police sciences, which have shown that in cases of VAWG, conventional investigation methods, particularly interviewing practices are generally not ideal from the evidentiary standpoint, nor are they necessarily victim/survivor-centred (**refer to Chapter 4: 'Initial Contact' for information on trauma-informed investigations**).

In many cases, implicit and explicit gender bias can deter investigators from following good practices, or even initiating the investigation at all.

To overcome gender bias, the police managers can introduce and promote investigative principles, against which team members can be evaluated. For example, in British Columbia, Canada, the provincial government issued a set of guiding principles on unbiased policing, based on an engagement process with stakeholders and community organizations, following a series of allegations of police-biased behaviour, particularly against indigenous communities or First Nations community members.

These allegations of bias on the part of the British Columbia Provincial Police Force also stemmed from their failure to adequately investigate reports of miss-

ing women in the province, the majority of whom had a First Nations background.<sup>32</sup> Box 11 outlines the principles that underline the standards from British Columbia Provincial Police Force on unbiased policing.<sup>33</sup>

Police managers must be equally aware of what key competencies, (i.e., observable abilities, skills, knowledge, motivations or traits), are needed to make sure the principles are respected and that investigations are conducted in an objective and timely manner.

For example, possessing technical awareness in cases of sexual violence to realize that, in these cases, a space designated for victim/survivors to receive medical treatment, speak to the police, change clothes while preserving evidence, and receive psychological support can make a positive difference for the victim/survivor and the investigation, is critical.

Experts in criminology, policing sciences and behavioural sciences have been continually demonstrating that when a policing philosophy for responding to VAWG is anchored in victim/survivor empowerment - via her meaningful participation in a victim-centred approach - it increases victim/survivor satisfaction and confidence.<sup>34</sup> This, in turn encourages victim/survivor cooperation.<sup>35</sup> Furthermore, victim/survivor empowerment also enhances the creation of an effective support

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32 From 1997 to 2002, 67 women went missing from the Metro Vancouver region of British Columbia, Canada. Many of these women were found murdered, while others remain missing. The women who went missing pertained to a very marginalized and vulnerable group of women in British Columbia. A Missing Women's Commission of Inquiry ('MWCI') was established in 2010 to examine justice system responses to women reported missing during this time. The MWCI found that aspects of policing decisions and strategies reflected pervasive stereotypes within the community concerning vulnerable and marginalized women. The final report, released in 2012, included several recommendations to address these issues. See: 'Unbiased Policing from the Provincial Government of British Columbia' for further information, at <https://engage.gov.bc.ca/unbiasedpolicing/missing-women-commission-of-inquiry/>

33 See further at: <https://engage.gov.bc.ca/unbiasedpolicing/work-to-date/>

34 Wilson, S., & Jasinski, J. (2004), 'Public satisfaction with the police in domestic violence cases: The importance of arrest, expectations, and involuntary contact' *American Journal of Criminal Justice*, 28, 235-254

35 Nathan Birdsall, Stuart Kirby & Michelle McManus (2017), 'Police-victim engagement in building a victim empowerment approach to intimate partner violence cases', *Police Practice and Research*, 18:1, 75-86, DOI: 10.1080/15614263.2016.123006



## Box 11

### Principles for Unbiased Policing

In British Columbia, Canada, the provincial government introduced guiding principles regarding unbiased policing. This followed a public engagement process, where government officials met with stakeholders and community organizations in the face of allegations of policing bias. The recommendations\* from the police inquiry were translated into principles and used to promote unbiased policing standards in the province. They include:

- Acknowledging bias is an important step in addressing its negative effects;
- The public must have trust in the police for policing to be effective, just, and safe;
- People’s trust in the police is enhanced when people are confident that policing is fair and impartial;
- Policing based on stereotypes or discriminatory policing practices is ineffective, unjust, and unsafe;
- Policies and practices should be informed by an understanding of the history and current state of police-community relations, and the root causes of marginalization;
- Some groups are both at an increased risk of being affected by violence and less likely to report it;
- The police have a duty to ensure equality in the delivery of services and access to justice;
- Ensuring equality includes taking steps to guard against bias and adapting processes, as needed, to offset barriers.

\*Source: Unbiased Policing. Provincial Government of British Columbia. <https://engage.gov.bc.ca/unbiasedpolicing/work-to-date/>

network,<sup>36</sup> as a victim/survivor would be increasingly likely to perceive the police as more legitimate and trustworthy.<sup>37</sup>

Birdsall et al. (2017) add that this experience contrasts significantly with other victims’/survivors’ experiences, where a criminal charge is dropped due to lack of evidence, or when the criminal justice system is pushing for a prosecution of an alleged perpetrator and actively working against the express wishes of the victim/survivor.<sup>38</sup>

The following is a non-exhaustive list of key performance competencies to which police managers can

36 Hohl, K., Bradford, B., & Stanko, E. (2010), ‘Influencing trust and confidence in the London metropolitan police: Results from an experiment testing the effect of leaflet drops on public opinion’, *British Journal of Criminology*, 50, 491–513

37 Tyler, T. (2004), ‘Enhancing police legitimacy’, *The Annals of the American Academy of Political and Social Science*, 593, 84–99.

38 Nathan Birdsall, Stuart Kirby & Michelle McManus (2017), ‘Police-victim engagement in building a victim empowerment approach to intimate partner violence cases’, *Police Practice and Research*, 18:1, 75–86, DOI: 10.1080/15614263.2016.1230061. Also, see Harris-Short, S., & Miles, J. (2011), *Family LAW* (2nd ed.), Oxford: Oxford University Press; and Payne, D., & Wermeling, L. (2009), ‘Domestic violence and the female victim: The real reason women stay!’, *Journal of Multicultural, Gender and Minority Studies*, 3, 1–6.

refer and promote the implementation of an effective and impartial investigation into VAWG. Managers should ensure responding officers are able to:

### Availability & accessibility

- Demonstrate long-term strategic thinking on prevention of VAWG, going beyond personal goals and considering how the success of the investigation affects the broader societal and economic environment;
- Understand how officer engagement with victims/survivors contributes to the wider police service;
- Put in place measures that will allow other officers to take effective responsibility when decision-making is delegated, and at the same time help subordinates to improve their performance;
- Actively encourage and support learning from the investigation within teams and colleagues.

## Effective communication and participation by stakeholders in design, implementation and assessment of services:

- Understand and communicate the difference between preventing cases of VAWG and cases being resolved;
- Communicate how the overall vision links to specific plans and investigation objectives, so that responding officers are motivated and clearly understand the goals of a perpetrator-focused investigation;
- Provide certainty about process, including clear expectations, as to what to expect in the process, with as much certainty as possible and in a manner understandable to the victim/survivor<sup>39</sup>;
- Recognize VAWG patterns, themes and connections between many diverse sources of information and the best available evidence.

## Adaptability

- Recognize gender and disability biases, such as assumptions and stereotypes about victims/survivors, and how these impact daily decision-making.

## Appropriateness

- Dispel myths and misconceptions stemming from gender bias surrounding victims/survivors of VAWG, most notably regarding false allegations;
- Identify the key reasons, motives or incidents behind violent acts, e.g., working knowledge of cycle of violence models, power dynamics and the common behaviours associated with different acts of VAWG involving both the victim/survivor and the alleged perpetrator;
- Understand the meaning of ‘child-sensitive’ and ‘the right to be treated with dignity and compassion’, especially when dealing with child victims/survivors and witnesses.<sup>40</sup>

39 Training Programme on the Treatment of Child Victims and Child Witnesses of Crime for Law Enforcement Officials (UNODC, 2015).

40 Ibid.

### Box 12

#### Child-Sensitive Police Investigations\*

Below are specific factors that law enforcement officials should take into account when dealing with a child victim/witness, which they may perceive as particularly sensitive (also known as “differential treatment”) are:

- Factors related to the personal circumstances of the child: age, wishes, understanding, gender, sexual orientation;
- Factors related to the special needs of the child: health, abilities, capacities, other special needs;
- Factors related to the social environment of the child: ethnic and cultural background, religious background, linguistic and social background, caste;
- Factors related to the socioeconomic situation of the family of the child: socioeconomic condition, immigration status, refugee status.

\*Source: Training Programme on the Treatment of Child Victims and Child Witnesses of Crime for Law Enforcement Officials (UNODC, 2015)

## Prioritize safety-risk assessment and safety planning

- Seek and connect information about victims’/survivors’ profile characteristics, such as gender, sexuality, disability, ethnicity, religion and age, with cycles of VAWG and perpetrator behaviour patterns;
- Upon receiving information from victims/survivors of VAWG, apply principles of impartiality and proportionality to ensure an immediate and adequate response to protection needs;<sup>41</sup>
- Ensure the efficient use of resources to provide adequate protection and cooperation from the victim/survivor.<sup>42</sup>

41 In cases of women and girls reported missing, police should not wait for confirmation that a crime has actually taken place before reacting.

42 ‘More than just a ramp: A guide for women’s refuges to develop disability discrimination act action plans’, Women with Disabilities Australia (WWDA) (2007).

### Box 13

#### Role of the Supervisor in Cases of Sexual violence\*

- If requested by officer, or when deemed necessary, respond to assist officers investigating incidents of sexual assaults;
- Officers must respond in an objective, professional, non-judgmental manner; supervisors must ensure line officers are aware of these expectations.
- Help locate both agency and community resources to effectively investigate the assault that occurred;
- Encourage problem-solving partnerships between the department and community organizations, such as rape crisis centres and forensic examination programs, to foster cooperation and better support victims;
- Review all sexual assault police reports for accuracy, consistency, and victim/survivor-centered response;
- Encourage officers to look for co-occurring and interconnected crimes when responding to sexual assault;
- Ensure officers and investigators understand case coding and appropriately code sexual assault cases;
- Conduct after-action reviews and sexual assault case audits to ensure officers and investigators are conducting comprehensive, victim/survivor-centered, perpetrator-focused investigations;
- Create on-going training opportunities for department members to improve the skills needed to properly investigate sexual assault. Work to increase communication between law enforcement and prosecutors to ease the transition for victims/survivors, as they move from the investigation phase to prosecution;
- Incorporate victim service issues and response to victims of sexual assault into performance evaluations, and award and promotion recommendations of department members;
- Hold members accountable when they behave in a way that is not in-line with the values and the mission of the department regarding sexual assault investigations;
- Regularly share victim/survivor services information at roll-call and staff briefings. This education and training should be on-going and can also be done in the field with officers when not answering calls for service;
- Recognize and reward officers for providing effective victim/survivor services.

\*Source: International Association of Chiefs of Police Sexual Assault Response Policy and Training Content Guidelines (2015).

### Linking with other sectors and agencies through referral and coordination

- Adjust VAWG investigation methodologies, such as victim/survivor interviewing and recommended victim/survivor support, to accommodate traumatic experience suffered and ensure the meaningful participation of the victim/survivor throughout the investigation.

### Data collection and information management

- Conduct oneself in an objective, impartial and thorough manner, as per protocol when completing the required case report documentations, including appropriately classifying the act of violence;
- Ensure the transparency of reporting procedures, in-

cluding in relation to receiving reports, initial reception and responding to reports.<sup>43</sup>

- Take personal responsibility for seeing the investigation through to a satisfactory conclusion and for correcting any problems, both promptly and openly.

### Informed consent and confidentiality

- Identify common entry points for secondary forms of victimization of the victim/survivor during the investigation;
- Represent the opinions of victims/survivors accurately and consistently, meaning that adequate processes

<sup>43</sup> These procedures should be published and easily available to the public, all sectors in government and other criminal justice agencies. For further recommendations on case management, please refer to 'Strengthening Crime Prevention and Criminal Justice Response to Violence against Women' (UNODC, 2014).

to collect the victim's/survivor's opinion are in place, even when the victim/survivor faces communication barriers or lacks legal capacity.

In 2015, the International Association of Chiefs of Police ('IACP') produced a *Sexual Assault Response Policy and Training Content Guidelines*, which aimed to provide law enforcement with issues, procedures, and recommendations to consider when developing a policy related to sexual assault as well as accompanying training content.<sup>44</sup>

In the Guidelines, the IACP highlighted the key role effective supervision plays in ensuring comprehensive responses to and investigation of VAWG crimes, such as sexual assaults. The IACP recommends that first-line supervisors demonstrate a thorough understanding of victim/survivor issues and proper response by subordinates.<sup>45</sup> To reinforce the recommendations, the IACP has provided law enforcement with a list of key actions for supervisors to undertake in cases of sexual violence, which can be applicable, to some degree, to all forms of VAWG, (see Box 13).

## REFERENCE INDICATORS FOR THE POLICE PROVIDING ESSENTIAL SERVICES: INVESTIGATION

As discussed in Chapter 2, the ESP proposes that all justice and support services for victims/ survivors need to share a range of common characteristics and common activities to ensure maximum impact. They are applicable regardless of the specific 'sector' that may be responding to the needs of women and girls who are experiencing violence.

The following list is inspired from the common characteristics and common activities of the ESP; it proposes examples of reference indicators for police activities, when aiming to effectively meet the evidentiary and investigative requirements when responding to VAWG cases. This includes conducting investigations in a timely and professional manner, and in the process,

exhausting all available means to ensure perpetrator accountability and prevent reoffending. These are indicators police managers can reference if they exist but also encourage their inclusion by senior levels if they do not exist.

- 1. Availability and accessibility:** Percentage or proportion of positive feedback from victims/survivors and/or their representatives regarding accessibility to police services, both in terms of quality and quantity. The feedback should aim to include how the police are informing victims/survivors about the status of the investigation, throughout the process. From this, managers can evaluate the extent to which their staff are properly collecting and managing the contact details of victim/survivors.
- 2. Adaptability and accessibility:** Percentage or proportion of VAWG cases reports that integrate a perpetrator behaviour analysis, in accordance with recommended cycle of violence models. This analysis should inform the perpetrator focus of the investigation, as well as the victim's/survivor's protection needs.
- 3. Appropriateness and accessibility:** Percentage or proportion of team members trained in responding to child victim/survivors of violence. This should include both specialized training for specific teams, as well as general continued training for all officers. The training should provide updates on victim/survivor referral contacts; new laws, including on cyber-related violence and crime; school-related violence and the role of social media; and criminal activities affecting vulnerable groups such as migrants.
- 4. Prioritize safety:** Percentage or proportion of protection orders recommended and implemented by the police in VAWG cases where the alleged perpetrator is known. Equally important will be the percentage or proportion of VAWG cases where protection orders are not recommended and/or are recommended, but not executed. This indicator should be considered in association with the number of arrests made in such cases.

<sup>44</sup> See further: <https://www.theiacp.org/resources/sexual-assault-response-policy-and-training-content-guidelines>

<sup>45</sup> Ibid.

**“The quality of the investigation and how it is documented, alongside the investigator’s decisions are critical to a successful outcome. For example, the handling of the chain of evidence particularly as it relates to forensic evidence is of vital importance and is one of the first areas to be challenged in the justice system.”**

—Gerry Campbell, former Detective Chief Superintendent, Scotland Yard

**5. Informed consent and confidentiality and accessibility:**

Percentage or proportion of officers trained on trauma-informed approaches to policing. The training should also encompass vicarious trauma and be incorporated into specialized training for specific teams, as well general continued training for all officers.

**6. Effective communication and participation by stakeholders in design, implementation and assessment of services:**

Number of victims/survivors spoken to and statements taken. Although this indicator does not provide information on the quality of the communication between the police officer and victim/survivor or witness in itself, it is essential in complementing the qualitative feedback provided by victims/survivors.

**7. Data collection and information management:**

Percentage or proportion of cases adequately recorded and stored, as per the case file management protocol or procedure. Recording this information demonstrates the accountability and integrity of the investigative process. This includes records that victim/survivors received, upon reporting a crime, a written acknowledgement of their complaint from the police, stating the basic elements of the crime, such as the type of crime, time, place and any damage caused by the crime. This acknowledgement should include a file number, date, police station and the name of the official who took the report. This should serve as evidence that the crime has been reported (for example, in relation to compensation claims).<sup>46</sup>

<sup>46</sup> For further recommendations on case management, please refer to ‘Strengthening Crime Prevention and Criminal Justice Response to Violence against Women’ (UNODC, 2014).

**8. Linking with other sectors and agencies through coordination:**

Percentage or proportion of VAWG cases that were referred to external agencies and partners. It is equally important to document the percentage or proportion of cases where the victim/survivor declined an offer of support or referral.

**Box 14**

**Effective Police Leadership: Domestic Violence**

According to the UK Home Office, effective leadership for combating domestic or intimate partner violence in this area means\*:

- Making domestic abuse a priority, with officers understanding what this means in practice;
- Being clear that domestic abuse is everybody’s business, it is not just for specialist units;
- Reinforcing a positive culture and attitude;
- Rewarding and recognizing people who support victims/survivors of domestic abuse, with incentives from commendations to prospects for promotion. We have “police bravery awards” - should there be “victim care awards”?
- Ensuring there is focus on and effective performance management in this area; and
- Ensuring that there is effective supervision in place to reinforce a professional and competent approach.

\*Source: ‘Everyone’s business: Improving the police response to domestic abuse’ (Her Majesty’s Inspectorate of Constabulary (HMIC, 2014).

\* (ref. P 103) International norms prescribe for the police to investigate ex-officio when a punishable act has already alleged to have been committed (mandatory prosecution). The 2010 Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice (A/Res/65/228, annex), for example, calls for Member States to exercise due diligence and take relevant measures to prevent, investigate and punish the perpetrators of violence against women. Also, see the Universal Declaration on Human Rights (Article 3); 2004 Report of the Secretary-General on the Rule of law and transitional justice in conflict and post-conflict societies (S/2004/616), as well as the International Covenant on Civil and Political Rights (Article 2) in association with Articles 6-10; Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions Recommended by Economic and Social Council resolution 1989/65 of 24 May 1989; UN Commission on Human Rights, Updated Set of Principles for the Protection and Promotion of Human Rights through Action to Combat Impunity (UN doc. E/CN.4/2005/102/Add.1, 8 February 2005, Principle 1); Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions (UN doc. A/61/311, 5 September 2006), paras. 49–54.

## ANNEX 1

### RECOGNIZED STAGES OF VIOLENCE WITHIN A RELATIONSHIP

*By Graham Goulden, Chief Investigator (Retired) Police, Scotland Yard*

While officers will not always spot signs of abuse, it is worth knowing these stages and what may be presented by a victim/survivor when responding to a call.

**Grooming** – Many abusers will be charming during the early stages of a relationship. They may be the ‘perfect partner’. This will often be seen by friends and families of a victim/survivor.

During the early stages, the tactics used by a perpetrator will be to isolate the victim/survivor from family and friends. This may be viewed as being caring and loving.

The process of grooming a victim/survivor is often a gradual one and puts the abuser in a better position to start to implement more serious abuse and physical violence.

Police officers may receive calls from family members or friends who are concerned about an individual.

#### **Evidential signs – Red Flags**

- Isolation from family and friends
- Early financial dependency – loans taken in victim’s/survivor’s name
- Pregnancy early in relationship
- Moving in together early in relationship
- Perpetrator may be described by friends as the perfect partner

**Note:** It is acknowledged that the above red flags will not always be examples of grooming. When investigating domestic abuse, an officer should consider asking about the early stages of the relationships.

**Managing the Situation** – When more frequent abuse and/or physical violence begins, some victims/survivors may leave the relationship. Many don’t, due to the level of control established during the grooming stage. Victims/survivors are likely to try to find explanations for the abuse to leave open the possibility that things will improve.

The victim/survivor will develop strategies to manage the perpetrator and specific situations, most often by changing their own behaviour. In this way, the perpetrator’s standards are imposed on the relationship and the abuse becomes part of the relationship.

If the police are called, it is likely to be as a strategy for managing the abuse within the relationship. If the victim/survivor does not want to engage at this point, they are not being deliberately obstructive or uncooperative – they are just managing the situation in a way that makes them feel safest.

It is important at this stage that officers ask questions that enable the victim to see how they may be altering and limiting their own behaviour to accommodate that of the perpetrator.

#### **Evidential signs – Red Flags**

- Isolation from friends and family
- Self-blame on the part of the victim/survivor
- Withdrawal from work due to injuries
- Identified set of rigid rules required by a perpetrator (e.g., dinner, cleaning, victim/survivor cleanliness, clothing to be worn etc.)
- Perpetrator checking on movements of victim/survivor. Officers should also consider that perpetrators may be using technology to establish control.
- Damage to property

**Distortion of Perspective/Reality** – Coercive controlling behaviour involves many different and overlapping tactics. Combined, these result in a victim/survivor living in fear. They are likely to be anxious and scared.

Perpetrators will try to shift blame and responsibility for the abuse onto the victim/survivor. Some victims/survivors will fight back and resist. Alcohol and other



substances are frequently used as coping mechanisms, and which may cloud judgement and make it appear that the victim/survivor is not helping, or that ‘both are as bad as one another.’

Key responses from the police at this stage are to try and challenge the issue of blame, emphasizing that the victim/survivor is not to blame, and trying again to make them see how they are changing their behaviour to try and accommodate the perpetrator.

### **Evidential signs – Red Flags**

Officers should consider asking how victims/survivors feel to be in the relationship, rather than simply asking ‘what happened?’

When calls are received, officers should speak with the victim/survivor on her own and be aware that controlling behaviours may even be occurring in your presence.

- **Continuous fear in relationship due to controlling behaviour**
- **Self-blame**
- **Alcohol/substance abuse**
- **Statements from friends/family/employer**
- **Put downs in public**
- **A perpetrator returning to the grooming stage as they fear that a victim/survivor may be considering leaving**
- **Perpetrator remaining with victim/survivor during medical and other appointments**
- **The scene not being what you expected**

**When attending calls, officers should be looking for subtle signs of coercive control. These may include:**

- **Hand gestures to silence a victim/survivor**
- **Perpetrator blaming a victim/survivor**
- **Perpetrator claiming a victim/survivor status**

One case reported in the United States noted how a victim/survivor would stop speaking when the alleged perpetrator entered the room. Only later did officers

find out that this happened when the alleged perpetrator entered carrying a white towel. Upon questioning, the victim/survivor later said that this towel was often used to smother the victim.

**Defining Abuse** – It is often only after a period of time that a victim/survivor defines what is happening as abuse, particularly if there has been little physical violence, or if the violence is ‘low-level’ but coercion.

This can be a difficult stage for the victim/survivor, as they will have to acknowledge their status as that of victim/survivor and that a person they have loved is an abuser. This stage will also involve, at least to some degree, acknowledgement of the abuse as ongoing as opposed to ‘one-off’ incidents.

It can help if the responder helps the victim/survivor to challenge stereotypes about ‘victims’ and alleged ‘perpetrators.’ It is important for officers to validate a victim’s/survivor’s experience and remove blame from them. Saying something like ‘This wasn’t your fault’ to a victim/survivor can be very empowering for them.

### **Evidential signs – Red Flags**

- **Detailed statements from victim/survivor with identified abuse communicated by victim/survivor**
- **Acknowledgement of victim/survivor status**
- **Acknowledgement that a partner is a perpetrator**
- **Calls from a victim/survivor about the abuse**

**Re-evaluating the Relationship** – Once a victim/survivor has acknowledged what is happening to her as abuse, she may begin to re-evaluate their whole relationship.

Her existing strategies for managing the abuse may continue. Leaving, either temporarily or permanently, and of engaging formal support systems will become more realistic.

Intervention at this stage might seek to explore what practical barriers there are to leaving the relationship.

Again, officers should seek to validate a victim’s/survivor’s experience.

### Evidential signs – Red Flags

- **Self-reflection from a victim/survivor**
- **Safety planning**
- **Communication with victim/survivor services**
- **Remaining with perpetrator until safe to leave**
- **Talking to friend/family/police about leaving**

**Ending the Relationship** – It is crucial to bear in mind that many victims/survivors make numerous attempts to leave an abusive partner before they actually do.

Reasons for not ending a relationship will often be practical and include: multiple controlling behaviours and tactics and promises to change; housing; economic support; and children; pressure from family and fears that they cannot guarantee their safety.

*First Responders* need to be aware of immediate safety planning requirements and ensure that victims/survivors are referred to specialist support services that can help them face difficult decisions about the future.

**Creating a ‘space for action’ is crucial, and responders can play a crucial role in creating that space by removing the perpetrator and arresting them if there are grounds to do so.**

### Evidential signs

- **Safety plans**
- **Discussions with victim/survivor services**
- **Remaining with perpetrator until safe to leave**

**Ending the Abuse** – It is important to note that ending the relationship does not always mean ending the violence and abuse. The period following separation can in fact be the most dangerous. Many victims/survivors suffer abuse post-separation and responders must be aware of the increased danger. Child contact can be a significant issue post-separation. Many abusers continue to try and exert control through child contact, and victims/survivors and children have been abused and murdered during court-ordered contact visits.

### Evidential signs

- **Continued contact with perpetrator where children involved**
- **Contact by perpetrator through mobile phone, at work, or through friends and family**

## ANNEX 2

# HONOUR-BASED VIOLENCE / ABUSE AND HARMFUL PRACTICES E.G., CHILD, EARLY AND FORCED MARRIAGE AND FEMALE GENITAL MUTILATION

By Gerry Campbell MBE FCMI AFHEA, Detective Chief Superintendent (Retired), Scotland Yard

### What is honour-based violence/abuse?

In order to define honour-based abuse, it is important to understand what is meant by the word 'honour.' It can be argued that all cultures across the globe operate an honour code of some description.

Invariably, it is about the rules set in our societies determining what is acceptable and unacceptable behaviours, the 'dos and don'ts'. For some cultures, the honour code is more of a way of life.

Honour refers to high respect or high esteem and is as a positive trait associated with integrity and good moral character. Individuals with such qualities are described as being 'honourable,'<sup>47</sup> which confers including other positive attributes such as trust and respect and is also associated with status and reputation.<sup>48</sup> There is the importance that honour has in a person's own eyes, but also in the eyes of his/her society.



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This aspect of importance in honour cultures is intrinsically linked to an individual's reputation and therefore status within the community. It can be exceptionally damaging when there has been a perceived breach of honour, which can lead to 'violent retribution' being committed to defend an individual or family's honour.<sup>49</sup> Such violent retribution can be swift and see the use of unimaginable force leading to a loss of life.

47 Vandello, J. A. & Cohen, D. (2003), 'Male honor and female fidelity: Implicit cultural scripts that perpetuate domestic violence', *Journal of Personality and Social Psychology*, 84, at p 997.

48 Julian Pitt-Rivers, 'Honor and Social Status,' in *Honour and Shame: The Values of Mediterranean Society* (ed. J. G. Peristiany, Weidenfeld and Nicolson, 1965), p 21.

49 Ibid.

## CASE STUDY:

### THE MURDER OF THE LATE MS. BANAZ MAHMOD (2006)

**“This was a barbaric and callous crime.... To restore the so-called family honour, it was decided by her father and uncle that she should die, and her memory be erased” (Judge Brian Barker).**

The late Ms. Banaz Mahmod was born in Iraqi Kurdistan on 16 December 1985. Aged 10 years, Banaz moved to the UK with her family, where they claimed asylum.

When she was 17 years old, Banaz entered into an arranged marriage with a man 10 years her senior. Two years later and following sexual and physical abuse, Banaz left him and returned to live with her parents in Mitcham, London, with their consent. Following this separation, Banaz formed a new relationship with another man, which was deemed by her male family members as being ‘unsuitable’. Banaz and her boyfriend were being followed and surveilled by community members and were seen to apparently kiss outside a London underground station.

In December 2005, Banaz’s paternal uncle called a family meeting or council at a London flat, which sealed Banaz’s fate, as she was deemed to have brought shame on her family.

Between September 2005 and January 2006, Banaz came into contact with police officers from the Metropolitan Police Service (London) and West Midlands Police (Birmingham, UK) on five occasions, during which serious allegations, including sexual assault and threats to kill, were made. The Independent Police Complaints Commission (now the Independent Office of Public Conduct) would later find there were deficiencies in how some police officers investigated these allegations (IPCC, November 2008).

On one occasion on 31 December 2005, Banaz’s grandmother’s neighbour alerted the police that the glass panels of her door had been broken. Banaz had broken the glass in a desperate bid to escape from her father as he plied her with brandy. Banaz ran into a nearby café and staff and customers saw that she was distressed and that her hands were bleeding. Banaz told them she had been forced to drink alcohol, that people were “after her” and that she had had to break a window to escape. The ambulance service and the police were then dispatched to the scene. Banaz told the ambulance crew that she

had broken a window and that her father had forced her to drink alcohol and was trying to kill her. She also said that “they” were going to kill her boyfriend – Mr Rahmat Suleimani.

Rahmat stated that Banaz told the police officers that she believed her father and uncle wanted to kill her.

During the evening of 22 January 2006, Banaz’s boyfriend was approached by four men. They asked him to go with them and when he refused, a threat was made to both his and Banaz’s life. He reported this to the police. On 23 January, Banaz attended a police station to report the threat. She told a police officer the names of the men who had threatened her boyfriend. Banaz disappeared soon after this. She had been raped, strangled to death and placed into a suitcase.

On 25 January 2006, Banaz was reported missing by Rahmat and not by any of her family members. The Metropolitan Police Service (London) began a three-month, high-risk missing person inquiry. On 29 April 2006, Banaz’s decomposed body was found in the suitcase buried in a garden of a property near Birmingham, 200 miles from her family home in London.

On 11 June 2007, Banaz’s father, Mahmud Mahmud, her paternal uncle, Ari Mahmud, and another relative, Mohammed Hama, were convicted of her murder and sentenced to life imprisonment. Other Iraqi Kurdistan community members stand convicted of crimes associated with Banaz’s murder e.g. perjury and preventing the lawful and decent burial of Banaz.

In March 2016, Rahmat Suleimani, who had been in police protection over the past 10 years, died in hospital after apparently taking his own life. It has been reported that he had made two previous suicide attempts.

Rahmat was quoted as saying, “My life depended on her. She was my present, my future, my hope. She was the best thing that had ever happened to me. My life went away when Banaz died. There is no life. The only thing which was keeping me going was the moment to see justice being done for Banaz.”

Rahmat is another victim of Banaz’s honour killing.

In addition, the issues of honour and reputation [‘Izzat’ (Honour) and ‘Sharam’ (Shame) within South Asian communities, as well as the many other language versions of these words] is also a notable influence on the notions of honour. Honour and shame are powerful emotions, which can be self-imposed and imposed by others and are powerful influences on individual actions. While honour-based abuse is an adverse reaction to being shamed or a perception of being shamed, it is also carried out to prevent or avoid being shamed. While women, children and men are the victims of honour-based violence and abuse, women and girls are the most likely to be victimized, making this offending a form of gender-based violence.

On a harm scale, the alleged breaches of a culture or community’s honour code can involve the A – Z of criminal offences such as murder, kidnap, false imprisonment, rape, serious physical attacks (including acid attacks, the use of weapons), threats to kills, harassment, stalking, intimidation and many more offences. The UN estimate that 5000 females are murdered in the name of honour every year.<sup>50</sup> The reality is that many more females go missing, and they are never reported missing, and / or recovered or are not recorded by the authorities.<sup>51</sup> In addition, there are those victims who die are a result of ‘forced suicide’; who die by self immolation, knife wounds and other causes.

A 2018 study by UNODC has found that in 2017, 87,000 women worldwide were intentionally killed.<sup>52</sup> More than half of the victims (58%) or 50,000 were killed by intimate partners or family members. This translates into 137 women across the world who are killed by a member of their own family every day. More than a third (30,000) of the women intentionally killed in 2017 were killed by their current or former intimate partner. This is broadly in line with the 2018 World Health Organisation’s prevalence study. This study also recognizes honour killings and dowry-related killings of women, as well as the killings of women and girls related to witchcraft<sup>53</sup>; another form of harmful practices.

50 UN News (4 March 2010 )access via <https://news.un.org/en/story/2010/03/331422>

51 Global Study on Homicide, Gender related killing of women and girls (UNODC, 2018).

52 Ibid.

53 Ibid.

## Harmful Practices

Such violence and abuses against women are multi-faceted and co-exist on a continuum of multiple and inter-related cross-cutting themes of varying social, economic, cultural and political contexts.<sup>54</sup> Violence against women and girls is both a cause and a consequence of gender inequality and discrimination<sup>55</sup> and is one of the greatest barriers to achieving gender equality.<sup>56</sup>

Traditions are long-established patterns of actions or behaviours, that are often handed down within families and communities, over many generations. These customs are based on beliefs and values held. Traditions are often protected by taboos, which are strong social prohibitions (or bans) relating to human activity or social custom based on moral judgement and religious beliefs. This means that traditions are not easy to change, because people adhere to these patterns of behaviour, believing that they are the right things to do.

Traditions have a positive influence on individuals, families and communities; however, they can be harmful too. The UN has referred to the following human rights violations as harmful practices, which seriously and destructively impact women and girls’ health, wellbeing and human rights: female genital mutilation (FGM); forced feeding of women; child, early and forced marriage; son preference; female infanticide; early pregnancy; and dowry price.<sup>57</sup> Others harmful practices include honour crimes, bride price, bride kidnapping, blood feud, breast ‘ironing’/fattening and scarring.

Women and girls with disabilities are also subjected to the same harmful practices committed against women and girls without disabilities, with consequences that sometimes aggravate existing disabilities, create new ones, or which magnify their existing vulnerability and social exclusion.<sup>58</sup>

54 Ibid.

55 UN Secretary General’s In-depth study of all forms of violence against women, (A/61/122/Add.1 (2006), para 65, p.27).

56 UN Secretary General’s In-depth study of all forms of violence against women, (A/61/122/Add.1 (2006), para 1, p.9).

57 UN, Fact Sheet No.23, Harmful Traditional Practices Affecting the Health of Women and Children accessed via <https://www.ohchr.org/Documents/Publications/FactSheet23en.pdf>

58 A Submission Highlighting the Harmful Practices Targeted at Persons with Disabilities, and in Particular Women and Girls with Disabilities,(International Disability Alliance, 2017).

## Forced Marriage

A forced marriage is a marriage in which one or both spouses (man and a woman) do not give informed consent to the marriage but are assaulted, threatened, deceived or otherwise coerced into it. The duress used to force someone into a marriage can take many forms and may include physical, psychological, financial, sexual and emotional pressure.<sup>59</sup>

Forced marriage, as another form of violence against women and girls, is a form of child and adult abuse, is a fundamental abuse of women and girls' human rights and is a criminal offence in many countries and jurisdictions.

Whilst it is recognised that both women and men are forced into marriages, women and girls are predominantly the victims of or are vulnerable to this harmful practice. After being forced into a marriage the victims are exposed, face and experience a myriad of other serious crimes, physical and sexual violence, psychological and emotional abuse and domestic servitude throughout their lives with far-reaching health consequences.

Child marriage, that is marriage before the age of 18 years takes place in many countries across the globe, including the USA and the United Kingdom.

There were many different motivations and regional variations in reasons for forced marriages taking place, including retaining and /or securing wealth and status, poverty, security, preventing community isolation, securing a carer for a sick child as well as being linked to other forms of harmful practices such as bride kidnapping.

## Arranged Marriages

The tradition of arranged marriage is celebrated throughout the world where family members, particularly parents, take a leading role in arranging the marriage. It is important however, to draw the distinction between an arranged marriage and a forced marriage. For a marriage to be truly an arranged one

<sup>59</sup> HM Government multi-agency practice guidelines, *Handling cases of Forced Marriage* (June 2014).

then it must be based upon **compatibility, choice, and the informed consent** of both parties to the union.

Marriage celebrants, the police, other law enforcement professionals, extended family and community members must all be alert to the fact that a forced marriage may be 'dressed up' to appear like a consensual arranged marriage. It is therefore vital that despite community support for harmful practices, which violate human rights and national and international laws, due diligence

### Box 15

#### Role Forced Marriage – Fact File

- 700 million women alive today were married before their 18th birthday. Of these, 250 million were married before the age of 15 years.
- In 2019, 1 in 5 women, aged 20-24 years, were married before the age of 18.<sup>1</sup>
- If no reduction in child, early and forced marriage, by 2030, 950 million women and girls will marry before their 18th birthday. This figure will reach nearly 1.2 billion by 2050.<sup>2</sup>
- Globally, nearly one in three adolescent girls aged 15 – 19 years (84 million) has been a victim of emotional, physical and/or sexual violence perpetrated by their husband or partner.<sup>3</sup>
- Pregnancy and childbirth complications are among the leading causes of death in girls aged 15 - 19 in low and middle-income countries.<sup>4</sup>
- 115 million males were married before 18 years; 23 million of which were married before the age of 15 years.<sup>5</sup>

1 United Nations, Department of Economic and Social Affairs, Statistics Division (2020). Achieve gender equality and empower all women and girls.  
2 GirlsNotBrides, accessed via <https://www.girlsnotbrides.org/700-million-women-married-children-reveals-new-unicef-data/>  
3 World Health Organisation (WHO), Adolescents: health risks and solutions (13 December 2018) accessed via <https://www.who.int/en/news-room/fact-sheets/detail/adolescents-health-risks-and-solutions>  
4 Ibid.  
5 115 million boys and men around the world married as children - UNICEF United Kingdom accessed via <https://www.unicef.org.uk/press-releases/115-million-boys-and-men-around-the-world-married-as-children-unicef/>



## Box 16

### UN Convention on the Rights of the Child<sup>1</sup>

Article 2 states:

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

<sup>1</sup> The United Nations Convention on the Rights of the Child (1990), accessed via: [https://downloads.unicef.org.uk/wp-content/uploads/2010/05/UNCRC\\_PRESS200910web.pdf?ga=2.16687990.170076905.1577836147-1551955756.1577836147](https://downloads.unicef.org.uk/wp-content/uploads/2010/05/UNCRC_PRESS200910web.pdf?ga=2.16687990.170076905.1577836147-1551955756.1577836147)

is exercised by nation states and regional governments, oversight bodies and law enforcement entities to protect children against all forms of discrimination.

Internationally, policing and law enforcement organizations and therefore their officers and officials, have the core aims to: **Protect life, Prevent & Detect Crime** and to **Maintain Order & Security**.

In its Multi-Agency Forced Marriage Guidelines, the UK Government advocates the concept of the 'Once Chance Rule' for police officers and other professionals in their handling of forced marriage cases.<sup>60</sup> This concept highlights that professionals have, in real terms, 'one chance' to safeguard, protect and save an individual from being victimized or further victimized. It is about motivating professionals to take positive action to safeguard and protect victims/survivors and potential victims/survivors from harm.

<sup>60</sup> HM Government, Multi-agency practice guidelines: Handling cases of Forced Marriage, (June 2014), p.16.

## Box 17

### Bea\* 14 years old

Bea was a fourteen-year-old girl living in Kenya who was forced to undergo FGM during the school holidays. She was due to marry a 67-year-old man after her parents sold her for 2 kgs of tea leaves and 10kgs of sugar i.e. her bride price.

Not unsurprisingly, on the day her intended husband came to collect her, Bea screamed that she would not go with him and marry him. The older man left after some time telling 'B's' father that when she calmed down, he would return for her. When Bea's intended husband left the homestead, her father apparently felt so ashamed and angered that Bea had dishonoured him by disobeying him and refusing to marry.

Bea's punishment for not listening to him involved her brothers pinning her to the ground and her father cutting off her ear lobes with a machete.

Once her wounds had healed, Bea was given away in marriage to the 67-year-old man. Bea was subsequently rescued and is safely residing in a rescue centre alongside many other girls who were rescued from pending forced marriages or faced similar fates.

\*not the victim's real name

While developed for forced marriage, the 'One Chance Rule' can be translated across the spectrum of VAWG subject areas.

## Female genital mutilation (FGM) / Cutting (FGM/C)

Female genital mutilation / cutting (FGM/C) remains a notable challenge for police investigators and prosecutors in many of the jurisdictions across the globe where it has been criminalized.<sup>61</sup>

<sup>61</sup> Thomson Reuters Foundation and 28TooMany, 'The Law and FGM, An Overview of 28 African Countries', (September 2018).

## Box 18

### FGM/C – Key Facts

- Female genital mutilation/cutting (FGM/C) includes procedures that intentionally alter or cause injury to the female genital organs for non-medical reasons.
- The procedure has no health benefits for girls and women.
- Procedures can cause severe bleeding and problems urinating, and later cysts, infections, as well as complications in childbirth and increased risk of newborn deaths.
- More than 200 million girls and women alive today have been cut in 30 countries in Africa, the Middle East and Asia, where FGM/C is concentrated.
- FGM/C is mostly carried out on young girls between infancy and age 15 years.
- FGM/C is a violation of the human rights of girls and women.
- There are four types of FGM/C (see below).

The World Health Organisation (WHO) defines FGM/C as comprising all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons.<sup>62</sup>

FGM/C is a horrific abuse of women and girls' human rights, and has severe impacts on their health and well-being, even leading to death.<sup>63</sup>

It is important for police officers and their leaders to recognise that FGM/C causes serious bodily physical and psychological harm to victims/survivors. These physical injuries are similar to stabbing / slashing injuries.

In 1997, WHO classified female genital mutilation/cutting into four major types:

- **Type 1:** Often referred to as **clitoridectomy**, this is the partial or total removal of the clitoris (a small, sensitive and erectile part of the female genitals), and in very rare cases, only the prepuce (the fold of skin surrounding the clitoris)
- **Type 2:** Often referred to as **excision**, this is the partial or total removal of the clitoris and the labia minora (the inner folds of the vulva), with or without excision of the labia majora (the outer folds of skin of the vulva).
- **Type 3:** Often referred to as **infibulation**, this is the narrowing of the vaginal opening through the

creation of a covering seal. The seal is formed by cutting and repositioning the labia minora, or labia majora, sometimes through stitching, with or without removal of the clitoris (clitoridectomy).

- **Type 4:** This includes all other harmful procedures to the female genitalia for non-medical purposes, e.g. pricking, piercing, incising, scraping and cauterizing the genital area.

De-infibulation refers to the practice of cutting open the sealed vaginal opening in a woman who has been infibulated, which is often necessary for improving health and well-being, as well as to allow intercourse or to facilitate childbirth.<sup>64</sup>

There are many reasons and motivations for why FGM/C is practiced by families and communities including controlling female sexual autonomy, and “is often motivated by beliefs about what is considered acceptable sexual behaviour.”<sup>65</sup>

The investigation and / or prosecution of FGM/C is more difficult as a result of a combination of factors including:<sup>66</sup>

- The timing of when FGM/C takes place - 0 - 15 years old. The victim/survivor does not remember if, or when the FGM/C took place, and there is also the added problem of dating the injury scarring;

62 Ibid.

63 Ibid.

64 Ibid.

65 Ibid.

66 Ibid.



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- The involvement of mothers and other female relatives sometimes affects victims'/survivors' decision-making regarding the police, prosecutors and other authorities with the family;
- For a victim/survivor actively involving the police or other authorities, this may lead to community and social isolation;
- Victims/survivors not wishing to criminalize or demonize their religion. Though no religious scripts prescribe the practice, practitioners often believe the practice has religious support;
- Local structures of power and authority, such as community leaders, traditional and faith-based leaders, circumcisers, and even some medical personnel can contribute to upholding the practice, which adds to the pressures facing victims/survivors.

The above factors highlight the importance of police middle managers and others working in partnership with and forging partnership agreements with community members, community leaders, advocates, traditional and faith-based leaders, prosecutors, health and social care professionals. Communicating and engaging with affected communities and with other professionals is crucial to raising awareness and creating trust and confidence to take positive action to report cases of FGM and prevent it from happening in the first instance.

It is the role of police middle managers to:

- Negotiate and influence with other organizations and partners in the development of protocols e.g. investigation and prosecution, information sharing agreements (ISA) etc.;
- Inform their organization's leadership of the arrangements;
- Communicate and raise awareness of the range of protocols and agreements with their officers and staff;

- Provide resources to enable the protocols and ISAs to happen effectively;
- To ensure that the protocols and ISAs are effectively implemented.

## Good practice in partnership working in the investigation and prosecution of Harmful Practices

Key examples of partnership agreements in the investigation of honour-based abuse, forced marriage and female genital mutilation to be taken forward by police middle managers are to be found in guidance from the UK National Police Chiefs' Council (NPCC)<sup>67</sup> and the Crown Prosecution Service (CPS) [England and Wales],<sup>68</sup> which include the following protocols for investigation and prosecution:

### (1) NPCC and CPS FGM Investigation and Prosecution Protocol

- Protocol on the handling of Female Genital Mutilation (FGM) offences between the National Police Chiefs' Council and the Crown Prosecution Service.<sup>69</sup>

### (2) NPCC and CPS Honour-Based Abuse and Forced Marriage Investigation and Prosecution Protocol

- Protocol on the handling of 'so-called' Honour Based Violence/Abuse and Forced Marriage Offences between the National Police Chiefs' Council and the Crown Prosecution Service.<sup>70</sup>
- Honour-based Abuse, Forced Marriage and Female Genital Mutilation; a Policy Strategy for England, Wales & Northern Ireland – Eradicating Honour based Abuse, Forced Marriage and Female Genital Mutilation Together.<sup>71</sup>

<sup>67</sup> National Police Chiefs Council (UK), see: <https://www.npcc.police.uk>

<sup>68</sup> The Crown Prosecution Service (UK), see: <https://www.cps.gov.uk>

<sup>69</sup> Protocol on the handling of Female Genital Mutilation (FGM) offences between the National Police Chiefs' Council and the Crown Prosecution Service (2016), National Police Chiefs Council (UK).

<sup>70</sup> Ibid.

<sup>71</sup> 'Honour-based Abuse, Forced Marriage and Female Genital Mutilation: a Policing Strategy for England, Wales & Northern Ireland - Eradicating Honour Based Abuse, Forced Marriage and Female Genital Mutilation Together', National Police Chiefs Council (UK).

## Box 19

### Good practice in individual investigations of Harmful Practices

The following are some ‘Dos and Don’ts’ in the investigation of harmful practices, for police middle managers to adopt, promote and reinforce with front line responders and investigators.

The following areas are derived from good practice:

DOs	DON'Ts
Protect the victim/survivor and prevent further crimes from taking place	Make subjective judgements about the victim/survivor, her/his lifestyle, culture or religion/faith etc.,
Reassure and empathise with the victim/survivor	Interview the victim/survivor in the presence of the perpetrators and witnesses. At the scene, separate the parties - the victim/survivor, witnesses and perpetrator(s)
Protect, preserve and secure the crime scenes and witness evidence to maximize the recovery of evidence	Do nothing
Manage the case professionally, sensitively and with confidentiality	Approach the victim’s/survivor’s family or seek to get involved in any form of mediation (as this may provide a heightened risk)
Review the risk assessment and management issues affecting the victim/survivor and other people e.g. children, vulnerable adults and people who have been supporting the victim/survivor. Develop a risk management or safety plan, which includes an escape plan and safe methods of contact	Reveal details of the case to anyone outside the investigation or the ‘circle of trust’. The circle of trust would include the IDVA <sup>72</sup> , specialist caseworker – NOT a local councillor, mayor, community leader, elected politician and other people in public life and / or positions of authority.
Do handle, store and transfer the victim’s/survivor’s personal details with care and confidentiality	Ever state that violence against women and girls is NOT a job for the police service
Do manage the case on a ‘need to know’ basis	Ever use a family member (particularly a child), community member, friend or any other un-authorized person to interpret
Reassure and support the victim/survivor while ensuring that timely and regular updates are provided, using the victim’s/survivor’s preferred method of contact	Make direct contact with foreign law enforcement agencies or government officials where an offence has taken place in a foreign jurisdiction. Only do this using trusted sources and authorised processes
Be honest, open and transparent with the victim/survivor	Place the onus on the victim/survivor to protect herself or her children without the support of the police, other law enforcement agencies or specialist support organizations

72 Independent Domestic Violence Advisor.

DOs	DON'Ts
Ensure full accessibility of your services and enable inclusive practices throughout case management	
Ensure that a manager is briefed to provide advice, guidance and resource support, e.g. Tactical Advisor, Family Liaison Officer, Interview Advisor, Forensic Manager (depending on the seriousness and complexity of the offence)	
Review the actions of the first responder. If infrastructure supports – take fingerprints, DNA and a photograph from the victim/survivor with informed consent and develop a family tree	
Refer the victim/survivor to a culturally specific trusted civil society organization / NGO	
Refer the case to a specialist police investigation unit and /or specialist prosecutor	
Consider using cultural and other experts to advise during the investigation. Always exercise due diligence in checking the credentials of the experts and interpreters being employed ensure you use the right expert for the right reason	
Develop a cadre of specialist police advisors to advice on the strategic and /or operational approaches to tackling gender-based abuse	
Lead and conduct joint training sessions with police first responders/initial investigators, specialist investigations and their supervisory officers, so that everyone know how they fit into the response and investigatory model. Extend these training sessions to multi-agency partners.	



## NOTES AND SUGGESTED READING

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## SAFETY AND PROTECTION

*“Intimate partner violence (IPV) is the most common form of violence against women globally, with major health consequences for women and significant social and economic costs for families, communities and governments”*

—United Nations General Assembly, 2006

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# CHAPTER GOALS:

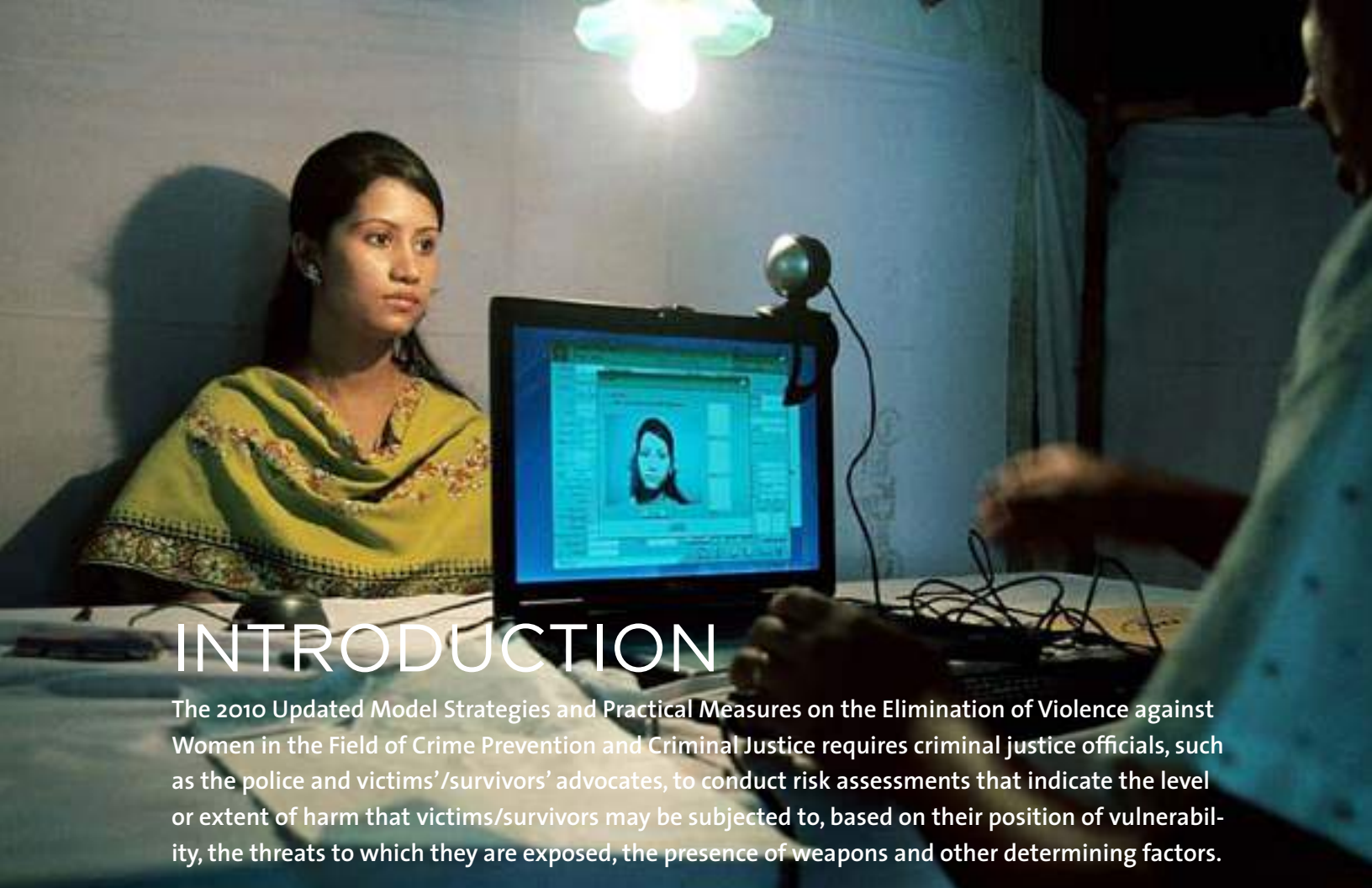
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**Police have empowered victims/survivors of VAWG to pursue their access to justice by effectively providing well-informed protection measures that are available and independent of any initiation of a criminal, civil or family law case and enable them to stay safely engaged with the justice process.**

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## **Key Messages and Learning Points**

- IPV represents a core component of police work and, as such, all responding officers should be competent in applying the 'do-no-harm' principle;
- The safety and protection of victims/survivors must be central to decision-making;
- Risk assessment, safety planning and review must be an on-going process from the time the victim/survivor enters the justice process;
- Safety plans are preventative, not predictive tools, which should be developed together with the victim/survivor, so they are specific to the circumstances;
- Protection measures should be monitored and enforced in a manner proportionate to the threat and to ensure victim/survivor empowerment;
- Reviews or evaluations of risk assessment tools are critical for identifying underperformance and promoting professional development;
- Soft skills and competencies reflecting active listening, acting in a non-judgmental manner and respecting the dignity of others contributes to successful policing;
- Connecting the disproportionate nature of specific acts of violence and discrimination with the contextual setting is fundamental to enforcing protection measures.



# INTRODUCTION

The 2010 Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice requires criminal justice officials, such as the police and victims’/survivors’ advocates, to conduct risk assessments that indicate the level or extent of harm that victims/survivors may be subjected to, based on their position of vulnerability, the threats to which they are exposed, the presence of weapons and other determining factors.

Photo courtesy of UN Women/ Jashim Salam (Bangladesh)

To this extent, the UN Commission on Crime Prevention and Criminal highlights several risk factors that can be related to gender-based violence (“GBV”).<sup>1</sup>

**“Gender-based violence or GBV is an umbrella term for any harmful act that is perpetrated against a person’s will and that is based on socially ascribed (gender) differences between females and males. The nature and extent of specific types of GBV vary across cultures, countries and regions.”**

—Source: UNICEF, UNFPA, UNDP, UN Women

These include illiteracy; economic inequalities; cultural norms and socio-customary practices; women’s lack of access to safe and affordable homes and property disin-

<sup>1</sup> Examples of gender-based violence include: sexual violence, including sexual exploitation/abuse and forced prostitution; domestic violence; trafficking in women and girls; harmful practices such as female genital mutilation/cutting; ‘honour’ killings; and child, early and forced marriage.

heritance; lack or ineffectiveness of services and resources for women; lack or ineffectiveness of gender equality policies; social norms supportive of violence, gender inequality and male entitlement; weak community sanctions against violence; an ineffective justice system; poor urban infrastructure; and alcohol and drug abuse.<sup>2</sup>

Other factors include institutional and/or socially accepted forms of discrimination based on ethnicity, sexual orientation, national origin and/or disability that place women and girls in heightened positions of vulnerability.

The following chapter will focus the key elements of protection measures required in an effective and adequate police intervention into VAWG when the alleged

<sup>2</sup> See UN-HABITAT and Huairou Commission, ‘Global Assessment on Women’s Safety. Preliminary Survey Results’, draft working document, September 2007, p. 8. in Aspects of Violence against Women that pertain directly to the Commission on Crime Prevention and Criminal Justice (Commission on Crime Prevention and Criminal Justice V.08-52191 (E) \*0852191\* Seventeenth session) Vienna, 14-18 April 2008.

perpetrator is known to some degree to the victim/survivor and/or to the police.

Depending on the national legal framework, the police will have different tools and procedures they can use when intervening to protect in cases of VAWG, such as the ability to issue intervention or protection orders on behalf of the victims/survivor. The proactive application of such tools and procedures can make a fundamental difference for women and girls seeking protection.

A national review by the Australian Government's Department of Social Services of how essential services were holding perpetrators accountable across all systems highlighted that the ability of the police to issue intervention orders on behalf of victims/survivors is of critical importance. It recognized the need to protect women and their children from further harm arising from applying for intervention orders themselves, such as retaliation by perpetrators, and to reduce the burden and responsibility on victims/survivors to protect themselves.<sup>3</sup> As a result, the report established the following standards be applied to protection and safety measures implemented by essential service providers:<sup>4</sup>

- Women and their children's safety should be at the core of all perpetrator interventions;
- Perpetrators get the right interventions at the right time;
- Perpetrators face justice and legal consequences when they commit violence;
- Perpetrators participate in programmes and services that enable them to change their violent behaviours and attitudes;
- Perpetrator interventions are driven by credible evidence to continuously improve;
- People working in perpetrator intervention systems are skilled in responding to the dynamics and impacts of domestic, family and sexual violence.

3 See the National Outcome Standards for Perpetrator Interventions or NOSPI Baseline Report (2015-2016), (Australian Department for Social Sciences, 2017), see: <https://plan4womenssafety.dss.gov.au/wpcontent/uploads/2018/08/national-outcomestandardreportweb.pdf>

4 Ibid.

This chapter will focus on promoting such standards, derived from government-sponsored reviews, together with key principles in police protection measures as indicated in the ESP, so they can be designed specifically for each victim/survivor and give them a sense of control over the process.

It is important to stress that the police should equally ensure protection measures for victims/survivors of VAWG who choose not to go through the justice system.

In addition to this chapter, the police are recommended to view Section 8: Safety and Protection of Module 3: Justice and Policing of the ESP.

This chapter on safety and protection is unique from the others as it will mainly focus on cases of Intimate Partner Violence ('IPV')<sup>5</sup> where, in the vast majority of cases, the alleged perpetrator of violence is already known or has become known to the victim/survivor as a direct result of the act. The ESP describes IPV as:

“the most common form of violence experienced by women globally . . . and includes a range of sexually, psychologically and physically coercive acts used against adult and adolescent women by a current or former intimate partner, without her consent. Physical violence involves intentionally using physical force, strength or a weapon to harm or injure the woman. Sexual violence includes abusive sexual contact, making a woman engage in a sexual act without her consent, and attempted or completed sex acts with a woman who is ill, disabled, under pressure or under the influence of alcohol or other drugs. Psychological violence includes controlling or isolating the woman and humiliating or embarrassing her. Economic violence includes denying a woman access to and control over basic resources.”<sup>6</sup>

5 For the purposes of the Handbook, the authors prefer the term “intimate partner violence” or ‘IPV’ rather than “domestic violence” or “inter-family violence” and as a result will prioritize the term ‘IPV’ unless the term ‘domestic violence’ is used in the original source.

6 Report of the Secretary-General, In-depth study on all forms of violence against women, United Nations, A/61/122/Add.1, (6 July 2006) paras. 111- 112.





## PEER-TO-PEER GUIDANCE



IPV represents a core component of responding officers' work and, as such, all responding police should be competent in applying the do-no-harm principle which starts with respecting a victim's/survivor's rights, including her privacy and need for confidentiality.<sup>7</sup> "Do no harm" could also be understood as meaning that interventions must not escalate the situation or problem that is under review and must not pose a danger to the families and communities concerned.<sup>8</sup> Holding all conversations, assessments and interviews with victims/survivors in a safe setting is an example of complying with the principle of doing no harm.

UN Women's Safety, Consent and Confidentiality triangle (above) is a good illustration to consider when seeking to provide safety and protection to a victim/survivor of VAWG. The triangle promotes the authorities as key actors to protect woman and girls experiencing violence at home; emphasizing the importance of seeking their consent before taking action and keeping their identity and experiences confidential. It is critical that they only act with their permission, unless lives are in danger.

The police are a key partner within the justice system when it comes to ensuring the initial and on-going safety and protection of victims/survivors, so you have a vital role to play in working with other agencies and service providers.

By collaborating with other partners, your role in investigating crimes of VAWG will be strengthened and supported, while victims/survivors receive safety and protection relevant to their specific needs. In order to identify the safety and protection needs of the victim/survivor, you will first need to identify the specific risks to her. Such a risk assessment will be specific to each victim/survivor, depending on her individual circumstances and she needs to be at the centre of the risk assessment process.

Annex 1 Standard Risk and Danger Assessment: Assessment of the Lethality Risk and Risk of Repeated Violence provides a useful risk factors checklist from the UNODC and UN Women Handbook on 'Effective Prosecution Responses to Violence against Women and Girls.' It is important to understand that the presence of any of the risks can indicate a higher risk of serious injury or fatality; likewise, an absence of these factors does not mean there is no risk of fatality.

The outcome of any risk assessment should be a safety plan which is jointly owned by you, your officers and the victim/survivor. Your role is to facilitate the development of the plan and while a safety plan will not predict when any future violence may occur, it is created with prevention in mind by reducing danger and enhancing the safety of a victim/survivor.

The safety plan should focus on the mitigation of any risks identified, and this can be achieved in partnership with other essential service providers, who can often provide additional support services that you do not have at your disposal. As with the risk assessment, a safety plan will be specific to each victim/survivor as the complexities of their individual circumstances will be different. Box 1 below presents examples of mitigation measures to risk in cases of VAWG:

7 Possible exceptions to the principle of confidentiality exist. The UNPOL Gender Toolkit provides examples, including as a suspicion of child abuse or neglect, life-threatening situations, suspicion of suicidal tendencies or a serious threat of harm to others. According to UNPOL, in such cases, the police can act if there are reasonable grounds to prove these situations and seek advice from health care workers and counsellors. See: UN Police Gender Toolkit (UN. Department of Peace Operations - DPO/ DPET/Integrated Training Service, 2015).

8 A Practitioner's Toolkit on Women's Access to Justice Programming (UN Women et al., 2018).

## Box 1

### What can you and your staff do to mitigate the risks faced by victims and their associates?

Measures include:

- Seeking court protection orders, no contact orders etc.;
- Working with victims/survivors to identify risk factors and create a personalized safety plan;
- Referring women or escorting them to shelters;
- Adoption of a mandatory arrest policy in all cases of alleged or suspected domestic violence;
- Requesting, as necessary, strict release conditions for offenders, including curfews, no-contact orders, abstinence from alcohol, prohibition from weapons and seeking and attending counselling;
- Monitoring and enforcement of bail/release conditions and post-trial release conditions, notifications of victim/survivors prior to release of an offender;
- Conducting risk assessments and enacting threat management plans to mitigate the risk of future attacks.

Source: Handbook on Effective Police Responses to Violence Against Women (UNODC, 2010).

As with all aspects of responding to victims/survivors of VAWG, the contents of both the risk assessment and the subsequent safety plan need to be kept private and confidential, with only those engaged in the protection of the victim/survivor across the different service providers having access to them.

On the next page is a useful [Risk Assessment Flow Chart](#) taken from PROTECT II 'Capacity Building in Risk Assessment and Safety Management to Protect High Risk Victims – A Learning Resource', (Vienna, 2012), p.105.

With regards to any specific police action:

- How do you ensure that the safety of the victim/survivor is central to your decision-making?
- How do you ensure that whoever the decision maker is, for example custody staff, have all the available information to make an informed decision on, e.g., the arrest, release of, or continued detention of an alleged perpetrator?
- How do you ensure a risk assessment is reviewed where a protection order has been issued or you have been notified of a breach of an existing protection order and, where relevant, that the safety plan is updated?
- What are your review mechanisms?
- How do you monitor safety plans and compliance with court orders?

Any changes to the circumstances of a victim/survivor or the alleged perpetrator need to be part of an on-going risk assessment process and will require continual monitoring of the safety plan. Box 2 is an example of a Risk Assessment process from the Domestic Abuse, Stalking and Harassment ('DASH') model:

Common risk assessment models such as the DASH<sup>9</sup> (UK) and the B-SAFER<sup>10</sup> (Canada) aim to provide a systematic, standardized and practically useful framework for gathering and considering information when making decisions about violence risk. They can be described as a checklist or guide to assist the police and other first responding essential service providers, to assess risk and identify IPV in both criminal and civil justice settings.

These models and frameworks have been informed by scientific and professional literatures on IPV, risk assessment and victim/survivor safety planning<sup>11</sup> and are widely considered as useful by police officers themselves. For example, shortly after its introduction in

9 Domestic Abuse, Stalking and 'Honour'-Based Violence (DASH, 2009) Risk Identification and Assessment and Management Model, see: <https://www.dashriskchecklist.co.uk/>

10 Brief Spousal Assault Form for the Evaluation of Risk (B-SAFER), see: [https://www.justice.gc.ca/eng/rp-pr/fl-lf/famil/rro5\\_fv1-rro5\\_vf1/index.html](https://www.justice.gc.ca/eng/rp-pr/fl-lf/famil/rro5_fv1-rro5_vf1/index.html)

11 See UN Police Gender Toolkit (UN. Department of Peace Operations - DPO/ DPET/Integrated Training Service, 2015)

### Safe setting

Inform survivors about the aim of the risk assessment and outline the agency confidentiality agreement.

Ask respectful, sensitive questions that demonstrate knowledge and competence around domestic violence. (Is there anyone who hurts you or that you are frightened off? Do you feel safe at home?)

Provide a safe, private environment where a woman can speak freely.

Consider and respect diversity.

### Apply a systematic approach

Risk assessment should be guided by clear agency policy and procedure and supportive management supervision.

A risk assessment should be carried out with every victim, according to the policy of the agency (basic risk assessment in general services, in-depth risk assessment in specialised women's support services).

### Gather effective information

Risk assessment should be carried out using a checklist together with the woman and with reference to the known risk factors in domestic violence against women.

It should also involve gathering appropriate information from several sources.

The woman will have a detailed understanding of her own situation and the safety management options most suited to her individual circumstances.

The woman should be believed and validated.

### Practitioner's expert opinion

Professional judgement develops through experience of work with victims of domestic violence so general services should involve specialist professionals.

If you base your professional opinion on intuition only, you should be aware that this is very subjective. There is little evidence that intuitive decisions are consistent across professionals. (Hart, 2008)

Professional judgment should include consideration of the nature and severity of the last incident, the nature of potential injuries from the incident and the context and individual situation of the woman.

### Safety planning

Safety management actions which minimise the risks the woman faces and improve her safety must be taken following risk assessment.

Those completing risk assessments must know what to do next and which agencies can assist the woman most effectively.

Where a multi agency response to domestic abuse is proposed, a risk identification checklist can form the basis of referrals to this forum.

## Box 2

### Domestic Abuse, Stalking and 'Honour'-Based Violence (DASH) - Risk Identification, Assessment and Management Model

In March 2009, the Association of Chief Police Officers (ACPO) Council accredited the DASH model to be implemented across all police services in the UK. The DASH checklist provides officers and staff with a practical tool to assist in the early risk identification. It comprises of 27 questions. With appropriate training, the application of the DASH checklist enables officers and staff to identify high risk cases, and identify dangerous and serial perpetrators. After initial risk identification and assessment, cases will be classified into three risk levels:

- **Standard** – current evidence does not indicate likelihood of causing serious harm;
- **Medium** – there are identifiable indicators of risk of serious harm. The offender has the potential to cause serious harm but is unlikely to do so unless there is a change in the circumstance, for example, failure to take medication, loss of accommodation, relationship breakdown, and drug or alcohol misuse;
- **High** – there are identifiable indicators of risk of serious harm. The potential event could happen at any time and the impact would be serious.

A risk of serious harm is defined as: 'A risk which is life threatening and/or traumatic, and from which recovery, whether physical or psychological, can be expected to be difficult or impossible' (Source: Home Office 2002 and Offender Assessment System, 2006).

Source: Everyone's Business: Improving the Police Response to Domestic Violence – HMC (2014)

standard practice in 2014, Maryland State Police (US) reported a 30% decrease in IPV fatalities.<sup>12</sup>

It is important to note that the DASH model is constantly under peer review, with results shared online. As no model is perfect, such review processes are critical for identifying underperformance of the model and promoting professionalization of its users. Moreover, the fact that such review results - in this case the DASH - are shared online demonstrates a commitment to transparency and accountability. See the Case Study of the UK's DASH Risk Assessment Tool at the end of this chapter.<sup>13</sup>

In order to ensure your staff are effectively safeguarding victims/survivors of VAWG, you will also need to consider the following:

- What role do you (police) have in civil and/or criminal protection orders where they are available?
- How quickly can protection orders be obtained?

- What problems do you or your staff encounter during the protection order application process, whether or not the application is by another agency?
- What is needed to overcome and identify problems?
- What, if any, powers do you have to instigate emergency protection orders? What are the requirements to be satisfied and are you and your staff aware of them?

If you or your staff are not aware of the answers to the above questions, how can you provide detailed and accurate information to victims/survivors in order to manage their expectations and to allow, as part of a victim/survivor-centred approach, for them to make informed decisions about what justice looks like to them? If a victim/survivor is at risk or in fear, you will be required to ensure their safety before they may be willing to make a complaint against the alleged perpetrator, particularly in domestic violence/IPV cases.

A good practice example of working with other service providers to reduce the risks to victims/survivors and their families can be found in the UK, where the practice of holding Multi-Agency Risk Assessment Conference ('MARAC') are now

<sup>12</sup> See 16 questions used to ID domestic abuse victims likely to be killed, at: <https://www.cbsnews.com/news/16-questions-used-to-id-domestic-abuse-victims-likely-to-be-killed/>

<sup>13</sup> Also see Emily Turner, Juanjo Medina, Gavin Brown, 'Dashing Hopes? The Predictive Accuracy of Domestic Abuse Risk Assessment by Police,' *The British Journal of Criminology*, Volume 59, Issue 5, September 2019, Pages 1013–1034.

### Box 3

#### Creating a Personal Safety Plan

In creating a personal safety plan, considering safety support factors, can include:

- Level of personal support available to the victim/survivor;
- Their personal living situation;
- Level of fear;
- Barriers to safety created by personal attitudes and beliefs, and the attitudes and beliefs of the extended family, community or culture;
- Health impacts of the abuse;
- Employment status or financial problems;
- Child-related concerns;
- Personal substance use/abuse issues (alcohol and/or drugs, both licit and illicit);
- Access to and availability of local services and their responsiveness to the needs of the victim/survivors;
- Access to and availability of needed information;
- Coordination of support services.

Source: Handbook on Effective Police Responses to Violence Against Women (UNODC, 2010).

commonplace.<sup>14</sup> The IPV MARAC is a meeting where agencies discuss any risks of future harm to those experiencing IPV and, where necessary, their children, followed by the creation of a safety plan to help manage the risk.<sup>15</sup> Box 3 presents examples of factors to consider when creating a safety plan in cases of VAWG:

**For further information on victim/survivor-centred approach, see Chapter 2: 'Making a Difference as a Manager and Team Leader'**

The police should be notified when protection orders are issued, both in the areas where the victim/survivor and the alleged perpetrator reside, if in different police areas.

- How do you receive such information?
- Where can it be accessed and how often is it monitored for compliance? For example, if the offender is required

to reside at a prescribed address, is its location regularly checked by your staff to ensure compliance?

- How do you ensure the victim/survivor is kept informed? Remember, contact needs to be maintained with the victim/survivor throughout the justice process.
- How widely are details of any protection orders disseminated to your staff, so any breaches can be promptly identified? It is certainly good practice to ensure custody staff are aware of the details, should the alleged perpetrator come back into custody for either a related or unrelated incident.

You should be pro-active on obtaining relevant information pertaining to any protection measures or orders put in place by the court or other justice agencies by collaborating and coordinating with your justice system partners.

How do you ensure your staff respond promptly to any reported breaches of protection orders and that they take positive action to safeguard the victim/survivor? You need to provide clear instructions on your expectations of staff in relation to such reports. Sharing of intelligence and information amongst service providers is a key element of safety and protection of victims/survivors.

<sup>14</sup> For a peer review of the MARAC, see Rachel Robbins, Hugh McLaughlin, Concetta Banks, Claire Bellamy, Debbie Thackray (2014), 'Domestic violence and multiagency risk assessment conferences (MARACs): A Scoping Review', *The Journal of Adult Protection*, Vol. 16 Iss 6 pp. 389 – 398.

<sup>15</sup> A useful introduction to the role of a MARAC has been produced by SafeLives and can be found at: <http://www.safelives.org.uk/sites/default/files/resources/MARAC%20FAQs%20General%20FINAL.pdf>



A broader picture of a case can be built up if each service provider shares information on any interactions with either the victim/survivor or the perpetrator. Health, education and social services, for example, may have vital information and intelligence that could help with the investigation as well as ensuring the safety and protection of the victim/survivor. What information and/or intelligence-sharing protocols do you have in place with other service providers? If none exist, you need to consider developing them.

For further information see Chapter 9: 'Communications' and Chapter 8: 'Coordination Among Justice Agencies.'

Complementary to the MARAC process and the DASH Risk Assessment framework, the Metropolitan Police Service apply as part of their Domestic Violence Risk Assessment Model (UK), the Risk Appetite and Risk Attitude<sup>16</sup> or RARA risk management models are options on how to manage the risk.

Box 4 below is an excerpt from Richards, L. 2003, 'Metropolitan Police Service Domestic Violence Risk Assessment Model', where the Metropolitan Police outline the main risk options and corresponding actions:

**Box 4**

**RARA Risk Management Model**

Risk Option	Corresponding Action
Remove the risk:	by arresting the alleged perpetrator and obtaining a remand in custody
Avoid the risk:	by re-housing the victim/survivor or significant witnesses or placing in a shelter/safe accommodation in a location unknown to the alleged perpetrator
Reduce the risk	by joint intervention/ victim/survivor safety planning, target strengthening and use of protective legislation
Accept the risk:	ongoing reference to the risk assessment, continual multi-agency intervention planning, support and consent of the victim/survivor and offender targeting

## DEALING WITH CHALLENGES IN RESPONDING TO VAWG STARTS WITH IDENTIFYING THE GAPS IN YOUR TEAM'S PERFORMANCE

According to Logar (2005), in her report to the UN Division for the Advancement of Women, one of the gravest mistakes that is made in interventions in the field of violence against women is to underestimate the danger involved.<sup>17</sup>

**“One of the gravest mistakes that is made in interventions in the field of violence against women is to underestimate the danger involved.”**

—Experiences taken from the Austrian Model of Intervention in Domestic Violence Cases

In the same report, Logar adds that in spite of the several instruments to assess danger used by the police, the most important instrument is to listen to the victims/survivors, to believe them and to take them seriously.<sup>18</sup>

<sup>16</sup> See Richards, L. (2003), MPS Domestic Violence Risk Assessment Model (Metropolitan Police Service, London).

<sup>17</sup> Logar, Rosa, 'Violence against women: Good practices in combating and eliminating violence against women': Austrian Model of Intervention in Domestic Violence Cases. Report to the Expert Group Meeting at the UN Division for the Advancement of Women in collaboration with UN Office on Drugs and Crime (Vienna, Austria, 2005).

<sup>18</sup> Logar (2005) based on Gondolf's (1999) long-term investigation of programs for violent men. See: Golding JM., 'Intimate Partner Violence as a R Factor for Mental Disorders: A Meta-Analysis.' Journal of Family Violence, 1999; 14:99-132.



Logar's notes that, key to avoiding an underestimation of the risk faced by victims/survivors of VAWG by the police, is to start by applying the basics in interpersonal relations when engaging victims/survivors: respectfulness and listening effectively.



Appropriate essential services for women and girls are those which are delivered in a way that is agreeable to her; respects her dignity; guarantees her confidentiality; is sensitive to her needs and perspectives; and minimizes secondary victimization.

Unfortunately, these interpersonal qualities have often been cited as commonly lacking in the police or not applied consistently when engaging victims/survivors of VAWG. Police leadership should make their team(s) aware of how important soft skills such as active listening, acting in a non-judgmental manner and respecting the dignity of others contributes to successful policing. See Chapter 9: 'Communications.'

In addition, and specifically in relation to women and girls with disabilities, applying soft skills will be essential when understanding the specific needs for adequate (safety) accommodation requirements that are suitable. Without the full ability to communicate in an appropriate manner with the responding officers, the latter group will not be able to assess the danger and react accordingly.

The following is a list inspired from an extensive global mapping of good practices and capacity gaps of police organizations when providing protection and safety measures for victims/survivors of VAWG. The mapping involved outreach to several serving and retired police officers, civil society and UN staff with experience working with the police and non-governmental organizations specializing in addressing VAWG. The categories titles are meant to help the reader relate to a key issue of the identified capacity gap; however, they are all applicable and/or complementary to each point:

## Malpractice

- Responding police interpretation and recording of an incident is not always consistent with national legislation. This includes the completion of risk assessments without the knowledge of the victim/survivor;<sup>19</sup>
- Police officers and staff tend to focus on physical violence and injury to identify criminal offences, as well as during both the initial and secondary stages of risk assessment;
- Risk assessment tools to support frontline officers don't place enough emphasis on patterns of abusive behaviour;
- Tendency for the police to document physical violence and what has occurred at the incident but not non-physical forms of violence including the coercion and control driving them. This initial narrow assessment generally has a negative influence on the subsequent risk assessments made;
- The police tend to complete risk assessment tools hours after they have left an IPV incident, rather than at the scene, and this practice has an impact on the quality of the information, as it increases the probability of not consulting the victim/survivor;<sup>20</sup>
- In cases involving serious crimes, such as the trafficking in women for sexual exploitation involving organized criminal groups, the police are challenged to ensure protection orders are also available to family members of the victim/survivor who may be exposed to retaliatory measures;
- The police often end up investigating single events as opposed to considering the whole abusive relationship.

## Training and Education Gaps

- The police response to VAWG, particularly IPV, is overly process driven. Responding officers often do not un-

<sup>19</sup> Inspired from Kropp, R.P, Hart, S.D., (2004) 'The Development of the Brief Spousal Assault Form for the Evaluation of Risk (B-SAFER): A Tool for Criminal Justice Professionals', Family Violence Initiative Research and Statistics Division, Department of Justice, Canada.

<sup>20</sup> Dowling, C., Morgan, A., Boyd, C., Voce, I., (2018) 'Policing Domestic Violence: A Review of the Evidence', Australian Institute of Criminology, Research Report 13.

derstand the rationale for risk identification and assessment, and as a result, they are unable to identify the range of indicators of risk<sup>21</sup> and/or record information accurately and consistently;

- Responding police generally lack an understanding of coercive control, or do understand but don't embed them within a risk-led approach effectively enough;<sup>22</sup>
- Responding officers are reluctant to use risk assessment forms because they feel the process requires them to make "judgments and assumptions" about the offender and victim/survivor that goes beyond the role of a police officer;<sup>23</sup>
- The police are particularly challenged when understanding the risks immigrant women face when are victims/survivors of IPV. In many cases, migrant women are socially and economically dependent on their intimate partner, thus a safety plan by the police must contemplate a residence permit and work permit independently of their intimate partners, in order for the victim/survivor to leave the abusive relationship;
- Training programmes for the police often don't account for risks and specific needs related to women with disabilities and other women from at-risk groups, survivors of violence. These include the need to seek for informed consent, the issue of confidentiality when communication relies on a relative, and the potential coercive role of the caretaker, who sometimes can be the perpetrator. Police officers often overlook how women and girls with disabilities are dependent on their relatives or caretakers and that this puts them at risk. This, in turn, prevents them from reporting and jeopardizes any social reintegration.

21 In many instances, police officers have limited knowledge about some of the risk categories, such as those referring to mental disorder. See Risk-led policing of domestic abuse and the DASH risk model, College of Policing (UK), at: [https://www.college.police.uk/News/College-news/Documents/Risk-led\\_policing\\_of\\_domestic\\_abuse\\_and\\_the\\_DASH\\_risk\\_model.pdf](https://www.college.police.uk/News/College-news/Documents/Risk-led_policing_of_domestic_abuse_and_the_DASH_risk_model.pdf)

22 According to Robinson et al. (2016), a lack of understanding of coercive and controlling patterns of abusive behaviour can have implications for what is classified as domestic abuse and therefore subject to risk assessment.

23 Inspired by Kropp, R.P, Hart, S.D (2004), 'The Development of the Brief Spousal Assault Form for the Evaluation of Risk (B-SAFER): A Tool for Criminal Justice Professionals', Family Violence Initiative Research and Statistics Division, Department of Justice Canada.

**"A safety plan for immigrant women and girls' victims/survivors of VAWG should consider that her first language is not the language of the country where she's living / being victimised, she may have an insecure immigration status and from a minority community."**

—Gerry Campbell, former Detective Chief Superintendent  
Scotland Yard

## DEFINITION AND FRAMEWORKS

The ESP states that protection measures for women and girls who have experienced IPV and other forms of sexual violence are critical to stopping the violence and preventing reoccurrence, escalation and threats of future violence.

This means that regardless of the context or category of crime committed, the police must intervene immediately and proportionately (to the threat) to ensure the protection and safety of a victim/survivor. Moreover, the protection measures need to be available independent of any initiation of a criminal, civil or family law case.

The ESP also affirms that the protection measures should be designed to empower a victim/survivor in their access to justice and enable her to stay safely engaged with the justice process.<sup>24</sup>

Upon initial and immediate intervention, the police have several tools at their disposal, such as First Respondent risk assessment forms<sup>25</sup> and, if available, information on past abusive behaviour to help determine the proportionality of the required protection measures as either emergency or urgent.

According to the ESP:

24 See Module 3 on Justice and Policing, Essential Services Package for Women and Girls Subject to Violence: Core Elements and Quality Guidelines (United Nations Joint Global Programme on Essential Services for Women and Girls Subject to Violence, 2015), at: <https://www.unwomen.org/en/digital-library/publications/2015/12/essential-services-package-for-women-and-girls-subject-to-violence> p. 28.

25 For an example of the IPV Risk Assessment form, see section on Peer-to-Peer Tips on risk-led policing and the use of the UK's DASH Risk Model.

- **Emergency measures** refer to those measures that can be obtained without notice to the alleged perpetrator, not requiring the gathering of full evidence and decided on a balance of probabilities. These measures are generally for shorter term protection.
- **Urgent measures** are those that go to court without delay, e.g., through fast track procedures, but decisions are based on a full hearing of the evidence. Urgent protection measures are usually for a longer period of time.<sup>26</sup>

Regardless of its classification and irrespective of whether it is under civil or criminal law, the key ingredient to effective and adequate protection measures is knowing what elements inform the proportionality and effectiveness of the protection measures to ensure they immediately stop the violence to which the woman is subjected and, in parallel, permit the victim/survivor to claim her rights and initiate, as per law, a complete and impartial investigation into the act(s) of violence.

To ensure protection interventions are effective and aligned with international standards of due diligence,<sup>27</sup> the calculation of proportionality<sup>28</sup> used by the police for recommending and enforcing protection measures needs to be broader than just based on the immediate circumstances (including psychological violence, terrorizing or stalking) made evident from the act(s) of violence under investigation.

<sup>26</sup> See n. 24.

<sup>27</sup> The concept of due diligence can be described as a mechanism setting a standard of duty of care, or a standard of care employed to determine whether a state has effectively complied with its obligations in the arena of domestic and international law. It is the State's responsibility to prevent harm to others and to provide an effective remedy in accordance with its treaty obligations when harm is conducted. See R. Higgins, *Problems and Process*, (Clarendon Press, Oxford, 1994.), pp. 153-54, at, p. 153. The State must remove obstacles that impede the effective access of victims/survivors to justice, take measures aimed at helping them claim their rights, and assess the impact of the actions implemented on behalf of victims/survivors. See also: Training Manual for Police Officers Strengthening Program for the Security of Vulnerable Groups (UNODC, in partnership with the Government of Mexico 2017).

<sup>28</sup> See principles of necessity and proportionality, Principle 5: Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (1990), adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba (27 August - 7 September 1990).

**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:**

**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;**

—Article 4: Declaration on the Elimination of Violence against Women (1993)

International norms require police interventions, particularly protection measures for victims/survivors of VAWG, to be contextually informed.<sup>29</sup> This means the police have to equally understand and factor in the cultures of violence and discrimination women and girls experience, together with the coercive and aggressive behaviour of the alleged perpetrator, as they assess the safety risks to the victim/survivor throughout the course of the investigation.

See Annex 1 in Chapter 5: 'Investigations' for detailed examples of coercive controlling behaviour.

Contextual information, coupled with events triggering the police intervention, should also extend to include the safety of victims'/survivors' families to protect them from intimidation and retaliation.

This combined information should also be communicated to all those working within the justice system, such as judges, prosecutors, the police and other law enforcement agencies, to ensure that risks affecting victim/survivor safety are considered in decisions regarding the release of the perpetrator(s) and that ade-

<sup>29</sup> See *Maria da Penha v. Brazil*, Inter-American Commission on Human Rights (2000), *Gonzalez et al. (Cotton field) vs. Mexico* Inter-American Court of Human Rights (2009), *Opuz v Turkey*, European Court of Human Rights (2009), *A.T. v. Hungary*, CEDAW Committee (2003), *Osman v. UK* European Court of Human Rights (1998), *Jessica Lenahan v. United States* (2011), Inter-American Commission on Human Rights, and *Fatima Yildirim v. Austria*, CEDAW Committee (2007) amongst others.

### Box 5

#### Contextual Fact 1

Generally, polygamy and child marriage are two factors that trigger incidents of domestic violence. Girls marrying at an early age are more likely to be victims of domestic violence, since they are powerless given their financial dependence on their spouse, low educational levels rendering them eligible for jobs, emotionally immature in terms of coping with abuse, and their tender reproductive age.

—Findings from the ‘Multi-Sectoral Gender Based Violence Response at the District Level in Nepal’ (End of Project Evaluation Report, 2009).

quate measures are in place to facilitate the delivery of victims’/survivors’ testimonies in criminal proceedings. Measures could be in the form of increased visits to the victim’s/survivor’s residence by local police patrols, monitored child visits by the perpetrator or stricter provisions in restraining orders amongst others.

By complying with due diligence standards, the police are responding in accordance with positive human rights obligations when acting “in proportion to the seriousness of the offence” and when pursuing “the legitimate objective to be achieved.”<sup>30</sup>

Gender inequality facilitates disproportionate acts of specific violence and discrimination against women and girls within a society (see Introduction). Each contextual setting in society will have its own manifestations of violence and discrimination that women and girls experience, which is both similar and unique at the same time.

See contextual fact boxes (5-8) for examples of forms of disproportionate violence and discrimination experienced by women and girls.

A police officer’s ability to connect the disproportionate nature of specific acts of violence and discrimination within the contextual settings is not a given.

<sup>30</sup> Principle 5 of the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (1990); adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (Havana, Cuba, 27 August - 7 September 1990).

### Box 6

#### Contextual Fact 2

Harmful practices, such as child, early and forced marriage and female genital mutilation (FGM) are often invisible. The police should not underestimate the physical and mental violence associated with such practices. UNICEF estimates some 750 million girls and women around the world today have been married as children, and over 200 million have undergone FGM.

—UNICEF

As a result, contextual awareness raising for police officers needs to be evidence-based and reflective of the collected data and official statistics by other essential service providers demonstrating the prevalence of different forms of VAWG and the behavioural patterns of the perpetrators.

This will play a key role in the general prevention of crime; it will also play an important role in informing targeted activities, such as the design and enforcement of protection measures, so they adequately meet the evolving safety needs of victims/survivors and mitigate further violence against them.

Another challenging scenario the police face is providing adequate protection measures to victims/survivors of cyber-related VAWG, such as on-line harassment or grooming for sexual exploitation.

In such cases, the proximity of the perpetrator to the victims/survivors is initially virtual but with a goal of achieving some form of personal engagement.

Coercive and psychologically violent behaviors are the predominant patterns exhibited by the perpetrator. These non-physical forms of violence are also identifiable in cycles of violence models useful to police for mitigating further violence and ensuring adequate protection measures.

See: Chapter 11 ‘Challenges and Strategies to Implementing Gender-Responsive Policing’ for more information on cycles of violence models in VAWG cases.

## Box 7

### Contextual Fact 3

VAWG and the presence of small arms and light weapons (SALW) at home. The presence of SALW at home provides an ultimate tool for abusers to assert full control and maintain power over their intimate partner – which is the goal of IPV. The very presence of SALW in homes, even if not used, can further reduce chances for women to report violence and diminishes their capacity for resistance. Furthermore, studies have indicated a positive correlation between the presence of SALW at home and femicide. According the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC), a homicide committed by a family member is the most common form of femicide in South East Europe with firearms often being the weapon of choice. SEESAC has reported that, in this region, 61% of all women who were killed, were killed by a family member, compared to 12.4 percent of all males killed (by a family member). The difference is even higher with respect to violence committed by an intimate partner: 38.6 % of all killed women by an intimate partner versus 1.2 % of all killed men (by an intimate partner).

Such statistics can easily be exacerbated by the proliferation of SALW as a result of armed conflict in the country or neighboring country.

Source: Bozanic, D, 'The Hidden Pandemic: Firearms and Intimate Partner Violence Killing Women' (UNDP SEESAC, 2020) <https://www.eurasia.undp.org/content/rbec/en/home/blog/2020/hidden-pandemic-firearms-killing-women.html>

UNODC's Module 12 on Education for Justice on Interpersonal Cybercrime<sup>31</sup> provides insight into the extent of cyber-related VAWG, its disproportionate impact and consequences on women and girls:

“Women are disproportionately subjected to various forms of online abuse in various parts of

<sup>31</sup> Gender-based interpersonal cybercrime (UNODC), see: <https://www.unodc.org/e4j/en/cybercrime/module-12/key-issues/gender-based-interpersonal-cybercrime.html>. Also, see the 2018 Report of the Special Rapporteur on violence against women, its causes and consequences on online violence against women and girls from a human rights perspective (A/HRC/38/47) and Amnesty reveals alarming impact of online abuse against women' (2017), at: <https://www.amnesty.org/en/latest/news/2017/11/amnesty-reveals-alarming-impact-of-online-abuse-against-women/>

the world, especially women of specific religions, ethnic or racial groups, sexual orientation, economic status, and those with disabilities. A poll by Amnesty International (2017) revealed that approximately one-fourth of the 4,000 women surveyed in the United States, United Kingdom, Denmark, Sweden, Spain, Italy, and Poland experienced some form of online abuse (e.g., cyber-harassment) at least once. What is more, 41% of these women who experienced online abuse feared for their personal safety because of this abuse and harassment (Amnesty International, 2017). Women have received intimidating messages, threats of violence, and sexually explicit text messages, emails, images, and videos via dating, social media, and other online platforms, as well as in chat rooms and instant messaging services.”

Conflict-related VAWG, particularly sexual violence, also presents its own unique protection challenges for police. In such contexts, police and other state security forces often do not have the capacity to ensure adequate protection for victims/survivors and/or witnesses of VAWG, or they are themselves complacent or even complicit in the alleged acts of violence. It is thus crucial that particular attention be given to small arms and light weapons ('SALW') proliferation, which further exacerbates risks women and girls face, but also poses risk for responding police officers.

## Box 8

### Contextual Fact 4

Internal Displacement Increases Risk of IPV for Women and Girls. The Internal Displacement Monitoring Centre\* reports that several in-country studies indicate IPV increases after displacement. For example, in Colombia, more than half of displaced women have experienced some form of IPV, compared with 41 % of non-displaced women. In Afghanistan, two thirds of displaced women reported domestic violence. More than 12 % said it occurred more often than before their displacement.

\*Source: Briefing Paper: 'Sex matters-A gender perspective on internal displacement' (The Internal Displacement Monitoring Centre, 2019).

Moreover, the spillover of refugees seeking protection from armed conflict or other forms of major crisis in neighbouring countries also presents significant challenges for police and their essential services partners as undocumented movements of populations, including that of victims/survivors and alleged perpetrators, limit the impact of police protection measures. The protection and safety of victims/survivors of conflict-related VAWG will be discussed in Chapter 13: 'Emerging Issues in Investigating VAWG'.

## KEY MANAGERIAL COMPETENCIES FOR IMPLEMENTING SAFETY AND PROTECTION STRATEGIES INVOLVING VAWG CRIMES

In terms of protection and safety, and once an initial risk assessment has been conducted, police should think broadly when providing accurate information on options for redress for a victim/survivor of VAWG. Here, they can consider the common triggers for further violence and/or crimes committed against them after reporting violence and/or crimes such as (but not limited to):

- Retaliatory action from the original perpetrator(s) which could manifest physically, psychologically (such as threatening children or taking them away), financially, even socially and culturally, through exclusion from community or social networks;
- Ongoing violence committed by highly motivated multiple-perpetrators and multiple-interested parties in conflict-impacted regions;
- Violence committed by a new aggressor as result of the vulnerabilities exposed by the original act(s) of violence, including by police themselves;
- Harm committed to a victim/survivor as a result of the original act(s).

In many cases, specialized police or units are called into support and take over competency of the cases or incidents. These specialist officers are normally better

trained on accessing the victim/survivor referral network system and better connected to essential service partner expertise. These specialized units also tend to be staffed by more female police officers than other units, which for victims/survivors, can be important for building initial rapport with police.

However, as mentioned in the previous chapters, specialized units are not always available nor sufficiently resourced to effectively manage all cases of VAWG. Thus, understanding what it means to empower victims/survivors of VAWG to meaningfully participate in decisions regarding their safety and protection should be a key competency expected from all officers regardless of rank.

The use of risk assessment models (as mentioned above) and frameworks for police officers when establishing the safety and protection needs of victims/survivors of VAWG is becoming more widespread as responding police officers are, in general, embracing their utility.

However, as UNPOL identified in their Gender Toolkit (2015), these tools are not a replacement for professional discretion. This is an important statement by UNPOL, as it highlights the need for police officers to possess the right competencies when assessing risk and to effectively transmit their observations in an impartial and prompt manner to other essential service providers in the justice continuum. The reviews of the DASH tool discussed in this chapter also supports this observation from UNPOL.

Thus, police leadership, including middle managers, play a fundamental role in ensuring responding officers possess the right competencies and soft skills set to assess risk effectively and transmit their observations in an impartial and prompt manner.

To help ensure a more risk-led intervention by police, that is aligned with victim-centred and gender-responsive best practices which encompass accounting for intersecting factors such as ethnicity, illiteracy, disability and sexual orientation (among others), this section will provide a list of behavioural competencies for police managers can refer to when guiding and overseeing their staff as they respond to VAWG, particularly incidents of IPV.



**” Persons with disabilities who are unable to tell their story may also be at higher risk. This problem arises, particularly for persons with intellectual or psychosocial disabilities, and persons who have difficulty communicating.”**

—Guidelines on Inclusion of Persons with Disabilities in Humanitarian Action (2019)

Similar to past chapters, the recommended competencies have been inspired by other UN documents such as UNODC’s Blueprint for Action: an Implementation Plan for Criminal Justice Systems to Prevent and Respond to Violence against Women (contained in the publication entitled Strengthening Crime Prevention and Criminal Justice Response to Violence against Women) (2015) and the UNPOL Gender Toolkit (2015) amongst others. This is a non-exhaustive list that is designed to provide key examples of the expectations emanating from international standards,<sup>32</sup> and at same time complement and reinforce your national police organization’s policies on values, ethics, and integrity. Managers should ensure responding officers are prioritizing safety-risk assessment and safety planning by demonstrating they are able to:

#### **Availability:**

- Seek and enforce available protection measures regardless of the victim’s/survivor’s ability or willingness to participate in the criminal justice process;
- Gather the necessary evidence to support court-ordered protection measures regardless of the initiation of a criminal case or civil proceedings against the perpetrator;
- Implement risk assessment tools as per protocol while acquiring as much information as possible regarding the situation and the individuals involved.

#### **Effective communication and participation by stakeholders in design, implementation and assessment of services:**

- Give specific consideration at each stage of the criminal justice process for the safety and protection of victims/survivors. This includes, but is not limited to,

monitoring and enforcement of bail/release conditions and post-trial release conditions and notification of victims/survivors prior to release of an offender;

- Recognize the transnational dimensions of protection needs and flag the need to put in place appropriate mechanisms and processes to ensure the recognition and enforcement of protection orders and to ensure a harmonization of police practices across jurisdictions, as well as regional national and international borders;
- Apply investigative techniques that do not degrade women and girls who have been subjected to violence and that minimize intrusion into their lives, while maintaining standards for the collection of the best evidence.<sup>33</sup> This includes being able to take statements from a victim/survivor recorded in the exact words they were uttered, as well as reaching out to service providers involved in past incidents of violence.

#### **Adaptability:**

- Identify vulnerabilities of victims/survivors when responding to VAWG and link them to risk and management decisions that result in the distribution and coordination of resources that reflect a victim’s/survivor’s needs. This includes, but is not limited to, court protection orders, no-contact orders, strict release conditions for offenders, including curfews, no-contact orders, abstinence from alcohol, prohibition from weapons and seeking and attending counselling etc;
- Demonstrate a solid understanding of which groups of women may be more vulnerable, or at greater risk of particular forms of violence, and what are the vulnerability factors that may have an impact on the safety and quality of life of these women. For example, consider whether sexual bullying and harassing practices such as “sexting” or increased risks of serious injury or death to sex trade workers are issues in the country;<sup>34</sup>
- Adopt and/or reinforce measures that can be taken, when necessary, to ensure the safety of victims’/sur-

<sup>32</sup> See: ‘Code of Conduct for Law Enforcement Officials’, adopted by General Assembly resolution 34/169 of 17 December 1979.

<sup>33</sup> Taken from ‘Strengthening Crime Prevention and Criminal Justice Response to Violence against Women’ (UNODC, 2014).

<sup>34</sup> Ibid.

vivors' families and to protect them from intimidation;

- Adopt and/or reinforce measures to ensure full support and protection for the most vulnerable women and girls, such as those who are illiterate, with disabilities, or economically-improvised amongst others;
- Ensure safety plans complement court orders (such as 'no-contact' orders) in criminal or civil cases, are personalized, supported by the community, and are realistic and holistic.

#### **Appropriateness:**

- Respond promptly, with the highest sensitivity, when a report of VAWG is made, and take immediate measures to ensure the safety and health of victims/survivors and their close family members, if needed.

#### **Linking with other sectors and agencies through referral and coordination:**

- Coordinate with essential service providers on the monitoring of changes in the external environment which may negatively impact the safety of victims/survivors under protection measures;
- Involve appropriate victim/survivor assistance groups or their advocates when developing safety plans or make appropriate referrals to these groups to assist victims/survivors with safety planning. This should include specialist women's services, including those which have expertise in addressing specific forms of VAWG and/or are led by and for marginalized groups, e.g. specialist services led by and for women and girls with disabilities.

#### **Data collection and information management:**

- Identify and report when current risk tools and the practical realities of frontline policing are not aligned, so they can be adjusted and the appropriate personnel further trained, to improve effectiveness and be more user friendly;
- Implement risk assessment tools, as per the protocols, while acquiring as much information as possible regarding the situation and the individuals involved.

#### **Informed consent and confidentiality:**

- Provide victims/survivors with a sense of control over the process by providing them with as much information as possible and allowing them control over their own part in the proceedings.
- Develop a safety plan with the victims/survivors to identify the options and resources available to equip and enable victims/survivors to protect themselves, their children and other family members in a variety of settings and circumstances.<sup>35</sup>

## **REFERENCE INDICATORS FOR POLICE PROVIDING ESSENTIAL SERVICES: SAFETY AND PROTECTION**

As in the case of general data collection for crime statistics and police performance, police information on VAWG is only as good as the information captured in systems by responding police and other essential services.

When information is captured correctly, objectively and tactfully by the responding police officer(s), it can inform not only operations and strategies, but it can also help to dispel gender-biased myths surrounding VAWG, including those pertaining to IPV mentioned in previous chapters.

Quality information collected by the police can provide insight into the positive impact empowered victims/survivors can have when supported by responding officers. For example, tracking the number of properly consulted and completed risk assessment forms utilised in an IPV intervention by police can reflect an effective relationship between the responding officer and the victim/survivor.

This information, examined against perception surveys of police service delivery in cases of IPV (when positive perception has increased), can indicate higher reporting of IPV cases due to women and girls feeling confident

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<sup>35</sup> Ibid.

## Box 9

### Recommendations for Improving Evidence-based Approaches to Risk Management<sup>36</sup>



In their Guide to Risk Assessment and Risk Management of IPV against Women for Police (2019), the EIGE proposes that risk management monitoring should include data from administrative sources and disaggregate the data in compliance with European legal frameworks as follows:

- The number and type of the reported crimes;
- The number, age and gender of the victims/survivors;
- The number of cases investigated;
- The number of persons prosecuted;
- The number of persons sentenced.

In addition, it should include the following minimum required data disaggregation:

- sex of victim/survivor and perpetrator;
- age of victim/survivor and perpetrator;
- type of violence;
- relationship of the perpetrator to the victim/survivor;
- geographical location;
- other relevant factors, such as race, disability and other characteristics



enough to approach police, rather than an increase prevalence of VAWG.

Correctly completed risk assessment forms should, in theory, help reduce the number of times a victim/survivor needs to tell her story, as well as the number of people she will have to deal and ensure she is supported by the right professionals. Moreover, this measure can provide insight into the practice of police referring victims/survivors to mediation as opposed to the formal criminal justice system, thus recognizing that police officers should not act as mediators themselves.

The European Institute for Gender Equality ('EIGE') provides useful recommendations for improving evidence-based approaches to risk management (see above in Box 9):<sup>36</sup>

With a greater appreciation of the risk faced by victims/survivors, responding officers should be more inclined to use the formal justice system to mitigate further harm and seek proportionate sanctions for acts of violence.

Rollings and Taylor (2008) provide another example of useful reference information by proposing that a reduction in the number of offenders who continue to perpetrate family violence or IPV after police are called to incidents would be an indicator that previous police intervention has had an impact on further offending behaviour.<sup>37</sup>

As discussed in the previous chapters, the ESP proposes that all justice and support services for victims/survivors need to share a range of common characteristics and common activities to ensure maximum impact. They are applicable regardless of the specific 'sector' that may be responding to women and girls experiencing violence. The following list is inspired from the ESP's common characteristics and common activities; it proposes some examples of reference indicators for effective police protection and safety measures that have empowered victims/survivors of VAWG to pursue their access to justice and enable them to stay safely engaged with the justice process.

<sup>36</sup> See: 'Risk assessment and risk management by police' (European Institute for Gender Equality), at: <https://eige.europa.eu/gender-based-violence/risk-assessment-risk-management/principle-3-establishing-evidence-based-approach>

<sup>37</sup> Kiah Rollings and Natalie Taylor, 'Measuring police performance in domestic and family violence' for Trends & issues in Crime and Criminal Justice No. 367 December 2008 (Australian Government/Australian Institute of Criminology, 2008).

These are indicators police managers can reference if they exist, but also encourage their inclusion by senior levels in instances when they don't exist:

- **Adaptability and accessibility:** Number of trainings or formalized consultations with local but diverse communities. This should include groups representing people with disabilities, internally displaced persons and minority communities for input on contextual and cultural factors that police risk assessments should consider. Efforts should be made to ensure training for team staff members reflects the range of regional cultural differences and their respective security needs.
- **Appropriateness and accessibility:** Ratio of correctly completed risk assessment forms by staff in relation to the number of interventions on VAWG by team members (particularly in cases of IPV). This indicator should also provide insight into the extent to which police are communicating in a language understandable to a victim/survivor. Disaggregating the number of risk assessment forms according to the sex of the responding officer, rank and unit, will also provide information on other variables influencing the quality of communication between the officer and a victim/survivor.
- **Prioritize safety:** Ratio of protection measures and safety plans activated and enforced until conclusion as recommended by social, health, and justice essential service providers and in consultation with a victim/survivor, vs protection measures recommended and/or requested for activation. This measure will allow insight into the practice of police to regularly and consistently assess the safety of women and girls.
- **Informed consent and confidentiality and accessibility:** Percentage of protection measures and safety plans activated by staff officers in relation to the number of cases with recidivism/repeat offending or

“According to our observations, trainings on awareness raising are more effectively if they are conducted by people from underrepresented groups, who talk about their own life experience.”

—Elena Ratoi,  
Programme Manager (UN Women, Moldova)



breaches of the measures by the aggressor.<sup>38</sup> Alternatively, the ratio of protection measures enforced until agreed conclusion with a victim/survivor in relation to the number of cases with recidivism/repeat offending by the aggressor and or arrests. This measure will provide insight into the impact of the protection measures when applied in their entirety vs partially or not applied. The measure assumes that the meaningful participation of the victim/survivor in her safety and protection planning will increase the probability of police enforcing protection measures to their agreed conclusion.

- **Effective communication and participation by stakeholders in design, implementation and assessment of services:** Local police service delivery surveys conducted with safe shelters officials and residents for victim/survivor satisfaction with police response. Such surveys can be initiated at the station level and should seek to align collaboration methodologies, so they reflect national, regional or local strategic VAWG prevention goals. This measure will provide insight into the behaviours and attitudes of police as they inform the victims/survivors of protection options and engage with their safe shelter partners. These surveys should seek information on the extent to which police demonstrate sensitivity, for example, to be able to

38 Rollings and Taylor (2008) propose that police use an indicator on reduction in repeat attendances to the same address as one possibility, as previous police intervention here has had a positive impact. The author added that this performance measure would need to be tracked over time to monitor whether the proportions of households with repeat attendances are decreasing and could be measured using existing statistical data held by police. 'See 'Measuring Police Performance in Domestic and Family Violence' (2008).

provide accurate information about what happens to children when a mother is in shelter as well as what daily protection measures will be given to children who have to stay with relatives and who continue to attend school.

- **Data collection and information management:** Number of VAWG related arrests in relation to the number of victims/survivors consulted on personal risk perception and referrals to external agencies for protection measures. This information should be considered the minimum in terms of data collection and should be taken at the station level to be fed into a national system of data collection.
- **Linking with other sectors and agencies through coordination:** Annual increase in the positive perception of the police enforcement of protection measures from

surveys conducted with other local essential service providers or partners. This measure should provide insight from external sources into the ability of the police to respect and comply with referral coordination protocols and best practices. Dowling et al. (2018) report that, in general, victim/survivor satisfaction with risk assessment has not received significant attention. However, the limited studies available indicate that victims/survivors tended to express frustration with risk assessment tools, which they perceived as consisting of largely irrelevant questions, and the impersonal, repetitive manner in which they were questioned by police, especially when they were contacting police frequently.<sup>39</sup> Dowling et al. added that victims'/survivors' frustration with these tools may stem from a lack of understanding as to why they were important to ensuring their safety; thus, police and other essential service operators need to ensure victims understand and support the process.<sup>40</sup>

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39 Dowling, C., Morgan, A., Boyd, C., Voce, I., 'Policing Domestic Violence: A Review of the Evidence', Australian Institute of Criminology, Research Report 13 (2018).

40 Ibid.

## CASE STUDY

### REVIEW OF THE UK'S DASH RISK ASSESSMENT TOOL



It is often challenging for police forces to ensure that all officers responding to VAWG crimes have the right competencies in place to conduct risk assessments aligned with standards and protocols so that tools such as the B-SAFER and DASH, for example, are applied to their full potential.

In fact, a 2016 review of the DASH model<sup>41</sup> used widely by police forces in the UK observed many challenges faced by responding frontline police during interventions in IPV incidents when attempting to implement the model. They include the following<sup>42</sup>:

- Even though there was widespread support for risk assessment from both police and partners, the DASH risk tool was not applied consistently at the frontline;
- Officers sometimes used their discretion not to submit a form, specific questions were altered or omitted, and information was sometimes recorded in an inconsistent or incomplete way;
- It is not necessary to ask for all the information currently contained in the 27-item DASH tool during the initial response. In its present form, the DASH is being circumvented in practice and is providing inconsistent data to secondary risk assessors;
- Police officers and staff appeared to prioritize criminal offences and especially physical violence and injury resulting from the incident in question, both the initial and secondary stages of risk assessment;
- Based on these observations, the review provided some implications for the future updating of the DASH, which can be applicable to most, if not all, risk assessment models and frameworks. The following is a list of

recommendations for risk assessment practices in policing, specifically the implications for the future use of the DASH, which have been inspired from the DASH review:<sup>43</sup>

- An evidence-based approach to risk-led policing is needed: it needs to be supported by training relating specifically to risk assessment, identification and management. Police forces should try to minimize informal on-the-job learning that tends to take place in the absence of training. Supervision and feedback that could reinforce any learning needs to be more prevalent.
- An understanding of coercive control needs to be embedded within a risk-led approach: Aspects of domestic abuse need to be better recognized by response officers attending incidents. Despite research indicating that coercive control comprises an important risk factor for domestic homicide, police often do not fully recognize the significance of coercive control when assessing risk.
- A revised risk tool for frontline officers should place a greater emphasis on patterns of abusive behaviour: A more focused frontline tool could more effectively nudge officers out of an incident-driven mind set, towards identifying patterns of abusive behaviour, including coercive control.
- A more thorough risk/needs assessment is best undertaken by those with specialist training: VAWG specialists are needed to situate potentially high-risk factors (such as separation from the perpetrator) in the context of a highly controlling perpetrator. They are better placed to conduct a more thorough risk/needs assessment as an adequate basis for deciding follow-up action in cases where there is ongoing abuse. Police roles and structures must support timely and robust reviews of initial risk assessments and timely referrals to specialist support services.

Similar to UNPOL's reference to the importance of professional discretion in IPV risk assessment, the DASH review recommendations not only reinforce the importance of police officers possessing the necessary

<sup>41</sup> The Domestic Abuse, Stalking and 'Honour'-Based Violence (DASH 2009) Risk Identification, Assessment and Management Model was implemented across all police services in the UK from March 2009, having been accredited by ACPO Council, now known as National Police Chief Council (NPCC). See DASH Risk Model <https://www.dashriskchecklist.co.uk/>

<sup>42</sup> Risk-led policing of domestic abuse and the DASH risk model. Amanda L. Robinson, Andy Myhill, Julia Wire, Jo Roberts and Nick Tilley for the College of Policing (2016) [https://www.college.police.uk/News/College-news/Documents/Risk-led\\_policing\\_of\\_domestic\\_abuse\\_and\\_the\\_DASH\\_risk\\_model.pdf](https://www.college.police.uk/News/College-news/Documents/Risk-led_policing_of_domestic_abuse_and_the_DASH_risk_model.pdf)

<sup>43</sup> Ibid.





competencies for assessing risk in cases of IPV, but that adequate training and monitoring must be invested in order to not undermine efforts at the cost of a victim's/survivor's safety and that of their close relatives.

Training and monitoring should also expand to the use and proliferation of fire-

arms, both legal and illegal, in cases of VAWG. While the misuse of small arms and light weapons might not be widespread in UK, in many other countries and regions, abusers are gravely misusing firearms to exercise power and control over victims/survivors – which requires a specific institutional response.

Increased contextualised awareness of the linkages between small arms and light weapons should be a part of the informed understanding within a police organization of the nature of violence, its causes and consequences and how it impacts women and girls differently and disproportionately. The presence of firearms in the IPV context significantly increases the risk of a lethal outcome for victim(s).

In this regard, the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) has provided regional guidance in their publication on *The Misuse of Firearms in Domestic Violence in South East Europe: Fast Facts* (2019), which was supported by the European Union, through EU Council Decision (CFSP) 2016/2356 in support of SEESAC disarmament and arms control activities in South-East Europe.<sup>44</sup>

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## ANNEX 1



### UNODC (2014) Standard Risk and Danger Assessment: Assessment of the Lethality Risk and Risk of Repeated Violence:<sup>45</sup>

<b>Prior victimization</b>	<ul style="list-style-type: none"> <li>• Type, severity and frequency of assault</li> <li>• Date of most recent assault</li> <li>• Serious injury in prior assaults</li> <li>• History and nature of past violence towards this victim/survivor</li> <li>• Is there a pattern of ongoing intimidation, coercion and violence?</li> <li>• Who is perpetrating such a pattern, and against whom?</li> <li>• What is the severity of the violence?</li> <li>• Who has been injured and how?</li> <li>• Who is afraid and in what ways?</li> <li>• Was the victim/survivor assaulted during pregnancy or shortly after giving birth?</li> <li>• Current or past orders for protection</li> <li>• Previous domestic violence charges dismissed, previous domestic violence contacts with police or prosecutor's office</li> </ul>
<b>Perpetrator's drug and alcohol problems</b>	<ul style="list-style-type: none"> <li>• Alcohol or drug abuse</li> </ul>
<b>Perpetrator's obsessive/possessive behaviour and excessive jealousy</b>	<ul style="list-style-type: none"> <li>• Jealous or controlling behaviours by perpetrator</li> <li>• Intimidation of victim/survivor if she seeks help</li> <li>• Nature of controlling behaviour: threats of future injury or death (the more specific the threat, the greater the risk), threats to use a weapon, threats of child abduction or denial of visitation rights, threats made openly and in presence of others</li> <li>• What kind of threats or coercion have been used to dissuade the victim/survivor from participating in the prosecution?</li> <li>• Who is most vulnerable to ongoing threats and coercion?</li> </ul>
<b>Perpetrator's mental health history (i.e. suicidal ideations, plans, threats and past attempts)</b>	<ul style="list-style-type: none"> <li>• Threats of homicide or suicide by perpetrator</li> <li>• Evidence of depression of perpetrator</li> <li>• Evidence of perpetrator's paranoid thinking</li> <li>• Perpetrator's history of mental health or emotional problems</li> </ul>

<sup>45</sup> Handbook on Effective Prosecution Responses to Violence Against Women and Girls (UNDOC and UN Women, 2014), see: [https://www.unodc.org/documents/justice-and-prison-reform/Handbook\\_on\\_effective\\_prosecution\\_responses\\_to\\_violence\\_against\\_women\\_and\\_girls.pdf](https://www.unodc.org/documents/justice-and-prison-reform/Handbook_on_effective_prosecution_responses_to_violence_against_women_and_girls.pdf) p.54.

<b>Perpetrator's threats to kill the victim/survivor or her children</b>	<ul style="list-style-type: none"> <li>• Threat to harm victim/survivor or children</li> <li>• Has the perpetrator harmed the children, if so, in what ways?</li> <li>• Has the perpetrator threatened to harm the children? In what ways?</li> <li>• Does the victim/survivor fear that the abuser will take the children in retaliation for the cooperation with prosecutors?</li> <li>• Did the children witness the offence or other violence or threats?</li> </ul>
<b>Perpetrator's use of violence in settings outside the home</b>	<ul style="list-style-type: none"> <li>• Perpetrator's prior criminal history, and whether there are other pending charges</li> <li>• History and nature of past violence towards others (i.e. history of violence in prior relationships)</li> </ul>
<b>Evidence of escalating violence or intimidation</b>	<ul style="list-style-type: none"> <li>• Stalking behaviour; use of weapon; sexual abuse; animal abuse; property damage or threats of future property damage; hostage-taking; victim's/survivor's increased vulnerability due to age, disability, pregnancy</li> </ul>
<b>Perpetrator's possession of, access to, familiarity with and degree of fascination with guns</b>	<ul style="list-style-type: none"> <li>• Access to rearms/availability of weapons</li> </ul>
<b>Perpetrator's proclivity to respect court rules</b>	<ul style="list-style-type: none"> <li>• Record of violation of court orders</li> <li>• Record of failure to follow pretrial release or probation rules</li> <li>• Previous participation in batterer treatment programme</li> </ul>
<b>The status of the relationship</b>	<ul style="list-style-type: none"> <li>• Are the victim/survivor and perpetrator separated or separating, estranged?</li> <li>• Is the victim/survivor in the process of fleeing?</li> <li>• What is the status of any family or other court case?</li> <li>• Imminent break-up, separation or divorce initiated by victim/survivor; imminent change in child custody and/or imminent change in victim's/survivor's residence</li> </ul>



## NOTES AND SUGGESTED READING

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## SUPPORT AND ASSISTANCE

*“If we accept that violence against women and girls is rooted in inequality, which is embedded in our societies and persists globally, we should also consider that all forms of violence against women and girls are in fact ‘harmful practices’ i.e. practices that harm. If we then choose to connect these harmful practices to traditions, we must first ask ourselves “what could be more ‘traditional’ than widespread, embedded inequality?”*

—Marai Larasi (Ending Violence Against Women and Girls Advocate, Activist, Consultant and Educator)

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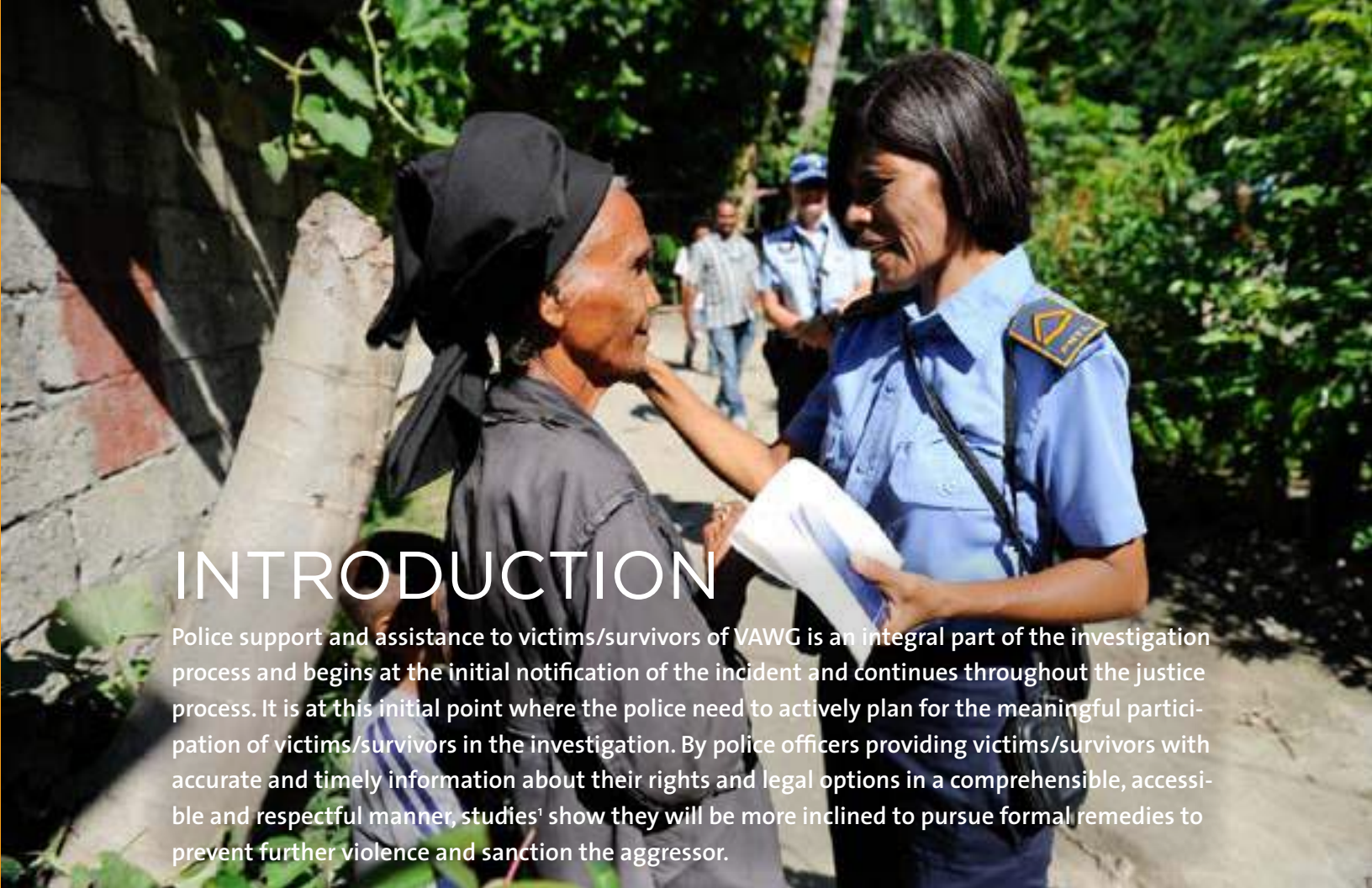
# CHAPTER GOALS:

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**Police have empowered victims/survivors of VAWG to make their own informed decisions by providing them with information on their rights and justice options in a practical, accurate, accessible, and comprehensive manner.**

## **Key Messages and Learning Points:**

- Police should explain the investigation process to victims/survivors and keep them informed at every stage of the justice process;
- Collaboration with other service providers is key to providing effective support and assistance to victims/survivors, as well as ensuring police can focus on their core role of investigation. The priority of any collaboration must be to meet the needs of a victim/survivor;
- The role of the police is not to judge victims/survivors, thus responding officers must not be influenced by any biases or stereotypes;
- When police view assistance and support services broadly, it empowers the victims/survivors of VAWG to collaborate;
- The meaningful participation of victims/survivors throughout the process is synonymous with building trust with communities;
- Police and other essential service providers should view victims/survivors as partners to be empowered rather than seeing their vulnerability as synonymous with physical or mental weakness;
- Being contextually informed is critical for police when understanding the support and assistance needs of victims/survivors of VAWG;
- Respect and dignity should be extended to all alleged perpetrators, particularly to women and girls who have themselves been victimized and/or on the margins of the law.



# INTRODUCTION

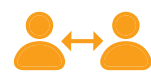
Police support and assistance to victims/survivors of VAWG is an integral part of the investigation process and begins at the initial notification of the incident and continues throughout the justice process. It is at this initial point where the police need to actively plan for the meaningful participation of victims/survivors in the investigation. By police officers providing victims/survivors with accurate and timely information about their rights and legal options in a comprehensible, accessible and respectful manner, studies<sup>1</sup> show they will be more inclined to pursue formal remedies to prevent further violence and sanction the aggressor.

Photo courtesy of UNMIT/Bernardino Soares (Timor-Leste)

The following chapter focuses on providing guidance for police managers seeking to strengthen their team’s capacity to ensure the meaningful participation of victims/survivors in the investigation of the alleged act, as well as preventing further acts of violence against the victim/survivor, and others close to her, her family and witnesses.

The guidance offered will specifically explore what meaningful participation means for victims/survivors of VAWG and how their empowerment in the decision-making process regarding the support and assistance they receive can translate into better results for all involved. As in the other chapters, the reader is recommended to view, in association with this chapter, Essential Service 9 on ‘Support and Assistance’ in Module 3: Justice and Policing of the ESP.

<sup>1</sup> For example, see the role of Nepalese female police officers responding to gender-based violence in The End of Project Evaluation Report of the Project “Multi-Sectoral Gender Based Violence Response at the District Level in Nepal” Project Period: 2009 August-2013 July supported by the Eliminate Violence against Women Trust Fund. Also see Wilson, S., & Jasinski, J. (2004). Public satisfaction with the police in domestic violence cases: The importance of arrest, expectations, and involuntary contact. *American Journal of Criminal Justice*, 28, 235–254. Nathan Birdsall, Stuart Kirby & Michelle McManus (2017) Police–victim engagement in building a victim empowerment approach to intimate partner violence cases, *Police Practice and Research*, 18:1, 75–86., Hohl, K., Bradford, B., & Stanko, E. (2010). Influencing trust and confidence in the London metropolitan police: Results from an experiment testing the effect of leaflet drops on public opinion. *British Journal of Criminology*, 50, 491–513 and Tyler, T. (2004). Enhancing police legitimacy. *The Annals of the American Academy of Political and Social Science*, 593, 84–99.



## PEER TO PEER GUIDANCE

You and your staff need to consider what support and assistance you can provide to meet the individual needs of each victim/survivor from the moment you are notified of an incident of VAWG.

A victim/survivor-centred approach requires the victim/survivor to be kept informed as the investigation pro-

## Box 1

### Family Liaison Officer ('FLO') for a Victim/survivor-centred Approach (UK)

A Family Liaison Officer (FLO) is an integral part of the investigation team, supporting the family throughout the investigation process until the court process has concluded. His/her role is to support the senior investigating officer ('SIO') and keep the family informed of the progress of the investigation.

The role was initially developed in response to a lack of liaison with victims/survivors' families, which led to gaps in the investigation, leading to negative media reports and even crucial information, sometimes still subject to sub-judice, being provided to the media rather than the police.

A good family liaison officer must have an ability to listen and empathize yet maintain enough detachment to observe the parameters of role, such as having a clear exit strategy, and this needs to be explained from the outset. He/she needs to demonstrate honesty and integrity about his/her role being part of the investigation. For example, rather than say "I don't know" to the family, he/she will say something such as "I'm not in a position to give that information at this time." It is made clear to the family from the start that, although the FLO is there to support the family, they are still primarily a police officer and part of investigation team.

Family liaison officers are expected to attend most briefings in relation to the investigation but need to be careful not to say anything to the victim/survivor that might compromise the case. If necessary, they should stand back from the briefing, sometimes it is better not to know certain details to retain a level of integrity with the family. However, the FLO is expected to liaise directly with the SIO, this is especially relevant if the victim's/survivor's family are suspects.

A FLO is NOT a counsellor and they are expected to direct the family to other support agencies when appropriate. They will also provide guidance and support to the family with media releases and interviews.

Due to their relationship with the family, the FLO is in a position to provide crucial information about the family to the inquiry team and so assist with the investigation. They are key to providing a crucial two-way line of communication between the SIO, investigators and the family.

A good FLO can develop trust and maintain a good relationship with the family, which has a positive impact on the rest of the local community.

According to the UK College of Policing, the primary purpose of a Family Liaison Officer (FLO) is that of an investigator. Their role is to gather evidence and information from the family to contribute to the investigation and preserve its integrity. The FLO also provides support and information, in a sensitive and compassionate manner, securing confidence and trust of families of victims of crime.

Source: Family Liaison Officer (UK College of Policing at: <https://profdev.college.police.uk/professional-profile/family-liaison-officer-flo/#role-purpose>)

gresses. To enable this, it is good practice to assign a dedicated officer to perform this role. This ensures continuity of information and continues the build-up of trust between the victim/survivor and the police. As the relationship develops, information and intelligence can be gleaned by the officer assigned to support the victim/survivor, which can be very useful for the inves-

tigating officer. In the UK, this role is performed by specially trained Family Liaison Officers ('FLO') and are recognized as good practice internationally (see Box 1).

**For more information on what constitutes a 'victim/survivor-centred' approach, see Chapter 2: 'Making a Difference as a Manager and Team Leader.'**

In order for it to be clear to your staff, you need to have already considered, and communicated to them the following:

- What information you expect your staff to share with the victim/survivor and how they ensure she is being kept updated on the investigations?
- How they ensure communication with victims/survivors who are particularly vulnerable is maintained?

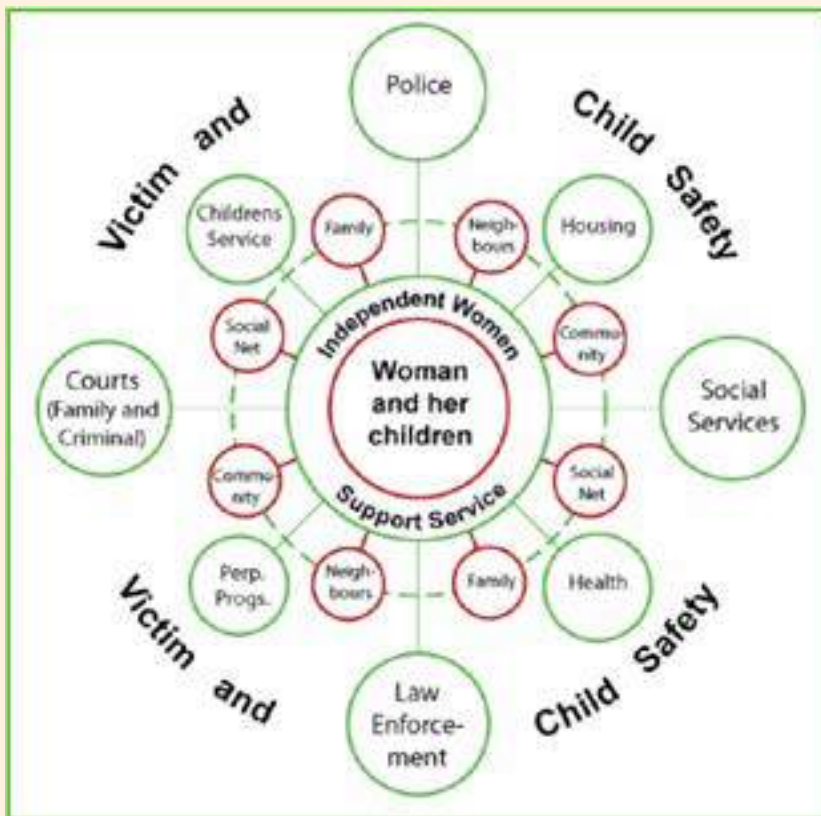
You need to ensure women and children accused of crimes who have been subjected to violence are also identified as victims/survivors and treated as such, e.g., women and girls who have been trafficked, those who have been exploited by others, and even those who may have committed a violent act, as this could be as a result of long term trauma caused by years of abuse.

You and your staff are there to help, not to judge, so it is important that any biases, stereotypes and other thoughts or beliefs you or your staff hold are not translated into either words or behaviour towards the victim/survivor.

It is recognized that the police may not have all the resources to meet a victim's/survivor's individual needs, such as emotional or psychological support, accommodation for persons with different types of disabilities (e.g., sign language interpretation), health, medical and social welfare provision, shelters etc., and so your collaboration with other support service providers within your area will be beneficial not only for the victim/survivor, but for the effective deployment of your staff. It will enable you to focus on the core police role of investigation to ensure the strongest case is prepared for the next stage of the criminal justice process.

Figure 1:

**The Partnership Wheel (Protect II 2012)**



2 The Partnership Wheel - Protect II – Capacity Building in Risk Assessment & Safety Planning to Protect High Risk Victims, (Vienna, 2012), [http://files.wave-network.org/trainingmanuals/PROTECTIII\\_Risk\\_Assessment\\_and\\_Safety\\_2012\\_English.pdf](http://files.wave-network.org/trainingmanuals/PROTECTIII_Risk_Assessment_and_Safety_2012_English.pdf) p.47



To benefit from joint agency provision of support and assistance for victims/survivors, you first need to:

- Identify what support services are available within your policing area;
- How they can support you in meeting victims'/survivors' needs;
- What, if any, relationships do you already have with those identified?

If none currently exist, you need to be pro-active in cultivating/developing good working relationships.

Developing a multi-agency service provision does not have to be expensive, the key aspect is that all those involved are working towards a common goal of supporting victims/survivors.

A useful tool (data templates) to help you with mapping of available services in your area can be found on page 15 of the following document: *'Mapping Support Services for Victims of Violence Against Women in line with the Istanbul Convention Standards: Methodology and Tools.'*<sup>3</sup>

In the UK, the concept of Sexual Assault Referral Centres ('SARCs') were developed by the National Health Service (NHS) and the police, to bring together in one place, essential services for victims/survivors of sexual assault. According to NHS England<sup>4</sup> *'SARCs contribute to achieving a range of local and national priorities and policies to improve health and wellbeing, tackle violence and abuse, reduce inequalities and tackle discrimination.'*

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3 Kelly, L., Chair, R., (2018), 'Mapping Support Services for Victims of Violence against Women In Line with the Istanbul Convention Standards Methodology and Tools, (London Metropolitan University). The Handbook also recommends the document 'Combating violence against women: minimum standards for support services' By Kelly, L., Chair, R., and Dubois, L. (London Metropolitan University, 2008) for the Directorate General of Human Rights and Legal Affairs Council of Europe Strasbourg, at: [https://www.coe.int/t/dg2/equality/domesticviolence-campaign/Source/EG-VAW-CONF\(2007\)Study%20rev.en.pdf](https://www.coe.int/t/dg2/equality/domesticviolence-campaign/Source/EG-VAW-CONF(2007)Study%20rev.en.pdf)

4 Commissioning Framework for Adult and Paediatric Sexual Assault Referral Centre (SARC) Services, (NHS England, 2015).

The model framework for SARCs<sup>5</sup> rely on collaboration between partner agencies to provide safe and effective care. The following is not an exhaustive list of partners that are included in the UK:

- The Police Service
- The Police and Crime Commissioner
- The Lead Health Commissioner/s
- The Local Authorities
- NHS England, Clinical Commissioning Groups
- Public Health England
- Local Paediatric Services
- Child and Adolescent Mental Health services
- Adult Mental Health services
- The Crown Prosecution Service
- Forensic Science Service Providers
- Third Sector Organizations, including those who specifically support persons with disabilities.
- Sexual Health Services
- Social Care Agencies
- Other stakeholders, including the Ministry of Justice (MoJ) and the Home Office, who provide grants to support to SARCs and third sector therapeutic support.

Although stakeholders and interdependencies may vary from those identified above in countries outside the UK, SARCs have been, and are in the process of being established in a number of countries, in particular within Europe and South America.

### See Case Study 1 on the development of a SARCs in Bulgaria.

The delivery aim of the SARC is to provide clients with:

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5 Currently, the UK National Institute for Health Research ('NIHR') is investing GBP1.3 million to evaluate the work of sexual assault referral centres (SARCs) in England. The evaluation is being led by Coventry University, in partnership with several other universities and sexual assault referral centres.



- Acute healthcare and support in age-appropriate settings;
- Comprehensive forensic medical examination;
- Follow up services which address the client's medical, psychosocial and on-going needs;
- Direct access or referral to an Independent Sexual Assault Advisor ('ISVA').

If there is no victim/one-stop crisis centre in your area, then why not establish one? It would demonstrate your leadership and commitment to providing a quality response to victims/survivors of VAWG and be an example to your peers and your senior managers.

**See Case Study 2 at the end of the chapter on the creation of the first one-stop Victim Support Centre ('VSC') in Dhaka, Bangladesh.**

Whilst you may not be able to create a one-stop centre with the full range of services at the outset, find out what it would take to set up one, which would provide the basic services, which can then be developed and others added as the centre and partnership becomes established. There may be NGOs and/or CSOs who could help you to facilitate the creation of a partnership with other service providers, in the form of a project, with appropriate provisions for monitoring and evaluation to determine what works best and can be replicated elsewhere.

While it might take some effort on your part in the short to mid-term, the long-term benefits could be immense. For the victims/survivors, it could provide some of the necessary services to meet their individual needs, by providing relevant support and assistance to help them through the trauma and impact of the violence.

For you and your staff, it could support the investigation if the victim/survivor has access to services that you are unable to provide, but that can support her both physically and emotionally during the investigative process to prevent secondary victimization on the part of the police, due to a lack of available resources. Collaborating with Disabled Persons Organizations, for example, will

also help you to ensure victims/survivors with different types of disabilities receive all the support they need to help access justice.<sup>6</sup>

By ensuring a victim/survivor receives on-going support and assistance through collaboration with other service providers, your officers can maintain their focus on gathering the evidence to build a strong case against the alleged perpetrator and seek justice for the victim/survivor. It will also build the victim's/survivor's, family and friends' and communities' trust and confidence in the police, with the positive outcome that more victims/survivors will have the confidence to come forward to report such crimes.

Many women and girls with disabilities tend not to report violence because they are aware of the lack of accessible support, they can receive this police stations. Offering accessible support will result in increased confidence of the police amongst women and girls with disabilities.

More potential information and intelligence can be gained from communities as a result, enabling you and your staff to analyze such crimes and identify preventative interventions, in partnership with other agencies and the communities themselves.

**For more information on prevention measures, see Chapter 3: 'Prevention.'**

During the establishment of a SARC/Victim Care Centre ('VCC'), you will need to develop various protocols between agencies/service providers, and these can be informal or formal depending on the levels of collaboration. Formal protocols will certainly be needed for sharing of data and intelligence/information between partners and agreements will be required to define what services or resources each partner is able to provide.

You may need to secure authority from your senior managers to enable you to commit any police resources

<sup>6</sup> See Article 13 of the Convention on the Rights of Persons with Disabilities (CRPD) on access to justice, at: <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-13-access-to-justice.html>.



Photo courtesy of UN Women/Allison Joyce (Bangladesh)

to the project, so you will need to provide them with examples of the potential long-term benefits to both your local policing activities and, where relevant, to the national police in its delivery of safety and security to the country's citizens.

You will also need to agree with other service providers what referral mechanisms there are or will be for victims/survivors, how it will be communicated and, where appropriate, how any costs will be apportioned. You may also need to build trust and confidence with and between other service providers, making sure you refer to any national strategies on VAWG - particularly any policies that describe referral and coordination mechanisms.

If they lack an understanding of the role of the police, the powers you have and challenges you face, they may be reluctant to encourage victims/survivors to make a report to you as early as possible, if at all.

How could you encourage early reporting to the police to avoid any potential loss of evidence either from a

victim/survivor, witnesses, crime scene and even the alleged perpetrator? You need to consider what practical steps could be taken to secure and preserve evidence at the earliest opportunity, even if the victim/survivor does not wish to make a complaint to the police, so that if she decides later to make a report, crucial evidence may still be available. A simple way could be to raise awareness of other agencies/service providers of:

- Types of evidence;
- Identifying and protecting potential evidence;
- What constitutes a crime scene;
- The importance of protecting and preserving any scene;
- How to preserve evidence, particularly potential forensic evidence including bodily fluids.

Whilst you want these key aspects of an investigation to be controlled by the police, with a heightened awareness of what is required by you, other service providers

will be better able to support you in your efforts to gain justice for the victim/survivor.

### Remember that the number one consideration for any joint approach must be to meet the needs of the victim/survivor.

It is no good having, for example, a one-stop crisis center at a hospital, if *First Responders* do not know it is there or that they can help victims/survivors access it, so consider the following:

- Where support services already exist, how accessible<sup>7</sup> and appropriate<sup>8</sup> are they for women and girls?
- Are they able to support children as well as adults?
- Are all your staff aware of what other services are available, and where they are located or can be accessed?<sup>9</sup>

### Dealing with challenges in responding to VAWG starts with identifying the gaps in your team's performance

The following is a list inspired from an extensive global mapping of good practices from and capacity gaps in police institutions when responding to incidents of VAWG. This mapping involved outreach to several

serving and retired police officers, and the staff of UN and civil society organizations with direct experience working with the police and non-governmental organizations specializing in addressing VAWG.

The capacity gaps listed below are detrimental to the police effort at all points in the investigation process, but in this case, they are particularly counterproductive to police support and assistance strategies for victims/survivors.

The list is meant to help police managers identify and correct behaviours, actions and attitudes that will limit the police from empowering victims/survivors of VAWG to make their own informed decisions by providing them information of their rights and justice options in a practical, accurate, accessible, and comprehensive manner. The category titles are meant to help the reader relate to a key issue of the identified capacity gap; however, they are in fact all applicable and/or complimentary to each other.

#### Gender Bias

The police will refer to mediation as a diversion from formal justice, often because they believe it is a convenient solution for all.

#### Secondary Victimization

- Failing to share information or doing so inappropriately can put IPV victim/survivors and their children at serious risk. A consistent approach to sharing personal information by all agencies can vastly improve the quality of essential services for IPV victims/survivors in terms of preventing the unnecessary repetition of distressing case history to different professionals and saving considerable time. Above all, the safety and meaningful participation of victims/survivors must be built in as a guiding principal;<sup>10</sup>
- Confidence built by the police when providing support and assistance can be easily undermined when victims/survivors feel they are interrogated during interviews.

7 Accessible meaning the support services will be physically accessible (services are within safe physical reach for all women and girls), economically accessible (affordability) and linguistically accessible (information is provided in various languages and formats), from the 'Essential Services Package for Women and Girls Subject to Violence: Core Elements and Quality Guidelines' (United Nations Joint Global Programme on Essential Services for Women and Girls Subject to Violence, 2015) at: <https://www.unwomen.org/en/digital-library/publications/2015/12/essential-services-package-for-women-and-girls-subject-to-violence>

8 Appropriate meaning the support services will respect the dignity of a victim/survivor; guarantees her confidentiality; is sensitive to her needs and perspectives; and minimizes secondary victimization, see the *Essential Services Package* (n. 7).

9 See the Training Handbook of the UN Police Gender Toolkit: Standardised Best Practices on Gender Mainstreaming in Peacekeeping - Module 3, Capacity Building of Host State Police on Preventing and Investigating SGBV, Lesson 4 Adopting a Victim-Centred Approach, Establishing a Victim Referral Network, at: <http://repository.un.org/handle/11176/387374>

10 Inspired by 'Aspects of violence against women that pertain directly to the Commission on Crime Prevention and Criminal Justice' (Commission on Crime Prevention and Criminal Justice V.08-52191 (E) \*0852191\* Seventeenth session Vienna, 14-18 April 2008).

## Malpractice

- The police struggle to keep victims/survivors of VAWG informed of the status of their case including on the status of the alleged perpetrator;
- The police often overlook coordination with minority groups, disability groups, youth groups or with women in conflict with the law to improve the quality of essential services;
- Police experts do not attend ongoing trials, even when mandated;
- The police struggle to consistently follow up on initial risk assessments, especially when it comes to the alleged perpetrator. The police are generally inconsistent in requesting strict release (i.e. bail) conditions that require the offender to stay away from the victim and witnesses including home, work and the victim's/survivor's extended family, as well as closely supervising conditions;<sup>11</sup>
- Lack of ownership of the problem by police managers leads to inconsistent time management allocation needed for investigators to effectively and adequately do their job. As a result, 'investigator fatigue' becomes more widespread, impacting the overall quality of the investigation into VAWG cases.<sup>12</sup>

## Training and education gaps

- The police need to be more careful about how evidence is collected and maintained, such as taking the victim's/survivor's mobile phone;
- The police often feel they do not have the time, expertise or will to deal with the support needs of victims/survivors of family violence.<sup>13</sup>

<sup>11</sup> Inspired by 'Strengthening Crime Prevention and Criminal Justice Response to Violence against Women' (UNODC, 2014).

<sup>12</sup> Inspired by The Honourable Wally T. Oppal, 'FORSAKEN. The Report of the Missing Women Commission of Inquiry VOLUME IIB Nobodies: How and Why We Failed the Missing and Murdered Women Part 3, 4 and 5' (2012).

<sup>13</sup> Gemma Hamilton, Lisa Harris & Anastasia Powell (2019): 'Policing repeat and high-risk family violence: police and service-sector perceptions of a coordinated model', *Police Practice and Research*, DOI: 10.1080/15614263.2019.1697267

## DEFINITION AND FRAMEWORKS

The ESP characterises *secondary victimization* as occurring not as a direct result of the act, but through the inadequate response of institutions and individuals to the victim/survivor.<sup>14</sup> Secondary victimization can occur throughout the justice process.

**"Investigators shall collaborate with victims during the investigative process and respect a victim's right to request certain investigative steps not be conducted. Criminal investigations should be conducted at a pace set by the victim, not the law enforcement officer."**

—Sexual Assault Response Policy and Training Content Guidelines (2015), The International Association of Chiefs of Police.

The police play a fundamental role in empowering women and girls by allowing them to make their own informed decisions based on knowledge of their rights and justice options.

This can start by the police reassuring victims/survivors of VAWG that, as per international standards,<sup>15</sup> the responsibility for pursuing charges and prosecuting alleged perpetrators rests not only with them, but with the police and the prosecution.

This should be followed by informing the victim/survivor of the services and legal remedies available irrespective of their status (migrant, refugee, stateless, or trafficked) and background (gender, ethnicity, sexual orientation, national origin and/or disability) at no financial cost, and in a language understandable to her.

According to the ESP, a crucial element in guaranteeing access to justice for all victims/survivors of VAWG is for the provision of support and assistance services to be

<sup>14</sup> Also see the 2010 Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice (2011, General Assembly resolution 65/228, annex).

<sup>15</sup> See Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice (2011, General Assembly resolution 65/228, annex).

practical, accurate, accessible, and comprehensive.<sup>16</sup> The ESP adds that justice actors, such as the police, should view assistance and support services broadly as encompassing specialists in health, shelters, social services and counselling, among others.

Such a comprehensive and coordinated approach to support and assistance will help empower victims/survivors of VAWG to meaningfully participate in the complex decisions that impact on their rights and justice options, including the extent of protection and safety they and their close relatives will require from the police.

By ensuring victims/survivors are well informed, the police are not only empowering their meaningful participation in the investigation process but are also building confidence with victims/survivors of VAWG and their supporting communities, key for effective collaboration and positive outcomes.

In other words, ensuring meaningful participation of victims/survivors of VAWG is synonymous with building trust with communities in general. When building the investigation strategy or approach, meaningful participation should be viewed as an objective, as well as a means, when ensuring a victim-centered or survivor-centred approach.<sup>17</sup>

Drawing from the World Health Organisation (WHO)<sup>18</sup>, **meaningful participation** requires that individuals are entitled to participate in the decisions that directly affect them, including in the design, implementation, and monitoring of interventions. For example, victims/survivors of VAWG have the right to present legal statements regarding the incident(s) to be considered

throughout the process and to make informed decisions that affect their rights.

This can include any decision by the victim/survivor to (or not to) resort to alternative dispute settlements or informal systems, her decision to avail of a specific remedy over the other.<sup>19</sup> Moreover, meaningful participation may take on a number of different forms, including but not limited to, being adequately informed with balanced, accessible, objective information in order to retain intimate control over the key decisions that affect wellbeing, as well as being consulted on the decision-making process for the development of alternatives and identification of solutions.<sup>20</sup>

In essence, meaningful participation for a victim/survivor of VAWG in the investigation process becomes empowering when she is able to act for and on her behalf in the claiming of her rights. The Women's Legal and Human Rights Bureau ('WLB') and UN Women recommend three ways in which to measure meaningful participation of a victim/survivor as she seeks to access justice<sup>21</sup>:

- Whether the victim/survivor is aware of her rights under domestic and international law;
- Whether the legal system and the duty bearers<sup>22</sup> allow active, meaningful, and visible participation on the part of the victim/survivor in her case;
- Whether, the process, as a whole, engages the victim/survivor with the system.

<sup>16</sup> See further the *Essential Services Package*.

<sup>17</sup> The victim/survivor-centred approach aims to create a supportive environment in which the victim/survivor's rights are respected and in which she is treated with dignity and respect. The approach helps to promote the victim's/survivor's recovery and her ability to identify and express needs and wishes, as well as to reinforce her capacity to make decisions about possible interventions. See the 'Communities Care Programme: Transforming Lives and Preventing Violence', (UNICEF, New York, 2014.), at: [https://www.unicef.org/protection/files/Communities\\_Care\\_Overview\\_Print.pdf](https://www.unicef.org/protection/files/Communities_Care_Overview_Print.pdf)

<sup>18</sup> Participation: Gender, equity and human rights. World Health Organisation, at: <https://www.who.int/gender-equity-rights/understanding/participation-definition/en/>

<sup>19</sup> 'Mapping and Analysis of Domestic Legal Remedies to issues of Violence against Women (VAW)', (Women's Legal and Human Rights Bureau and UN Women, 2010).

<sup>20</sup> See 'Participation: Gender, Equity and Human Rights' (WHO) at: <https://www.who.int/gender-equity-rights/understanding/participation-definition/en/>

<sup>21</sup> 'Mapping and Analysis of Domestic Legal Remedies to issues of Violence against Women (VAW)' (Women's Legal and Human Rights Bureau (WLB) and UN Women, 2010).

<sup>22</sup> Duty-bearers are normally State actors (such as police) or actors acting on behalf of the State who have a particular obligation or responsibility to respect, promote and realize human rights and to abstain from human rights violations. Depending on the context, private armed forces, individuals (e.g., parents), local organizations, private companies, aid donors and international institutions can also be duty-bearers.. See: Glossary of Terms and Concepts UNICEF Regional Office for South Asia November 2017. <https://www.unicef.org/rosa/media/1761/file/Gender%20glossary%20of%20terms%20and%20concepts%20.pdf%20>.



Police planning for the meaningful participation of victims/survivors of VAWG should consider the different intersecting and overlapping factors<sup>23</sup> of the victim's/survivor's profile and how social identity and situational circumstances can converge (intersect) to affect women's and girls' meaningful participation, as described in the three bullets above.

This can include so-called 'honour' crime violence<sup>24</sup> stemming from gender inequalities associated with cultural or religious beliefs or interpretations. Other examples of intersecting factors are disability, including mental and psychosocial disabilities, drug dependency, being in conflict with the law, and/or being part of a minoritized group<sup>25</sup>.

When identifying acts of VAWG as 'honour-based' violence, it is important to note that this term can be contested, because it targets specific communities disproportionately, possibly resulting in increased surveillance and policing of communities, as they link communities to agendas that are not related to an

effective VAWG response.<sup>26</sup> It is recommended that when the police respond to 'honour-based' violence, they should be careful of stereotyping and other discriminatory categorizations targeting individuals and communities.<sup>27</sup>

Different intersecting and overlapping factors will greatly influence the vulnerability of a person or group to violence, particularly if they visibly represent a minoritized group in a given society.

For the purposes of this Handbook, the authors will refer to the following definition<sup>28</sup> of **vulnerable groups** which states that:

*"Vulnerable people are defined as those who, due to reasons of age, gender, physical or mental state, or due to social, economic, ethnic and/or cultural circumstances, find it especially difficult to fully exercise their rights before the justice system as recognised to them by law. The following may constitute causes of vulnerability: age, disability, belonging to indigenous communities or minorities, victimisation, migration and internal displacement, poverty, gender and deprivation of liberty. The specific definition of vulnerable people in each country will depend on their specific characteristics, and even on their level of social or economic development."*

According to the Organization for Security and Co-operation ('OSCE'), a common denominator to all vulnerable groups is that they are, to a large extent, exposed to crime based on what they 'are'.<sup>29</sup>

23 The concept of intersectionality was first coined in 1989 by Black feminist activist and academic Professor Kimberlé Crenshaw. Since then it has been used to understand women's experiences at the intersection of a number of simultaneous oppressions including (but not limited to) race, class, caste, gender, ethnicity, sexuality, disability, nationality, immigration status, geographical location, and religion. See: Hill Collins, P., 'Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment' (Routledge, New York, 1990); cited in Imkaan and UN Women (2019), 'The Value of Intersectionality in Understanding Violence against Women and Girls' at: <https://www2.unwomen.org/-/media/field%20office%20eoca/attachments/publications/2019/10/the%20value%20of%20intersectionality%20in%20understanding%20violence%20against%20women%20and%20girls.pdf?la=en&vs=3339>

24 'Honour-based' VAWG generally reflects three basic elements: 1) control, or desire to exert control, over a woman's behaviour; 2) a male's feeling of shame over his loss of control, or perceived loss of control, over a victim/survivor's behavior; and; 3) community or familial involvement in augmenting and addressing this shame. See 'Barker, N., Gregware., P.R., Cassidy, M.A. (1999), 'Family Killing Fields: Honor Rationales in the Murder of Women'.

25 Imkaan, a UK-based women's organization dedicated to addressing violence against Black and minoritized women and girls describe "minoritization" as a process that creates and maintains the social, political, economic and other conditions that lead to groups of people being treated and defined as minorities e.g. 'ethnic minority' and 'minority ethnic'. Moreover, minoritization as an ongoing, active process which marginalizes particular groups on the basis of 'race', ethnicity and other grounds. See 'From Survival to Sustainability: Critical Issues for the Specialist Black and 'Minority Ethnic' Ending Violence against Women and Girls Sector in the UK' (Imkaan, 2018).

26 Ibid.

27 Ibid.

28 See 'Brasilia Regulations Regarding Access to Justice for Vulnerable People', available at: <https://www.icj.org/wp-content/uploads/2018/11/Brasilia-rules-vulnerable-groups.pdf> cited in an Issue Paper on 'Abuse of a Position of Vulnerability and other "Means" within the Definition of Trafficking' (UNODC, 2013) available at: [https://www.unodc.org/documents/human-trafficking/2012/UNODC\\_2012\\_Issue\\_Paper\\_-\\_Abuse\\_of\\_a\\_Position\\_of\\_Vulnerability.pdf](https://www.unodc.org/documents/human-trafficking/2012/UNODC_2012_Issue_Paper_-_Abuse_of_a_Position_of_Vulnerability.pdf)

29 Lindgren, M and Nikoli -Ristanovi , V, Crime Victims: International and Serbian Perspective. Organization for Security and Cooperation in Europe, Mission to Serbia, Law Enforcement Department (2011).





Photo courtesy of UNMIL Photo/Christopher Herwig (Liberia)

The OSCE adds that specific groups are victimized because of their sexual preferences or skin colour, or because they cannot defend themselves, make themselves understood, or exercise their rights. These

crimes therefore do not only involve a crime against an individual, but often constitute a crime against the individual's background, culture, heritage and identity (hate crimes).<sup>30</sup>

Nevertheless, it is imperative that the police and other essential service providers do not view vulnerability as synonymous with physical or mental weakness.

Women and girls are often labeled as a 'vulnerable' group in relation to certain crimes such as forced sexual exploitation. This is because of their disproportionate representation as victims/survivors of such crimes and violence when compared to men and boys. Often, they are placed in a position of vulnerability as a result of discrimination stemming from gender inequality.

For example, in some countries it is illegal for women to inherit land directly, thus it is difficult for them to establish independence and leave an abusive intimate relationship. In another example, jobs considered fem-

## Box 2

### Tips for Working with Vulnerable Groups

In their *Sexual Assault Response Policy and Training Content Guidelines (2015)\**, The International Association of Chiefs of Police (IACP) offers a list of tips for working with members of vulnerable groups in cases of sexual violence:

- Not all disabilities are visible. Victims/survivors may have physical, sensory, or mental disabilities, or a combination of disabilities;
- Different attitudes on "Sexual assault" and feelings about law enforcement. Be aware that beliefs about gender, sexuality, sexual orientation, race, religion, etc. may vary greatly between cultures;
- Questions about sexual assault are very intimate and may be difficult to discuss. Such a personal injury may create feelings of embarrassment and shame. These feelings may be intensified in some cultures, including those where the loss of virginity prior to marriage can be socially devastating;
- Some communities may have their own laws regarding sexual assault in addition to or in place of relevant state or federal laws;
- If the victim/survivor does not speak your language, offer to arrange unbiased, independent translation; Do not rely on family members, children, the suspect, or any other associated parties to serve as an interpreter;
- Those who are LGBTQI may have specific privacy needs, depending on the individual's sexual orientation is known to others in their lives. Sensitivity and awareness about the same issues.

\*Source: Sexual Assault Response Policy and Training Content Guidelines (The International Association of Chiefs of Police, 2015).

<sup>30</sup> Ibid.

ine such as domestic labour or childcare are often paid poorly, have long hours and are located further away in more affluent parts of cities. Working longer hours, combined with long travel times, often results in women and girls having to take public transport during hours of darkness (i.e. early morning or late at night), thereby increasing their vulnerability to experiencing crime, including sexual violence.

When considering the needs of vulnerable or minoritized groups in the provision of assistance and support, the police should invest their resources in understanding how social identity and situational circumstances (reflecting how people respond to different environments) in a given setting can place women and girls in positions of vulnerability rather than basing measures on information gathering that focus on her conduct and/or perceived behaviour. See Box 2 for tips on working with vulnerable groups.

Thus, the ability to remain contextually informed<sup>31</sup> and apply related analysis to interventions, including risk analysis and needs assessments, become critical competencies for the police when seeking to deliver an effective responsive VAWG.

**For more information on proportionate police responses to VAWG see Chapter 6: ‘Safety and Protection’ and for specific examples of police conduct reflecting due diligence to the principle of proportionality see Chapter 5: ‘Investigations.’**

The Handbook encourages the police and their essential service partners to refer to the *Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power* for guidance when engaging victims/survivors.

These basic principles also extend to alleged perpetrators, particularly in cases where they have themselves been victimized. As well as victims/survivors on the margins of the law, such as those forced into sexual slavery for commercial purposes, vulnerable groups also include

<sup>31</sup> Local civil society organizations represent a great resource in strengthening police understanding of the local context and how certain situational circumstances are actually on-gong trends.

## The Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power

—Adopted by General Assembly resolution 40/34 of 29 November 1985

### Victims are:

*“persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violations of criminal laws operative within Member States, including those laws proscribing criminal abuse of power.”*

undocumented migrants who have been trafficked and even individuals who have perpetrated serious assaults or murder as a result of years of experiencing abuse.

This includes the right to: be treated with respect and dignity by the police; be told once of the reason for arrest/detention; be presumed innocent; be protected from undue violence perpetrated by the State (i.e. abusive police practices) or non-State actors; not to incriminate themselves; privacy and confidentiality; access to legal counsel; and appeal any detention order and to a fair trial.<sup>32</sup> This should include women and girls who are detained/held in administrative settings, such as irregular migrant women detained waiting to be deported, women detained in compulsory drug treatment facilities or mental health facilities.<sup>33</sup>

In conjunction with the *Basic Principles for Victims of Crime and Abuse of Power*, Police leadership should equally ensure responding officers adhere to principles pertaining to the use of force as prescribed by national law, institutional protocol(s) and international standards such as the *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials*<sup>34</sup> when engaging the alleged perpetrator(s).

<sup>32</sup> ‘Strengthening Crime Prevention and Criminal Justice Response to Violence against Women’ (UNODC, 2014).

<sup>33</sup> Ibid.

<sup>34</sup> ‘Basic Principles on the Use of Force and Firearms by Law Enforcement Officials’ (adopted by the Eighth UN Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, 27 August to 7 September 1990).

The *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials* for example, establishes the following as key principles underpinning the use of force:

- Proportionality;
- Lawfulness;
- Accountability;
- Necessity.

Special attention should be given to ensure use of force control mechanisms are effective so evidence gathering by responding officers (or other *First Responders* such as military personal) does not include testimonies or confessions from the alleged perpetrator(s) or related suspects made under duress.

Treating investigated persons with respect and dignity increases the chances for collaboration, where as information attained by means of duress is counter productive in terms of crime prevention, as it is unreliable in general, and it contravenes fundamental human rights in times of peace and war, as prescribed by international human rights law<sup>35</sup> and international humanitarian law<sup>36</sup> respectfully.

According to the Geneva-based Association for the Prevention of Torture or APT, research shows that under torture, or even under a threat of torture, a person will say or do anything solely to avoid the pain. As a result, there is no way to know whether or not the resulting statement is actually true.<sup>37</sup>

To prevent the misuse of force by responding officers in investigations of VAWG cases, APT recommends police leadership remove any incentives that would lead responding officers to misuse force. Other more practical measures recommended by APT include:<sup>38</sup>

- Exclude all confessions made by non-judicial officers, or without the presence of the detainee's lawyer;
- Exclude evidence from any interrogation that was not recorded or video-recorded;
- Prohibit the use of hooding or blindfolding in interrogations;
- Guarantee the right against self-incrimination, and ensure the accused is informed of this right;
- Agree a clear procedure to test a confession for signs of torture.

Moreover, in cases of IPV, the victim/survivor may maintain an emotional attachment with the alleged perpetrator, personally or as a result of being the other parent or guardian of common children. In such cases, the mistreatment of the alleged perpetrator by responding police may cause the victim/survivor to shut down, and not collaborate with the police or seek their protection in case the perpetrator reoffends.

## KEY MANAGERIAL COMPETENCIES FOR IMPLEMENTING SUPPORT AND ASSISTANCE STRATEGIES OF VAWG CRIMES

The experience from the Austrian Model of Intervention in Domestic Violence Cases<sup>39</sup> has found that reliance on laws alone are not enough to provide support and assistance to women effectively. Experts from that experience indicated that the access to legal measures is often a challenge for many victims/survivors and that extensive support is needed so they can stand up to a violent partner or separate from an alleged perpetrator.

Economic dependence is a such challenging factor in many cases, as women who are economically dependent on the abuser or perpetrator, for housing, shelter,

35 For example, see the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (adopted and opened for signature, ratification and accession by General Assembly resolution 39/46 of 10 December 1984 entry into force 26 June 1987, in accordance with article 27.1).

36 See Common Article 3 of the Geneva Conventions of 1949 and their Additional Protocols.

37 Exclusion of evidence obtained through torture, Association for the Prevention of Torture, at: <https://apt.ch/en/evidence-obtained-through-torture/>

38 Ibid.

39 See expert paper by Rosa Logar presented at the UN Expert Group Meeting: 'Violence against women: Good practice in Combating and Eliminating Violence against Women, Vienna, 17–20 May 2005.

**“Active listening is a way of listening and responding to another person that improves mutual understanding. It is an important first step to defuse the situation and seek solutions to problems.”**

—What is active listening? (The United States Institute of Peace)

money etc. for themselves and their children, continue to endure abuse.

In such circumstances, the police should possess the competencies to be able to identify such complexities, and tailor their responses proportionately and in coordination with social services. A critical competency required in police assistance to victims/survivors of VAWG, is the ability to **actively listen** with the objective of providing services, in collaboration with other institutions, and according to the needs and wishes of the victim/survivor.

Every case is different. Not all women and girls view the police in the same manner, not all women and girls experience vulnerability in the same way and not all women and girls feel confident enough to approach the police or trust them.


In Nepal, UN Women observed that victims/survivors generally prefer to approach the family and/or community members for initial support and advice about handling incidents of violence committed against them.<sup>40</sup> In such cases, it is common for community members to gather and try to sort out the problem among themselves, before taking it to the local authorities.

According to UN Women in Nepal, it is only when the matter requires more serious concern that community members suggest and help the victim/survivor to seek formal redress. There are instances when the victim/survivor feels she is not getting the adequate reme-

<sup>40</sup> End of Project Evaluation Report of ‘Multi-Sectoral Gender-Based Violence Response at the District Level in Nepal’ (August 2009 - July 2013) supported by the UN Trust Fund to End Violence Against Women.

dies from these informal groups, in which case she will approach the police directly.<sup>41</sup>

When planning to provide assistance in such a scenario, the police should carefully consider how the victim’s/survivor’s community will react to her when she seeks alternative options. Equally, the police should also consider the positive role that a victim’s/survivor’s community can play in the long-term when planning support and assistance measures (factoring in any potential risk of harm to them in the process).



The vulnerability of a victim/survivor may be compounded by issues such as illiteracy, one or more disabilities, status as a migrant - either legal or illegal - and any language barriers this may involve, being elderly or a child.

The key to incorporating the role the community will play in supporting and assisting victims/survivors of VAWG should ultimately be decided by the victim/survivor herself and this can only be accomplished when her participation in the investigation process is truly meaningful.

To help the police support and assist victims/survivors of VAWG, the following is a list of behavioural competencies to which police managers can refer when establishing teams to ensure the meaningful participation of victims/survivors in the investigation process.

Similar to past chapters, the following non-exhaustive list of recommended competencies have been inspired by relevant UN standards and norms, such as the *Updated Model Strategies* (2010) and the *Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power* (1985). The list also complements and reinforces national police organizations’ policies on values, ethics, and integrity. Managers should ensure responding officers are able to:

<sup>41</sup> Ibid.

## Availability

- Ensure reports are available to victims/survivors to help them in pursuing protection orders, civil remedies, immigration petitions, insurance benefits, and compensation claims.

## Effective communication and participation by stakeholders in design, implementation and assessment of services

- Encourage and assist women and girls subjected to violence in lodging and following through on formal complaints by providing protection and advising them that the responsibility for pursuing charges and prosecuting perpetrators rests with the police and the prosecution;
- Provide women and girls who have been subjected to violence relevant information on: rights, remedies and victim support services and on how to obtain them, in addition to information about their role and opportunities for participating in criminal proceedings and the scheduling; progress and ultimate disposition of the proceedings, as well as any orders against the offender;
- Convey and reinforce the norm that officers and/or investigators will not require victims/survivors of sexual assault to submit to a polygraph test or other truth-telling devices.

## Adaptability

- Recognize that children who have witnessed violence against a parent or another person with whom they have a close relationship are also victims/survivors of violence and need protection, care and support;
- Refrain and discourage others from penalizing victims/survivors who have been trafficked for having entered the country illegally or for having been involved in unlawful activities that they were forced or compelled to carry out;
- Ensure consideration is given to the rights of those accused of violence and their support needs, with the

understanding that effectiveness of victim/survivor protection measures will be increased if such consideration is provided.<sup>42</sup>

**“Effective supervision plays a key role in ensuring comprehensive responses to and investigation of sexual assaults.”**

The International Association of Chiefs of Police (2015)

## Appropriateness

- Take appropriate measures to prevent hardship during the detection, investigation and prosecution process, in order to ensure that victims/survivors are treated with dignity and respect, irrespective of whether they participate in the criminal proceedings;
- Identify when a woman or girl may not fully know their legal rights and assist through facilitating access to of legal aid services that can assist in enhancing their personal safety, especially when victims/survivors may require help in seeking and filing court orders to restrain a perpetrator;
- Be aware about specific customs followed by local communities.

## Prioritize safety-risk assessment and safety planning

- Ensure that measures to restrain alleged perpetrators and remove them from their home is accompanied by additional arrangements to ensure that the VAWG perpetrators are not themselves left without shelter or assistance.

## Linking with other sectors and agencies through referral and coordination

- Obtain access to additional services and measures, e.g., shelters and safe accommodation, including those supplied/run by NGOs, organizations for persons with

<sup>42</sup> Specific recommendation from the Sexual Assault Response Policy and Training Content Guidelines (The International Association of Chiefs of Police, 2015) at: [https://dnnngciwm8.azurewebsites.net/Portals/o/documents/pdfs/IACP\\_Sexual\\_Assault\\_Response\\_Policy\\_and\\_Training\\_Content\\_Guidelines.pdf](https://dnnngciwm8.azurewebsites.net/Portals/o/documents/pdfs/IACP_Sexual_Assault_Response_Policy_and_Training_Content_Guidelines.pdf)



disabilities, women's or faith-based organizations, and other civil society actors.

### **Informed consent and confidentiality**

- Continually work in a confidential manner with the information attained (e.g., digital records, photographs and reports relating to all victims/survivors, witnesses and offenders) unless the performance of duty or the needs of justice strictly require otherwise;
- Provide measures to protect the privacy and confidentiality of all victims/survivors and witnesses, including children, and women and girls with disabilities, to reduce the trauma experienced and to prevent further victimization.

## **REFERENCE INDICATORS FOR THE POLICE PROVIDING ESSENTIAL SERVICES: SUPPORT AND ASSISTANCE**

As discussed in previous chapters, the ESP proposes that all justice and support services for victims/survivors should share a range of common characteristics and common activities to ensure maximum impact. They are applicable regardless of the specific 'sector' that may be responding to women and girls experiencing violence. The following list is inspired from the common characteristics and common activities of the ESP; it proposes some examples of reference indicators for the police when seeking to empower victims/survivors of VAWG to make their own informed decisions by providing them with information about their

### **Box 3**

#### **When Things Work: What actions police said were effective**



In a survey sponsored by the U.S. Department of Justice Office of Community Oriented Policing Services (2006)\*, which was designed to collect descriptive data from police departments around the United States that have partnered with the community to address domestic violence, the following key elements of an effective police response to domestic violence were noted:

- Treat domestic violence like any other crime, i.e., respond diligently to conduct a solid investigation (involving good evidence collection), and make arrests;
- Be willing to partner with the community to address the problem together. These partnerships could include early intervention efforts with schools, shelter providers, and counselling agencies. Partnerships with community agencies and volunteers are needed because the law enforcement agency cannot address this problem alone. Partnerships with a local district attorney's office, and the court, are also important.
- Focus on, and be aware of, victims/survivors and the situations they are in. Officers must be sensitive to this situation and show empathy and compassion for victims/survivors. This focus on victims/survivors also includes a focus on their safety.
- Develop sufficient knowledge about what causes domestic violence, how relationship violence can be cyclical, and why some partners will not easily leave abusive relationships. This knowledge can underscore both the necessity of arrest and the complexities of why arrest may not always be the most effective response.
- Provide enough opportunities to communicate a range of options to the victim/survivor. This is important so the victim/survivor knows that something is being done, and that she has choices.
- Concentrate on convincing officers of the value of the policies and procedures they use to respond to domestic violence calls.

\*Source: Reuland, M., Schaefer-Morabito, M., Preston, C., Cheney, J. 'Police-Community Partnerships to Address Domestic Violence' (US State Department of Justice Office of Community-Orientated Policing Services, 2006).



rights and justice options, in a practical, accurate, accessible, and comprehensive manner.

These are indicators police managers can reference if they exist; however, senior managers can also be encouraged to consider these in instances where they are not being currently used:

**1 Availability and accessibility:** Survey of police officers on their knowledge of support systems available to victims/survivors of VAWG in their duty station. This survey should be conducted bi-annually by a multidisciplinary team encompassing human resources, training and education, and inspectorate officials.

**2 Adaptability and accessibility:** Number of joint collaborations with local institutions and/or local non-government organizations providing support and assistance to women and girls in conflict with the law. This should include entities working on issues of human trafficking, sexual exploitation, human smuggling, and prison and probation services. The goal of this measure is to provide information on the number of opportunities the police have available to them to take informed decisions when adapting support and assistance to a victim/survivor in a potentially highly risky situation.

**3 Appropriateness and effective communication and participation by stakeholders in design, implementation and assessment of services:** Data indicating the average number of interviews (including statements) or requests for information from victims/survivors for both personal data and incident accounts by members of the same police unit or station for each reported case of VAWG. The information should be disaggregated by sex for both the victim/survivor and intervening police officer(s). This information should provide insight into the effectiveness of the police interview practice, including risks for potential secondary victimization, especially when the identity of the victim/survivor is also factored in as a variable.<sup>43</sup>

<sup>43</sup> As noted in the Chapter 4: Initial Contact Chapter, analysis of data collected from VAWG police interventions should take care not to make assumptions that re-interviewing victims/survivors will be a secondary form of victimization. UNHCHR (2018) has noted that when interviews are well conducted, the process itself could be healing and empowering. See further 'Integrating a Gender Perspective into Human Rights Investigations: Guidance and Practice' (UN Office of the High Commission for Human Rights, New York and Geneva, 2018).

**4 Prioritize safety:** Percentage of victims/survivors of VAWG in cases reported to station police who have received additional visits or have been in direct follow-up communication with the police for the specific purpose of updating their safety situations. This information should include the corresponding safety measure per risk assessment made by intervening police at different intervals of engagement with the victim/survivor. For this reference indicator, it will be important to note on which occasion the police adequately informed the victim/survivor of the actual status of her case and the status of the alleged perpetrator.

**5 Informed consent and confidentiality:** Percentage or ratio of instances where station investigators have sought the support of the community, including, for example, traditional and faith-based leaders, women's organizations and organizations for persons with disabilities, to embrace victims/survivors of sexual violence at their request. This number should be viewed in relation to the number of reported cases of sexual VAWG, where this request was offered, but declined by the victim/survivor. Sending a message that they belong to and are accepted in the community, can be a very important step in victims'/survivors' healing and to start talking about and disclosing what they have endured.<sup>44</sup> This measure will provide insight into the role the police can play (in collaboration with communities, and particularly with female community leaders), in the support of victims/survivors of VAWG.

**6 Data collection and information management:** Annual review of case file management of VAWG at the station level. This review should look at both the quality and quantity of information regarding management of an investigation into VAWG, including its confidential handling. This review should include the coordination of evidence collection, victim/survivor

<sup>44</sup> According to UNHCHR (2018), in some cases, traditional and faith-based leaders can support female victims/survivors who were unmarried at the time of the alleged crime by providing a space whereby they can still marry within their faith and, where those who are married when they were subjected to violence are more likely to be accepted and supported by their husbands and extended families. See the example of the effects of community engagement in the support and assistance process in "They came to destroy": ISIS Crimes Against the Yazidis. Human Rights Council Thirty-second Session Agenda, item 4, Human rights situations (A/HRC/32/CRP.2 Advance Version Distribution, 2016).

and witness interviews, follow-up, perpetrator identification and apprehension. The review should seek to provide insight into practical issues that address the critical time management issue, such as 'investigator fatigue', manager appraisal consistency, and compatibility with other essential service providers.

Linking with other sectors and agencies through coordination: Annual number of cases with coordinated actions with different law enforcement agencies and essential

service providers involved in witness protection programmes relating to VAWG. This number should correspond to the number of cases considered high risk by responding police and/or essential service providers for further violence. A more qualitative review of these cases should seek to verify if expertise in the areas of child welfare, social housing, penitentiary services, and border management, among others, were accessed by the police at appropriate times.



#### Box 4

#### Tips for Police Managers Supervising VAWG Response

In their *Sexual Assault Response Policy and Training Content Guidelines* (2015),\* The International Association of Chiefs of Police offers guidance for ensuring compliance with department policy and accountability for victim/survivor issues and proper response by subordinate officers. Supervisors shall:

- If requested by the officer, or when deemed necessary, respond to assist officers investigating incidents of sexual assaults;
- Officers must respond in an objective, professional, non-judgmental manner; supervisors must ensure line officers are aware of these expectations;
- Help locate both agency and community resources to effectively investigate the assault that occurred;
- Encourage problem-solving partnerships between the (police) department and community organizations, such as rape crisis centers and forensic examination programs, to foster cooperation and better support victims/survivors;
- Review all sexual assault police reports for accuracy, consistency, and victim/survivor-centered response;
- Encourage officers to look for co-occurring and interconnected crimes when responding to sexual assault;
- Ensure officers and investigators understand case coding and appropriately code sexual assault cases;
- Conduct after action reviews and sexual assault case audits to ensure officers and investigators are conducting comprehensive, victim/survivor-centered, perpetrator-focused investigations;
- Create on-going training opportunities for department members to improve the skills needed to properly investigate sexual assault;
- Work to increase communication between law enforcement and prosecutors to ease the transition for victims/survivor moving from the investigation phase to prosecution;
- Incorporate victim/survivor service issues and response to victims/survivor of sexual assault into performance evaluations, and award and promotion recommendations of department members;
- Hold members accountable when they behave in a way that is not in-line with the values and the mission of the department regarding sexual assault investigations;
- Regularly share victim/survivor services information at roll-call and staff briefings. This education and training should be on-going and can also be done in the field with officers when not answering calls for service;
- Recognize and reward officers for providing effective victim/survivor services.

\*Source: [Sexual Assault Response Policy and Training Content Guidelines](#) (The International Association of Chiefs of Police, 2015).

## CASE STUDY 1

### CASE STUDY: SUPPORT AND ASSISTANCE

## A SEXUAL ASSAULT REFERRAL CENTRE (SARC) IN BURGAS, BULGARIA

By Alison Eaton<sup>45</sup> (Detective Chief Inspector DCI– now retired)



SARC workshop in Bulgaria. Photo courtesy of Alison Eaton.



Photo courtesy of Alison Eaton. Early stages of Bulgaria SARC

The British Embassy based in Sofia, Bulgaria, worked with the Demetra NGO Association and gained the support of the local Municipality of Burgas, Burgas Regional Police, Regional Director of the Ministry of Internal Affairs and the state hospital in Burgas, to set up a UK-modeled SARC, which has since contributed significantly to the support of and provision for victims/survivors of rape sexual assault in the territory.

The project was initiated in 2013, with the objectives to develop a SARC to provide medical help, crisis support and assistance for victims/survivors during the investigation and prosecution of sexual violence. The initiative started with a British Embassy-Bulgarian Police Workshop on ‘working effectively with victims/survivors of sexual assault.’ The Workshop included a presentation on the UK SARC Model by DCI Alison Eaton, UK police subject matter expert and advisor. The Bulgarian Police and Demetra participated in the conference and were

interested in arranging a workshop for essential services support personnel in Bulgaria, with the goal of raising awareness of the model.

In 2014, the British Embassy in Bulgaria, supported by Alison Eaton, organized a visit for two Ministry of Interior officials to visit the Saturn Centre, a SARC in Sussex, UK. In 2015, a SARC workshop took place in Bulgaria with key essential service stakeholders, with the aim of establishing the first SARC in Burgas, Bulgaria. The Vselena SARC was officially opened in July 2016.

Since the opening of the SARC, the British Embassy in Bulgaria continues to provide support for the local police and partners, arranging a number of workshops and training programs for the police, prosecutors and other partner agencies. This experience has demonstrated how police and partners work together successfully. A SARC Management Board was also set up.

<sup>45</sup> Alison Eaton is a former Detective Chief Inspector having served in Sussex Police for thirty years. She worked as a Senior Investigating Officer (SIO), specializing in safeguarding and investigating domestic violence and abuse, child abuse and rape/sexual violence. She has also worked with the Home Office (UK) to national multi-agency guidance for the statutory Domestic Homicide Review (DHR) process. She continues to work with the British Embassy in Bulgaria on the expansion of the SARC provision and is now supporting Romania, Uganda and Peru with similar projects

The SARC ‘Vselena’ is situated alongside the main hospital in Burgas.

The ‘Vselena’ SARC is a safe place where sexual assault victims/survivors can come and talk in confidence about their experience and receive much needed care, support and understanding from professionals, to aid their

recovery. It also enhances the investigation and prosecution of these crimes. The service supports victims/survivors from both Bulgaria and abroad.

Since the opening of the Vselana SARC, additional partners have signed an agreement to further develop SARC, and these include the Burgas District Prosecutor's Office, the Sozoplo, Karnobat, Pomorie, Nessebar and Primorsko municipalities.

### **Sustainability, Local Ownership and Oversight**

The success of the 'Vselena' SARC has now attracted much attention across Bulgaria and this has expanded to Romania. Two successful conferences were held October 2018 in Burgas and Plovdiv, focusing on the prevention, protection and prosecution of sexual violence, with the aim of increasing SARC provision across both countries.

In terms of funding, the Burgas region initially provided the financing for the SARC; however, more partners have joined from the District Prosecutor's Office and other municipalities.

The Burgas SARC has undergone three Quality Assurance checks led by Alison Eaton using the UK SARC Audit Tool. The SARC Management Board undertakes an annual review of the SARC.

### **ADVICE AND GUIDANCE ON DEVELOPING A SARC**

#### **Location:**

Important to visualise the SARC as a concept, rather than a building;

- SARCs have benefits when situated in hospitals and other health authority premises. (e.g. integrated into sexual health services).

#### **Access to SARC:**

- External and internal signage should be clear (consider different languages);
- A map of the SARC should be available on Internet and for emailing;



Early stages of Bulgaria SARC. Photo courtesy of Alison Eaton.

- Parking for the police, staff and victims/survivors should be nearby, marked and available 24/7;
- Access areas should be clean and well lit;
- Video-entry phones/CCTV will facilitate access for victims/survivors while ensuring staff security at night.

#### **Premises:**

- Entry to the SARC should be restricted, e.g. keypad or swipe card;
- A SARC should contain at least one or more suites for forensic use, and may also contain follow-up facilities;
- Privacy is improved by enabling direct access to the SARC, rather than having to pass through other premises;
- Security of premises and staff is an important part of planning a SARC, e.g. alarms systems.

#### **SARC facilities should include:**

- A welcoming reception area;
- Forensic waiting room;
- Forensic medical examination room;
- Toilet and shower;
- An interview room for the police.

#### **Follow up facilities:**

- Appointments can be made at time of forensic examination;
- A separate entrance to the follow up suite to avoid re-

producing the initial experience of attending the forensic examination;

- Follow up facilities should include:
  - A welcoming reception area;
  - A waiting area with comfortable seats;
  - A counselling room;
  - An examination room;
  - Toilet and shower;
  - An interview room for police/psychologist use.

#### **Forensic facilities/integrity**

- Forensic Waiting room (wipeable chairs and flooring);
- All rooms should be clearly labelled with regards their use, e.g., medical examination, waiting room, bathroom;
- The forensic suite should have lockable doors and kept locked when not in use to preserve the integrity of the cleaning procedure;
- Reversible laminated notices should be posted on the outside of all forensic suite doors;
- Decide whether a fridge/freezer is needed within the medical room to store the samples;
- Cleaning Protocol for forensic areas.

#### **Recording details of each victim/survivor attending SARC:**

- A generic logbook to record below must be available and completed each time a visit to the SARC is made:
  - Number per entry;
  - Date and time attended;
  - Name;
  - Police interview conducted;
  - Forensic medical undertaken;
  - Cleaning request;
  - Cleaning undertaken (time, date, name);
  - Replenish stock requested;
  - Stock replenished by (time, date, name);
- A reference folder containing guidelines on cleaning protocols, removal of soiled linens from bathroom, advice on disposal of needles;

- Procurement details with regard to restocking the medical room and bathroom supplies.

#### **Victim/survivor care:**

- Provide single use toiletries for each sexual assault victim/survivor, for example, shower gel, toothpaste, toothbrush, and comb;
- Some non-returnable clothes, underwear, footwear as replacement clothing when the victim/survivor does not have a change of clothing with them;
- A leaflet providing advice for victims/survivors who have been sexually assaulted, to include details of relevant support organizations;
- Provide information containing the contact details of the SARC, including names of staff who attended to the victim/survivor and any medication given;
- Provide the victim/survivor with a leaflet on emergency contraception.

#### **Staffing:**

- Scope likely numbers of victims to be seen at the SARC if this is possible to inform the staff required.

#### **Key roles:**

- SARC Manager- full time;
- SARC Administrator- full time;
- Crisis Support Worker/psychologist/nurse - full time;
- Clinical Director – two days per week;
- Forensic Medical Examiner(s) (Research from the UK suggests that the majority of rape victims/survivors prefer to be examined by a female FME);
- Police – Trained in Sexual Offence Investigation;
- Management Board.

#### **Core competencies for Crisis Support Worker:**

- Qualified nurse or experienced health advisor or experienced/qualified counsellors;
- Understanding of the needs of an individuals who has been sexually assaulted;
- Good verbal and written communication skills;
- Ability to work as part of a multi-professional team.

**Training needs:**

- Sexual offences training;
- Court training;
- Early evidence training;
- First response;
- The police will need clear information/training on working with the SARC.

**Communication:**

- Effective communication is an essential ingredient to the successful running of a SARC:
  - Appoint a police liaison officer who can be the central avenue of communication with the police;
  - Appoint a health liaison officer who can also be the central avenue of communication with the health authority;
  - Establish a Management Board with the relevant multi-agency members;
  - Agreed protocols for information sharing;
  - Specific operational policies and procedures to be established and agreed.

**Audit and Quality:**

- Essential that audits are conducted, and statistics collated on the various aspects of service provision at the SARC, for example:
  - Availability of forensic examination;
  - User satisfaction surveys;
  - Management information;
- These will provide evidence as to its effectiveness and will help obtain long-term funding.



## CASE STUDY 2

### VICTIM SUPPORT CENTRE: A GATEWAY TO JUSTICE IN BANGLADESH

By Shamima Begum PPM, Addl.DIG<sup>46</sup> Bangladesh Police,



Victim Support Centre. Photo courtesy of Facebook Bangladesh Police

Violence against women and children is a scourge against society. In Bangladesh, the police joined forces with local NGOs to collectively respond to cases of VAWG through the model of the **Victim Support Centre** ('VSC'). The first VSC was first established in 2009 as part of a UNDP police reform project and became a ground-breaking initiative for Bangladesh Police and NGOs.

#### How?

The VSC focuses on providing quick response and reintegrating victims/survivors into the community. Staffed and supported entirely by women professionals such as police, lawyers, counsellors and doctors, the centre provides integrated support, including shelter, counseling, legal aid, emergency treatment and mediation. Together with 10 partner NGOs, it provides round-the-clock care for (24hrs/day) for women and children who are victims/survivors of VAWG.

The VSC also keeps a database to protect women and children from re-victimization and offers a helpline



Victim Support Centre. Photo courtesy of Facebook Bangladesh Police

phone number, a Facebook link for Dhaka Metropolitan Police and a website ([www.dmpwsid.gov.bd](http://www.dmpwsid.gov.bd)) to support the police in their response to victims/survivors more effectively.

Other joint activities involving the police and the VSC include:

- Campaigns in educational institutions encouraging the development of awareness programs on sexual harassment, exploitation and other forms of VAWG for students;
- Open house day in police stations;
- Organizing a stall at a local fair, for awareness-raising with communities;
- Distribution of leaflets and brochures.

From 2009 - 2014, the VSC of the Dhaka Metropolitan Police provided support to over 3,000 victims/survivors.

#### What Services are Making a Difference?

The VSC prides itself on receiving women and children and treating them with dignity and respect by providing a proper environment in which police staff register complaints and attend to their immediate needs. More specifically, the VSC:

<sup>46</sup> 'Addl DIG' is an Additional Deputy Inspector General. Shamima Begum is the current Vice President of the Bangladesh Police Women's Network ('BPWN') and Coordinator of Region 22, International Association of Women Police (IAWP).

- Assists with the 'First Information Report' ('FIR'), provides victims/survivors with information regarding justice processes, emergency medical assistance and, in the appropriate circumstances, facilitates visits of to a medical center for treatment;
- Assists in the investigation processes, informs victims/survivors about the processes, including providing information on the phone (if needed) and psychosocial counseling;
- Provides referrals to both government and non-government organizations for long-term assistance such as rehabilitation, legal aid, additional medical and psychological support, and re-integration into family, in order to prevent victims/survivors from repeat victimization.

#### **'What Worked': Proactive Steps Taken by the VSC Police Leadership**

**Securing Financial Stability:** The VSC police senior manager lobbied the Government and developed a proposal for financing that was forwarded through Dhaka's main police headquarters to the Finance Ministry. This resulted in funding being allocated from a different Government budget, which then allowed VSC to offer medical treatment, food and clothing and cover other costs related to the management of cases. The additional funding also supported the recruitment of more women police officers, who are now involved in the investigation of cases and victim management.

**Develop a Clear Strategy:** One of strategies introduced by the Dhaka Metropolitan Police ('VSC') was to create the Quick Response Team ('QRT') that can quickly respond to an incident and provide assistance. The QRT is made up of one Sub-Inspector as the Head of QRT, and Assistant Sub-Inspector and two Constables as members of the team. All the members of the team are female police officers.



Victim Support Centre. Photo courtesy of Facebook Bangladesh Police.

**Ensure the Right Police Units are Involved:** The VSC police management brought together staff with all the appropriate skills and professionalism from the Victim Support Unit, Investigation Unit and the Quick Response Team, to ensure that a wide range of skill sets and support are being provided to victims/survivors.

#### **Impact of the VSC Since 2009**

The VSC has been a ground-breaking initiative in both Bangladesh and the South Asia Region and is now considered a trail blazer in promoting access to justice for women and children who have experienced violence. Since the first VSC was introduced by the Dhaka Metropolitan Police, a further 8 support centres have now been established to provide support to victims/survivors of in Bangladesh.



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## COORDINATION AMONG JUSTICE AGENCIES

*“Coordination is a potential route to a solution to this problem, if it brings together grassroots organizations, victims’ rights advocates, service providers and agents of the criminal justice system in a common platform.”*

—Overview of the worldwide best practices for rape prevention and for assisting women victims of rape (European Parliament, 2013).

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# CHAPTER GOALS:

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**Police are delivering quality essential services in an effective manner that enables the best outcome for victims/survivors. Achieved by proactively meeting the standards and expectations of the different justice agencies and service providers in a coordinated victim/survivor-centred and gender-sensitive response to VAWG.**

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## **Key Messages and Learning Points**

- Including external stakeholders in the oversight of essential service collaboration is important for transparency and legitimacy;
- Coordination can help avoid duplication or contradiction by different justice agencies and reduce the risk of secondary victimization experienced by the victim/survivor;
- Information provided to victims/survivors must be consistent across all justice agencies to ensure their expectations can be managed effectively;
- Balancing external stakeholders' oversight in VAWG investigation coordination processes with preserving the integrity of the investigation itself is of critical importance;
- Police middle managers can be instrumental in setting up and/or reinforcing oversight frameworks for coordination mechanisms;
- The do no harm principle should be applied to the process of choosing partners in crime response, as it can confer status on groups and, by implication, deny it to those not so recognized.





# INTRODUCTION

As a result of their core duties and territorial presence, the police and other law enforcement officers are in general the first line of justice for victims/survivors of crime and violence. However, in spite of being the most visible of the justice actors, a police organization is not, and should never be, the only service a victim/survivor of VAWG can count on when seeking justice.

Photo courtesy of UNMIT/Bernardino Soares (Timor-Leste)

Maintaining order and justice in a given territory over which it has effective control, is the responsibility of the State and its different organizations representing the justice, health and the social welfare sectors among others. As a result, police organizations and justice agencies should have several collaborative opportunities and coordination mechanisms to reinforce a shared framework on VAWG that seeks the best outcome for victims/survivors.

These opportunities and coordination mechanisms can be found at the national, regional<sup>1</sup>, and local municipal levels of government, and normally count on a broad multi-sectoral approach framework with each actor, including the police, playing a coordinated role according to their area of competency within the justice continuum.

Normally, complementing law enforcement agencies have protocols or memorandums of understanding for

<sup>1</sup> Depending on the country, this subnational level could be referred as the district, departmental, territorial, cantonal or provincial level.

interagency cooperation and regularly meet other security agencies and other essential service providers at the national, regional and local levels to align themselves strategically via national, regional or municipal-level security councils or committees.

As a police middle manager, the opportunities to ensure contributions towards an integrated and coordinated gender-sensitive response to VAWG will be generally found at the local municipal and community levels. Community policing-led forums and/or local (municipal) security councils offer many entry points at this level, and their success depends on how well the local police, their partners in the justice system (continuum) and local stakeholders share a common understanding of what constitutes VAWG, and the strategic actions needed to respond effectively to its prevalence.

It is also in these common spaces, fora or councils where the police and their partners in the justice system can proactively seek partnerships with external stakehold-



Photo courtesy of UNMIT/Martine Perret (Timor-Leste)

ers to strengthen support systems. These partnerships can also inform the collective learning for a more effective collaboration between essential service providers, including between the police and other justice agencies.

By including external local and competent stakeholders in the oversight of their essential service coordination, the police, and their partners in the justice continuum, will bring much needed transparency and legitimacy to a highly technical and complicated process that is often lacking regular review, monitoring and evaluation.

The following chapter aims to provide guidance for police managers in local-level coordination roles with other justice agencies, with the input from community-based **stakeholders** for the effective delivery of gender-responsive essential services. The guidance will orientate the reader towards best practices in police-controlled coordination efforts that seek the best outcome for victims/survivors and meet standards and expectations of the different justice agencies and service providers when responding to VAWG.

This chapter will explore police competencies and skills central to effective engagement and coordination with justice agencies and stakeholders, both within and outside the justice continuum, for a concerted victim/survivor-centred approach to VAWG. As this chapter is focused on what the police can and should control in terms of coordination, it will not address the coordina-

tion roles of other justice actors, as this will be discussed in more detail in Chapter 12: *Justice Continuum*.

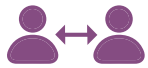
This chapter will work on the assumption that mechanisms for coordinated approaches to respond to VAWG between justice agencies already exist in a country at different levels of governance, each with their established protocols and procedures. Peer-to-peer police guidance is also offered in this chapter, which will seek to complement existing national tools by reinforcing the common characteristics and principles of the ESP on coordination among justice actors.

Similar to past chapters, the reader is recommended to view this chapter in association with *Section 11: Coordination Among Justice Actors* of Module 3 of the ESP on *Justice and Policing* and Module 5 of the ESP on *Coordination and Governance of Coordination*. The reader is also recommended to view, in association with this chapter, the 2014 UNODC *Blueprint for Action: an Implementation Plan for Criminal Justice Systems to Prevent and Respond to Violence against Women* (contained in the publication entitled *Strengthening Crime Prevention and Criminal Justice Response to Violence against Women*); the *Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action (2015)* from the Inter-Agency Standing Committee<sup>2</sup> which specifically mentions the community-based approach it promotes; the 2015 UNODC *A Study for Creating a Multidisciplinary Response Mechanism to Violence Against Women in Egypt* for global experiences in finding coordinated solutions to VAWG; and the UNHCHR *Thematic study on the issue of violence against women and girls and disability* for guidance on all aspects related to access to justice for women with disabilities.<sup>3</sup>

2 'Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action: Reducing risk, promoting resilience and aiding recovery', (Inter-Agency Standing Committee, 2015).

3 Thematic study on the issue of violence against women and girls and disability, Report of the Office of the United Nations High Commissioner for Human Rights', (A/HRC/20/5, 30 March 2012).





## PEER TO PEER GUIDANCE

It is imperative for an effective investigation that there is coordination amongst justice agencies, so efforts are not duplicated, or actions taken that may contradict or hinder other justice agencies. Coordination is also critical in ensuring a victim/survivor-centred approach to the investigation, prosecution and sentencing for crimes of VAWG and reducing the risk of secondary victimization, thereby increasing the potential of obtaining justice for victims/survivors.

If coordination between justice agencies does not already exist, or is not robust enough within your policing area, you need to take the lead in bringing about positive change. Securing justice is a team effort, and no one justice agency can achieve the ultimate goal of upholding the law and providing victims with accessible, effective and fair justice without each agency working sensitively, ethically, with respect and dignity and, above all, together as partners.

To get started, you will need to identify **who** exactly are your justice agency partners (stakeholders), examples could include legal advocates, lawyers, prosecutors, magistrates, judges and, where relevant, community elders and upholders of local laws or beliefs. Once you have mapped out your stakeholders, you need to identify how each contributes to the justice process, what are their requirements and expectations of the police and, in turn, what your requirements and expectations are of them. It is a good idea to bring representatives from each agency together to discuss what their understanding of each other's roles are and share their respective needs expectations and challenges amongst the agencies. By doing so, you will create improved levels of awareness amongst the agencies and provide a platform to build a collaborative relationship.

For example, if you and your staff fully understand the requirements of prosecutors, so as they can present a strong case to court, you are likely to reduce the number of cases 'dropped' by prosecutors before they even get into the court system. Likewise, prosecutors need to



Photo Courtesy of UNMIT/Martine Perret (Timor-Leste)

understand the requirements of the courts in order to gain a successful conviction and this information can be ‘cascaded’ to you, so you can brief your staff.

empower your staff to identify, and obtain, the best evidence at the earliest opportunity.

Equipped with a better understanding of what is required to gain a successful conviction at court will

To help understand the expectations between the police and the prosecution service, UN Women has provided helpful and concise tips:

**Box 1**

**Quick Tips: Expectations of the Police and the Prosecution<sup>4</sup>**

Actor	Expectations
The police expect the Office of the Director of Public Prosecutions to:	<ul style="list-style-type: none"> <li>• Advise on whether the charge sheet is properly drafted;</li> <li>• Advise on whether additional statements need to be recorded;</li> <li>• Advise on whether additional investigations need to be conducted;</li> <li>• Present police records of the perpetrator to the court;</li> <li>• Where necessary, object to the release of the perpetrator on bail/bond and prioritize cases of VAWG, especially when the survivor is in court;</li> <li>• Examine witnesses in court;</li> <li>• Facilitate linkages with the Witness Protection Agency.</li> </ul>
The Office of the Director of Public Prosecutions expects the police to:	<ul style="list-style-type: none"> <li>• Conduct proper investigations on incidents of VAWG;</li> <li>• Arrest the suspect;</li> <li>• Record comprehensive statements from survivors, witnesses, and suspects;</li> <li>• Escort survivors and suspects to hospital for medical examination;</li> <li>• Draft the charge sheet, with a proper statement of offence and particulars of the charge;</li> <li>• Maintain proper chain of custody of exhibits;</li> <li>• Collect and properly preserve exhibits;</li> <li>• Present suspects to court within 24 hours;</li> <li>• Present and produce exhibits in court;</li> <li>• Bond and produce witnesses to attend court;</li> <li>• Conduct additional investigations where required to do so;</li> <li>• Advise on further statement recording;</li> <li>• Trace suspects and/or sureties where necessary;</li> <li>• Rescue vulnerable survivors. Present previous records of the suspect;</li> <li>• Present police case files to prosecution at least three days before the hearing date;</li> <li>• Testify in court;</li> <li>• Provide affidavits for use in opposing applications for bail and bond.</li> </ul>

<sup>4</sup> ‘Gender-based Violence Resource Pack. A Standardized Training Tool for Duty Bearers, Stakeholders, and Rights Holders (UN Women, 2019), ps. 92-93,

Coordination between justice agencies can minimize the potential for secondary victimization of the victim/survivor by reducing the number of times she has to tell her story - ideally, she should only have to tell it once. Coordination will also build trust and confidence of, and between, all justice agencies, leading to an increase in information and intelligence sharing. This can enable more accurate data capture and ultimately lead to more preventative opportunities.


The risk assessment process should be coordinated between agencies. If each agency produces its own risk assessment, there is an increased possibility that crucial information could be missed, and any subsequent safety plan may have gaps within its mitigation measures.

Effective coordination relies on a clearly agreed and transparent framework of working practices, with shared responsibilities and common performance measures developed in collaboration with all stakeholders. Such coordinated working will also require the development of protocols outlining each agency's areas of responsibility, and where both individual agency's and joint stakeholder's accountabilities lie.

A fundamental aspect of the coordination structure and process is meeting legal privacy and confidentiality requirements and, above all, ensuring the needs of a victim/survivor remains central to any performance indicators. The overall goal must always be to obtain the best outcome for victims/survivors, whatever that may look like.

With effective coordination across the justice agencies, any information provided to victims/survivors should be consistent, removing the potential for mixed messages, leading to confusion. Managing expectations of the victim/survivor and all those involved in the justice process will be made easier through effective coordination.

Coordination between justice agencies can also include cross-jurisdictional issues between police organizations. If a victim/survivor comes to you or your staff to report an incident of VAWG, but the incident occurred within another police station, district or region's area of responsibility, the victim/survivor should be dealt with



Secondary victimization occurs not as a direct result of a criminal act but by through the inadequate response of institutions and individuals to the victim/survivor

by you and your staff, as if the incident occurred within your area of jurisdiction. Any subsequent transfer of crime or investigation data should be part of an administrative process only, and the victim/survivor should not be sent to another police station or area, which will only add to the trauma already experienced. This would amount to secondary victimization and would not meet the criteria of a victim/survivor-centred approach or a gender-responsive policing service.

## DEALING WITH CHALLENGES IN RESPONDING TO VAWG STARTS WITH IDENTIFYING THE GAPS IN YOUR TEAM'S PERFORMANCE

Criminals do not respect the territorial jurisdiction of individual police organizations; to the contrary, they can purposefully evade detection by carrying out their activities across boundaries and exploiting gaps in traditional law enforcement investigative processes. Multi-jurisdictional investigations can falter, even when police organizations have overarching cooperative relationships and general lines of communication.<sup>5</sup>

### Information sharing in domestic violence investigations has two important functions:

- To enable the effective monitoring of domestic violence incidents to inform service responses and the allocation of resources;
- The effective resolution of some domestic violence cases where a multi-agency response is urgently required.

—UN Commission on Crime Prevention and Criminal Justice (2008)

<sup>5</sup> The Honourable Wally T. Oppal, 'FORSAKEN The Report of the Missing Women Commission of Inquiry: VOLUME IIB "No-bodies": How and Why We Failed the Missing and Murdered Women, Parts 3, 4 and 5' (2012).

As described above, shortcomings in coordinated efforts by essential service providers are a common source of secondary victimization for victims/survivors, as accountability for failures are difficult to anticipate and even more difficult to pinpoint.

Coordinating the sharing of information between the police and other law enforcement and justice agencies is a strategic process, which can be challenging to operationalize, due to bureaucratic reasons.

One particular challenge is the tendency for police internal control mechanisms to overlook external coordination processes, due to the technical complexities in harmonizing systems and sensitivities involved in case management.

As a result, those with the most to lose resulting from coordination gaps between law enforcement agencies are victims/survivors of crime and violence, as they have no control over this process and blame is normally assigned to the different competent agencies, rather than assumed collectively.

How the police coordinate in cases of VAWG with justice actors, including other law enforcement agencies, significantly depends on the governance framework of the country. This applies equally to how such coordination processes are controlled for the purposes of quality and performance improvement.

For example, in police organizations, such as those in Honduras and Russia, which have one centralized police agency, the quality control for performance, including for coordination with external justice actors, rests narrowly on the next line manager, with risk normally not shared between partner agencies with similar competencies.<sup>6</sup> As a result, middle police managers rely considerably on peer and senior level support to ensure the efficient and effective coordination between police units, other law enforcement agencies, civilian criminalistics or medico-legal experts, and other justice actors.



Photo courtesy of Force International (Bangladesh)

This means that if centralized quality control mechanisms are not in place for the coordination pathway, or they are not reviewed rigorously and periodically by senior-level police management, then the efficiency and effectiveness of coordinating information or responses with other justice agencies becomes personality-driven, rather than organization-driven. This opens the window for many failures or protection gaps, to the detriment of all victims/survivors of crime and violence not only victims/survivors of VAWG.

In more decentralized policing models, there is a growing expectation for the police to seek working relationships with local governments, communities and other local-level stakeholders with emerging importance<sup>7</sup> to reinforce the justice continuum, as they work to prevent and investigate VAWG crimes. In theory, this means that the police coordination pathways, including between other justice agencies, should be placed under wider scrutiny.

As a result, quality control for police coordination systems can be informed by several sources, depending on the relationship the police have built with local stakeholders who often engage with essential service providers.

If the police have not built the necessary relations with key stakeholders, as commonly envisioned in a decentralized policing model (including Community Policing strategies) then systemic gaps undermining efficient and

6 Understanding Policing: A Resource for Human Rights Activists. Anneke Osse for Amnesty International. 2006. <https://www.amnesty.org/download/Documents/HRELibrary/sec01012007eng.pdf>

7 Local-level stakeholders with emerging importance can include private security companies operating in areas with limited State presence or large private business enterprises with significant influence in communities, such as large mining companies.



effective police coordination with other justice actors become common practice, rather than isolated events.

Finding the right balance between broadening the scope of local stakeholders (including other essential service providers), which should be involved in the quality control of VAWG investigation coordination processes, while preserving the integrity of the investigation itself is challenging, but of critical importance.

By finding this balance, police managers will not only reduce the risk of secondary victimization normally facing victims/survivors as they go through the justice continuum, but it will also increase the visibility of the police in general as a legitimate law enforcement agency.

The following is a list of emblematic coordination failures between the police and other justice agencies when responding to cases of VAWG. This is largely inspired from *'FORSAKEN, the Report of the Missing Women Commission of Inquiry'* by the British Columbia ('BC') provincial government in Canada which scrutinized the overall coordinated response by the BC Police Force in cases of missing women, the majority of victims/survivors being women and girls of indigenous decent.<sup>8</sup>

The list is also complemented by feedback from an extensive global mapping of good practices and capacity gaps of police institutions coordinating responses to VAWG. The mapping involved outreach to several serving and retired police officers, civil society and staff of international organizations such as the UN who have experience working with the police and non-governmental organizations specialising in addressing VAWG.

The list is intended to help police managers quickly identify capacity gaps at the earliest stage possible, before further harm is committed against victims/survivors of VAWG. The categories titles are meant to help the reader relate to a key issue of the identified capacity gap but, in fact, they are all applicable and/or complementary to each point:

8 The Honourable Wally T. Oppal, 'FORSAKEN: The Report of the Missing Women Commission of Inquiry VOLUME IIB Nobodies: How and Why We Failed the Missing and Murdered Women, Parts 3, 4 and 5' (2012).

### Attitude

- Governance of coordination mechanisms is a challenge for essential service providers, as agencies tend to avoid confrontation with each other in cases of failures.

### Secondary Victimization

- The police struggle to ensure that the victim/survivor remains at the centre of the process in the face of competing pressures from internal bureaucratic processes and other justice agencies' requirements.

### Malpractice

- Coordinated efforts by essential service providers often place too much emphasis on criminalization, leading to a loss of focus on victims'/survivors' interests;
- Coordination gaps between the prosecution and the police impact the quality of case management of VAWG;
- In cases of serious crimes involving VAWG (such as missing persons), investigative teams are usually drawn from different sections of a police agency and can therefore stand outside of normal reporting channels. The need for clear reporting and supervisory relationships is particularly important in multi-jurisdictional investigations;<sup>9</sup>

**“Accountability lies foremost with the Team Commander, who would be the ultimate authority, responsibility/accountability for the [investigation team], its resources (Human and physical) and its mandate. The Team Commander is to remain detached from the fundamental responsibilities of the investigation to be able to manage the overall initiative. Normally this is not the case, and the Team Commander has to often juggle several other competing priorities, putting at risk the quality control of the coordination of police efforts.”**

—The Honourable Wally T. Oppal, in *'FORSAKEN The Report of the Missing Women Commission of Inquiry'* (2012).

9 Ibid.

- A lack of intra-agency cooperation leads to lapses in record management, insufficient scrutiny of files for follow-up of risk assessment system/reporting;
- The coordination focal points often do not have a proper reporting structure and communication practices and these inadequacies have a detrimental impact on investigations;
- The inability to fully address cross-jurisdictional issues by police agencies can be a critical police failure, substantially limiting the effectiveness of the investigations. The police often lack the standing letters of agreement between forces that can be activated immediately and, instead, often waste precious investigation time straightening out detailed administrative arrangements between forces;<sup>10</sup>
- Communication breaks down when disagreements surface between investigators about the credibility of the informants.<sup>11</sup> The over-sharing of information can also place victims/witnesses at risk.

## DEFINITION AND FRAMEWORKS

The ESP considers **coordination** to be a central element of the response to VAWG. There are three levels of coordination that need to be aligned when ensuring that essential services are delivered in a quality and effective manner to victims/survivors of VAWG.

These three levels of coordination occur at the national, regional/departmental, and local municipal levels of government. Each level accounts for the different mandates of each justice agency, including the overlapping competencies of law enforcement agencies (depending on the violence and crimes identified) and the growing role of external stakeholders who can influence the coordinated responses to VAWG.

At the national level, executive and senior police are involved with peer stakeholders across the justice system in the strategic planning of the coordinated

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

response of essential services for victims/survivors.<sup>12</sup> It is at this level that a shared understanding of VAWG is initially sought and a philosophical framework on VAWG response amongst essential service providers is first developed.

Based on this, information sharing agreements are established and/or updated between senior-level essential service providers, including between executive law enforcement actors with differing but complementary competencies. Key products from information sharing agreements include **memorandums of understanding** between actors, **quality control guidelines**<sup>13</sup> and **joint communications of commitment** towards responding to VAWG. These information-sharing products become essential, even critical, tools for middle managers with teams operating on the front line.

Middle managers whose staff are engaging victims/survivors of VAWG and/or are involved in the investigation of VAWG play key roles in the effectiveness of **quality control guidelines**. Depending on the rank and policing model, police middle managers can be instrumental in setting up and/or reinforcing oversight frameworks for coordination mechanisms.

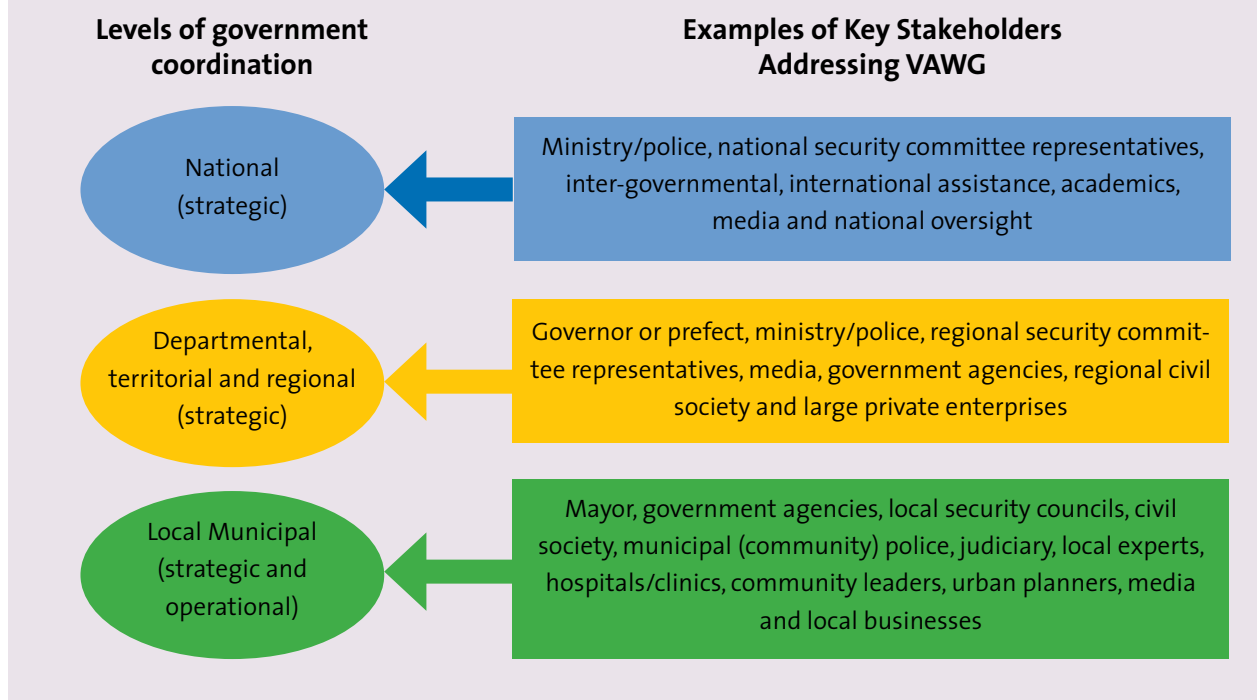
When establishing mechanisms to ensure coordinated responses to VAWG including its quality control framework, the ESP recommends the police seek to involve **multi-disciplinary teams**. The ESP adds such multi-disciplinary teams should comprise of a broad

<sup>12</sup> The European Union stress that national action plans on addressing VAWG and associated coordination mechanisms are considered key elements in the implementation of laws and policies. Moreover, the 2010 UN Handbook on Legislation on Violence against Women considers national action plans to be the main way in which a comprehensive and coordinated approach to implementation of relevant legislation can be guaranteed. See: 'Overview of the worldwide best practices for rape prevention and for assisting women victims of rape' (Directorate General for Internal Policies Policy Department C: Citizens' Rights and Constitutional Affairs Gender Equality, European Parliament, 2013).

<sup>13</sup> According to the ESP, quality guidelines support the delivery and implementation of the core elements of essential services to ensure that they are effective, and of sufficient quality to address the needs of women and girls. Quality guidelines provide 'the how to' for services to be delivered within a human rights-based, culturally aware and women-empowerment approach. They are based on, and complement, international standards and reflect recognized best practices in responding to VAWG.

Figure 1:

### Levels of Government Coordination and Stakeholders



range of **stakeholders** who have entered into working agreements or who have a positive influence when ensuring a coordinated response cases involving VAWG with the police and other justice actors. See Box 5 Promising Initiatives for Coordination in Illinois and Oromina for examples of multi-disciplinary team engaging stakeholders.

The ESP recommends for the police to view stakeholders in the coordination of essential services as incapsulating victims/survivors and their representatives, social services, health care sector, legal aid providers, the police, prosecutors, judges, child protection agencies, and the education sector, among others.<sup>14</sup> Involving stakeholders, including CSOs, able to bring expertise in managing cases where the victim/survivor belongs to at-risk groups such as women and girls with disabilities

<sup>14</sup> The ESP also states that these stakeholders can, and should be, represented in all coordination bodies at all levels of government, in order to ensure national laws, strategies, protocols and agreements for an effective response to VAWG are being applied, implemented and/or complied with. See Module 5: *Coordination and Governance of Coordination*, Essential Services Package for Women and Girls subject to violence: Core Elements and Quality Guidelines, (United Nations Joint Global Programme on Essential Services for Women and Girls Subject to Violence, 2015).

will ensure quality of the services provided and enable access to justice.<sup>15</sup>

As a means to instrumentalize a quality control framework to help ensure an effective and efficient coordinated response to VAWG with other justice agencies and stakeholders, middle managers can tap into local governance mechanisms, such as municipal-level Local security councils or 'LSCs'.

**“Key stakeholders are all government and civil society organizations and agencies that have a role in responding to VAWG at all levels of government and civil society.”**

—UN Essential Service Package

LSCs are platforms of dialogue where various agencies with stakes in public security can consult each other, identify problems and agree on a local plan for the

<sup>15</sup> For example, Cape Mental Health runs the SAVE program to provide survivors with intellectual disabilities with psychological support to testify in court. See: <https://www.westerncape.gov.za/facility/cape-mental-health>

**“Women are not a homogenous group. To ensure effective action against VAWG, specific needs of certain groups are to be considered. Women and girls with disabilities who face violence and discrimination also encounter barriers to accessing justice due to harmful stereotypes, discriminatory attitudes, and lack of procedural and reasonable accommodations, which can lead to their credibility being doubted and their accusations being dismissed. Barriers to reporting crimes and/or cases of discrimination begin in the community where attitudes of family members, community representatives and local judiciary may intimidate victims or discourage them from pursuing justice.”**

—Gender Guidelines (Disability Rights Fund and Disability Rights Advocacy Fund 2018)

prevention of insecurity.<sup>16</sup> Based on this, LSCs have the potential to assume competency for the quality control of coordinated actions involving the police and their partners in the justice continuum, including when responding to VAWG.

As LSCs normally include municipal authorities, local government agencies, justice officials and sometimes representatives of civil society along with the police, they can generate critical collective inputs for the VAWG coordinated response learning process.<sup>17</sup> This can include commissioning reviews and external evaluations of coordination responses in cases of VAWG, for example.

16 ‘Understanding local security councils in two minutes’, Cognita for Police Reform, see: [https://www.youtube.com/watch?v=7fGFO\\_nteGA](https://www.youtube.com/watch?v=7fGFO_nteGA)

17 LSC-type mechanisms exist in every continent. In France and the Republic of Guinea, they are called local security councils for the prevention of delinquency (CLSPD); in the Democratic Republic of the Congo (DRC), they are known as local community security councils or CLSPs; in Ecuador, they are known as municipal security councils or ‘CSM’. Depending on the model and population size of the municipality, senior community policing officers can be the main police representative at LSCs. See: Fernandez, M., Piaget, K., Hernandez, T., and Berthoud, S., ‘Decentralisation of Security Governance: Facilitator of a Human Rights-based Approach (HRBA) to SSR?’, ISSAT HRBA Working Group Paper 3 (2017) and “Guide pratique conseil local de sécurité et de prévention de la délinquance en république de guinée” (Cognita for Police Reform, 2017).

Such an open and transparent consultative process for quality control involving the police mandates, contributes significantly to their overall legitimacy in the eyes of the population they serve and protect.

#### Box 2

##### EU’s Criteria for Best Practice for Coordination

In their study on worldwide best practices for rape prevention and for assisting women victims of rape, the EU has identified five essential criteria for effective coordination of services for victims/survivors of rape. These include:

- Inclusiveness vis-a-vis relevant agencies, criminal justice actors and women’s or victim’s rights advocates;
- A spelled-out common understanding of gender-based violence, including rape;
- Working cooperatively towards development of policies, guidelines, referral and data collection mechanisms;
- Led from gender expertise and the experiences of survivors;
- Accountability mechanisms and some independence from the State.

Source: Overview of the worldwide best practices for rape prevention and for assisting women victims of rape (European Parliament, 2013).

For more detailed information on LSCs refer to the Case Study Local Security Councils: Congo, Ecuador and Mexico in Chapter 3: ‘Prevention’.

## KEY MANAGERIAL COMPETENCIES FOR COORDINATING WITH JUSTICE AGENCIES FOR AN EFFECTIVE RESPONSE TO VAWG

Public interest is best served when the police share information and coordinate effectively with essential service providers to identify and pursue common objectives to responding to VAWG.

International standards require coordination between the police and essential service providers including partners in justice agencies to be comprehensive, multidisciplinary, coordinated, systematic and sustained.<sup>18</sup>

Justice processes can be complex and bureaucratic in nature. Without effective coordination between these complex processes, the survivors/victims can fall through the cracks and become subject to secondary victimization.

Victims/survivors with specific needs should be given special attention and, in order for them not to be denied justice coordination, the barriers faced by victims/survivors with disabilities throughout judicial proceedings should be addressed.<sup>19</sup>

Secondary victimization happens throughout the justice continuum. The following list (Box 3) provides emblematic coordination gaps and examples of their impacts in terms of secondary victimization:

**Box 3**

Coordination gaps	Impact of secondary victimization
The police often place too much emphasis on criminalization and not on victims'/survivors' interests.	The victim/survivor ceases to cooperate for fear of loss of income from her children's father or co-guardian resulting from the potential criminal charges. The victim/survivor places the perceived wellbeing of her children over her own.
Doctors, judges and the police who are not trained to handle such cases intervene.	Harmful reoccurring interviewing practices or testimony obligations that retraumatize the victim, impacting her ability to recall events in an expected chronological manner or lead to her recant her experience to avoid all further harmful engagement with untrained essential service providers.
A lack of intra-agency cooperation leads to lapses in record management, insufficient scrutiny of files for follow-up of risk assessment system/reporting.	Lack of follow-up engagement by the police and other essential service providers with the victim/survivor lead to fear for personal safety and the safety of other family members.
Governance of coordination mechanisms is a challenge for essential service providers as agencies tend to avoid confrontation with each other in cases of failures	Judges require additional evidence which is hard to produce, leading the police to unnecessarily pressure the victim/survivor for information, or for the police to simply mediate to try to convince the victim/survivor to recant or retract her complaint.
The police struggle to ensure that the victim/survivor remains at the centre of the process in the face of competing pressures from internal bureaucratic process and other justice agencies' requirements.	Victims/survivors are made to pay for medical, legal, the police services etc. to be able to prosecute her case or are made to stay in 'safe' accommodations that are inadequate for her. <sup>20</sup>

Moreover, special attention in the form of the *do no harm principle* should be paid to the process of choosing partners when coordinating on responding to crime and violence, as it can confer status on groups and, by

implication, deny it to those who are not recognized.<sup>20</sup> The UN Department of Peace Operations ('UN DPO') notes that working with communities or coordinating with CSOs representing communities can be enor-

18 See: Module 1: *Introduction* 'Essential services package for women and girls subject to violence' (United Nations Joint Global Programme on Essential Services for Women and Girls Subject to Violence, 2015). Also, see the section on collaboration and coordination among relevant agencies and services in the *Updated Model Strategies* (2011).

19 It is important to highlight that the opportunity cost becomes higher when women are the sole breadwinners for their family/children, and going to court poses hardships; so, they may choose not to support the prosecution of their cases.

20 [Community-Oriented Policing in UN Peace Operations Manual](#) (UN Department of Peace Operations, 2018).

mously beneficial to the police; however, the police must be sensitive to the impact of their outreach on the communities.

In their manual on community-oriented policing, UN DPO recommend that police engage all sections of the communities or else one or more groups may accuse the police of being discriminatory and having a too close

relationship with the other sections of the same community.<sup>21</sup> The UNPOL checklist should equally apply to CSOs representing communities when the police seek partners in the coordination of responses to VAWG.

In this regard, UN DPO provide a helpful checklist for involving community partners and stakeholders<sup>22</sup> (see Box 4 below):

**Box 4**

**UNPOL Checklist for involving community partners and stakeholders**



- Have we identified the community partners and stakeholders (and the best way they can contribute to the project activities) according to their resources?
- Have we clearly communicated and agreed on the involvement of community partners and stakeholders, their roles and how to manage expectations?
- Have we set up a coordination and feedback system, such as regular meetings and activity reports?
- Have we created an effective outreach communication system to inform community partners, stakeholders, decision-makers, donors and others on the progress of the project activities, challenges and successes?

The ESP states that a coordinated response between justice agencies is important because it is more effective in keeping victims/survivors safe from violence and holding offenders accountable than when different sectors of society work in isolation to address the issue.<sup>23</sup>

A common indicator of effective coordination among justice agencies is the systematic sharing of risk and established frameworks for ensuring collective responsibility for quality and effective essential services.

In the UK, the following actions have been introduced to improve coordination among justice agencies responding to VAWG:<sup>24</sup>

- HM Government has developed a number of strategic guidance documents, which are intended to enhance the multi-agency approach in subject areas, including Forced Marriage (FM), Female Genital Mutilation (FGM) and Child Sexual Exploitation. These documents provide front line practitioners with invaluable information about the ‘Do’s and Don’ts’ of what to do and the ‘Signs and Symptoms’ to enable practitioners to identify victims;

The justice system is the foundation of coordination, coherence and relevance between victims/survivors and all the justice agencies.

- In order to achieve the above, the Crown Prosecution Service, National Police Chief’s Council and Police Forces have conducted invaluable joint training sessions and developed joint protocols, particularly in the investigation and prosecution of rape, honour-based abuse, forced marriage and FGM.

To help the police deliver essential services in a manner that enables the best outcome for victims/survivors,

<sup>21</sup> Ibid.

<sup>22</sup> UN Police Gender Toolkit: Standardised Best Practices on Gender Mainstreaming in Peacekeeping: Compendium of Project Tools (2015).

<sup>23</sup> Module 5: *Coordination and Governance of Coordination*, Essential Services Package for Women and Girls subject to Violence – Core Elements and Quality Guidelines (United Nations Joint Global Programme on Essential Services for Women and Girls Subject to Violence, 2015).

<sup>24</sup> Manual on the law relating to violence against women, England and Wales, Greece, Ireland, Italy, Northern Ireland, Poland and Spain (European Lawyers Foundation, 2018).



this section will provide a list of behavioural competencies police managers can refer to when seeking to coordinate a victim/survivor-centred and gender-sensitive response to VAWG with other justice agencies. These competencies are also transferable to police-public partnerships, including with local stakeholders, for coordinated community-based solutions to VAWG.

Similar to previous chapters, the competencies have been inspired by UN documents such as *Updated Model Strategies* (2011), good practices in building police-public partnerships by the Organization for Security and Co-operation in Europe (OSCE) and the *Strategic Guidance Framework for International Police Peacekeeping* (SGF)<sup>25</sup> amongst others. This is a non-exhaustive list and is meant to complement and reinforce national police organizational policies and protocols on coordination with other agencies in the justice system. Managers should ensure police officers in coordinating positions are able to:

**Availability & accessibility (from the perspective of governance, oversight and accountability)**

- Play a role in coordinating the link between the justice actors and community advocates. Advocates complement the work of police officers, give feedback, and provide training. By building partnerships with human rights,<sup>26</sup> women’s rights and disability rights advocates, the police can strengthen their credibility with the community.

**Effective communication and participation by stakeholders in the design, implementation and assessment of services:**

- Encourage and assist women and girls who have experienced violence in lodging and following through on formal complaints, by providing protection to victims/survivors and advising them that the responsibility for

25 The Strategic Guidance Framework for International Police Peacekeeping (‘SGF’) aims to enhance the effectiveness of UN police peacekeeping through more consistent, harmonized approaches to the provision of public safety, police reform and support to host-State police services. See: <https://police.un.org/en/sgf>

26 This includes advocates of persons with disabilities and other personal variables that place people in positions of vulnerability.

pursuing charges and prosecuting offenders rests with the police and the prosecution services. Provide women and girls with specific needs with appropriate support.

**Adaptability**

- Promote and advocate for stringent and clear regulations and policies in coordination areas to deal with potential ethical dilemmas or negative impacts of close community-police relations, which may deter victims/survivor of VAWG to not report or collaborate with the police and other justice agencies;
- Seek opportunities to collectively share accomplishments, identify shortcomings, and develop and implement strategies to improve outreach and response.

**Appropriateness**

- Steer the coordination efforts so they keep the interests of women and girls at the centre of gender-based violence and rape interventions.<sup>27</sup>

**“The primary goal of coordination should always be increased victim safety. Coordinating responses without focusing on victim safety can, in fact, be harmful to victims.”**

—Benefits of Coordination - Stop Violence against Women: A Project of The Advocates for Human Rights

**Linking with other sectors and agencies through referral and coordination**

- Work with justice agencies and community stakeholders to reach a broad consensus and commitment with regard to their share of the responsibility and the need for close co-operation;
- Follow a problem-solving approach when collaborating with stakeholders to ensure victims/survivors of VAWG feel they can meaningfully participate in all aspects of the investigation. For example, together with other justice actors, establish a collaborative engagement process with community leaders and local

27 Overview of the worldwide best practices for rape prevention and for assisting women victims of rape, (Directorate General for Internal Policies Policy Department C: Citizens’ Rights and Constitutional Affairs Gender Equality, European Parliament, 2013).

media as part of efforts to not stigmatize or socially marginalise victims/survivors of sexual violence and communicate this commitment publicly;

- Coordinate the monitoring of domestic violence interventions or review of specific approaches (data collection) and tools with other justice actors and community-stakeholders. Jointly identifying gaps in service, including awareness-raising. Seeking to collaboratively improve service should be one of the objectives of coordination for the police.<sup>28</sup>

### Data collection and information management

- Coordinate with justice agencies on the ethical sharing of sensitive information for prevention strategies, with a broad range of community-based stakeholders, such as private security services, for criminal background checks, particularly in cases of sex offenders.<sup>29</sup>

### Informed consent and confidentiality

- Develop and maintain working relationships with a broad range of stakeholders towards an investigative result, while being prudent in judgment to balance the integrity of the investigation, including the victims'/ survivors' right to dignified and confidential treatment;
- Ensure the process to seek for informed consent is agreed upon and well known by all stakeholders in the judicial process, particularly in instances where women are denied their legal capacity to decide for themselves.

## Reference Indicators for the Police Providing Essential Services: Coordination among Justice Agencies

Coordination takes various forms, some more formalized and with more implications for policy development; others less formalized and geared towards a more effi-

<sup>28</sup> Logar, Rosa, 'The Austrian model of intervention in cases of domestic violence', Paper presented at the UN Expert Group Meeting: Violence against women: Good practice in combating and eliminating violence against women' (Vienna, 17–20 May 2005).

<sup>29</sup> Guidelines for Private Security Providers on Preventing and Addressing Sexual Exploitation and Abuse (International Code of Conduct Association for Private Security Services Providers, 2019).

cient engagement with individual victim/survivors. A coordinated response is important because it is more effective in keeping victims/survivors safe from violence and holding offenders accountable than when different sectors of society work in isolation to address the issue. Coordination provides benefits to victims/survivors, also for the agencies and institutions that respond to violence against women, and for their communities.<sup>30</sup>

As discussed in the Chapter 2, the ESP proposes that all justice and support services for victims/ survivors need to share a range of common characteristics and common activities to ensure maximum impact. They are applicable regardless of the specific 'sector' that may be responding to women and girls who are experiencing violence. The following list is inspired by the common characteristics and common activities of the ESP; it proposes some reference indicators for police activities when aiming to deliver essential services in a coordinated victim/survivor-centred and gender-sensitive response to VAWG.

These are indicators police managers can reference if they exist, but also encourage their inclusion by senior levels in instances where they don't exist:

- **Availability and accessibility:** Percentage of station police staff who regularly participate or have participated in formal and/or informal coordination processes with justice agencies in cases of VAWG. This indicator should disaggregate the police staff according to gender, rank, unit and verify if they have been adequately trained in accessing other essential service providers, including justice agencies. This indicator will also inform on the extent to which station police find themselves in positions of *First Responder* in VAWG incidents.
- **Adaptability and accessibility:** Percentage of coordination processes involving the local police teams which count on the meaningful participation of a civil society organization ('CSO') such as a women's rights organization. These mechanisms should be actively inclusive of women's organizations, regardless of their

<sup>30</sup> See Module 5: *Coordination and Governance of Coordination*, ESP (2015).

main ethnicity, age,<sup>31</sup> religion, disability, language and sexual orientation, as the diversity in representation can provide a more accurate description of the issues. A low percentage of meaningful participation by CSOs could imply a lack of trust, or lack of logistical planning or a combination of the two.

- **Appropriateness and accessibility:** Percentage of coordination processes involving the local police teams which count on gender expertise. Gender expertise should play a major role in contextualizing VAWG with essential service providers, including the police, and help them ensure that they, and the community, understand and respond to VAWG. Gender expertise can also help to ensure a shared philosophical framework of VAWG between essential service providers.
- **Prioritize safety:** Percentage of coordination processes involving local police teams that have established a main contact official or focal point that oversees protocols for victim/survivor safety and protection (see Box 5 on the oversight role of the IFVCCs). The contact official or focal point should be a role that is rotated among specialized essential service providers with the goal of ensuring the flow of information, particularly on risk assessment, and coordination of safety and protection measures through the different investigations. The role should also include reinforcing a shared understanding of the roles played by the different actors and up-to-date understanding of gaps in the system.<sup>32</sup>
- **Informed consent and confidentiality and accessibility:** Percentage of coordination processes involving local police teams which review their standardized policies, procedures and protocols for VAWG intervention. There should be a strong emphasis placed on compliance with consent and confidentiality ethics by the police and other essential service providers - for

all women and girls - including those with intellectual disabilities, learning difficulties or sensory disabilities.

- **Effective communication and participation by stakeholders in design, implementation and assessment of services:** Number/per year of joint agency trainings on coordination processes involving station police staff. This should include reinforcing a common understanding of VAWG, common definitions, reaffirming expectations and best practices, and how interventions from each sector contribute to enhancing victim/survivor safety.
- **Data collection and information management:** Percentage of police teams which have conducted baseline studies to inform operational planning and identify barriers to successful coordination. Monitoring and evaluation provide opportunities to understand and learn how coordinated systems are functioning. Sharing the findings of monitoring and evaluation allows coordinated responses to be improved and stakeholders to participate in, and make decisions about, improvements
- **Linking with other sectors and agencies through coordination:** Number of independent (but confidential) assessments or reviews of police partnerships involving local police teams targeting VAWG response strategies. These assessments or reviews can inform the effectiveness of the coordination between agencies or approaches to VAWG. They could be assessed by:
  - conducting public perception surveys and focus group interviews on police performance, and the safety and security situation in the community;
  - conducting internal and public oversight reports on the police;
  - analyzing media reports;
  - keeping records of police-community activities;
  - analyzing the sustainability of formal and informal public forums, etc.<sup>33</sup>

<sup>31</sup> Coordination mechanisms should ensure that the voices of young women and girls are heard, paying attention to the vulnerabilities they face. Similarly, coordination mechanisms should ensure the specific needs and barriers women and girls with disabilities face when accessing justice.

<sup>32</sup> Inspired from the 'Overview of the worldwide best practices for rape prevention and for assisting women victims of rape (Directorate General for Internal Policies Policy Department C: Citizens' Rights and Constitutional Affairs Gender Equality, European Parliament, 2013).

<sup>33</sup> See 'Good Practices in Building Police-Public Partnerships by the Senior Police Adviser to the OSCE Secretary General (The Organization for Security and Co-operation in Europe, 2008).

## Box 5

### Promising Initiatives for Coordination in Illinois and Oromia

#### Family Violence Coordinating Councils ('IFVCC') Illinois, U.S.

Illinois Family Violence Coordinating Councils (IFVCC) were initiated under the auspices of the Illinois Supreme Court in 1990, for both the state and local/circuit levels. IFVCCs are convened and chaired by chief and circuit judges and comprise of policy-level decision makers who represent agencies and services that intervene and prevent family violence. Councils involve police, justice agencies and CSOs.

IFVCCs provide a forum to improve the institutional, professional and community response to family violence. They provide professional education and prevention; coordinate interventions and services for victims/survivors and perpetrators, and contribute to both the improvement of the legal system and the administration of justice.

To facilitate coordination, regular steering committee meetings are organized, with the participation of the judiciary, the prosecution service, state police, relevant government departments and CSOs.

Workgroups comprised of Advisory Committee members, Illinois IFVCC staff, Local Council Coordinators and local Family Violence Coordinating Council members review protocols, updated statutes and develop new resources for coordination and response protocols amongst others. For example in 2018, the IFVCC participated in the review of the Prosecutor Protocol for Responding to Victims with Disabilities and Older Adults who Experience Sexual Assault, Domestic Violence, Abuse, Neglect or Exploitation.

Source: Family Violence Coordinating Councils (IFVCC) and Prosecutor Protocol for Responding to Victims with Disabilities and Older Adults who Experience Sexual Assault, Domestic Violence, Abuse, Neglect or Exploitation, (State of Illinois, Illinois Criminal Justice Information Authority).

#### One-stop Centres, Ethiopia

One-stop Centres in Oromia region were first introduced in Adama town by the Government in 2013 with the support of UNICEF. The Centre offers medico-legal (forensic) and psycho-social services to victims/survivors of sexual violence who can also receive coordinated services from the police and prosecutor all in one place.

Later, two other centres were established in the Shashamane and Jimma towns. The Government has since standardized these centres through developing SoPs and strategies.

In Adama, Oromia\*, the One Stop Centre is staffed by a trained and dedicated social worker, prosecutor, police officers, a nurse, a clerk, a doctor, and a professional psychiatrist. The Center is linked with the Bureau for Women and Children Youth Affairs, the Attorney General's office, the police, the Special High Court, and local NGOs.

Oversight is provided by the Attorney General's office through a multi-sector steering committee. The Committee manages and coordinates the provision of core services such as police investigations, counseling, medical treatment, and free legal aid.

The One-stop Centres feed into a national coordination body on preventing and responding to VAWG, which is led by the Federal Attorney General. This body is supported with operational tools such as a five-year national strategy and plan of action.

Currently, initiatives by the Government, with the support of UN Women, include bringing the three justice sectors (police, public prosecutors and Judges) together for a standardized training on how to coordinate and respond to VAWG. This initiative was started in 2016 in one of the regional states, with the goal of strengthening coordination and increasing prosecution rates of VAWG cases in the region.

\*Source: See Providing a coordinated response to survivors of sexual violence in the Oromia Region, Ethiopia (2019). Kefetew, K. for UNICEF. Source: Kefetew, K. 'Providing a coordinated response to survivors of sexual violence in the Oromia Region, Ethiopia' (UNICEF, 2019)''



## NOTES AND SUGGESTED READING

- 1 Good Practices in Building Police-Public Partnerships by the Senior Police Adviser to the OSCE Secretary General (The Organization for Security and Co-operation in Europe, 2008), see: <https://www.osce.org/secretariat/32547?download=true>
- 2 Anneke Osse, Understanding Policing: A Resource for Human Rights Activists (Amnesty International, 2006)
- 3 Community-Oriented Policing in United Nations Peace Operations Manual (UN DPO, 2018), see: <https://police.un.org/sites/default/files/manual-community-oriented-poliicing.pdf>
- 4 Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action: Reducing risk, promoting resilience and aiding recovery (Inter-Agency Standing Committee, 2015), see: [https://gbvguidelines.org/wp/wp-content/uploads/2015/09/2015-IASC-Gender-based-Violence-Guidelines\\_lo-res.pdf](https://gbvguidelines.org/wp/wp-content/uploads/2015/09/2015-IASC-Gender-based-Violence-Guidelines_lo-res.pdf)
- 5 Module 5: Coordination and Governance of Coordination, Essential Services Package for Women and Girls subject to Violence: Core Elements and Quality Guidelines (United Nations Joint Global Programme on Essential Services for Women and Girls Subject to Violence, 2015), see: <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2015/essential-services-package-module-5-en.pdf?la=en&vs=3759>
- 6 Good Practices in Building Police-Public Partnerships by the Senior Police Adviser to the OSCE Secretary General (The Organization for Security and Co-operation in Europe, 2008).
- 7 'Understanding local security councils in two minutes' Coginta for Police Reforms, see: [https://www.youtube.com/watch?v=7fGFO\\_nteGA](https://www.youtube.com/watch?v=7fGFO_nteGA)
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# COMMUNICATION

*"Communication is the key to building trust and accomplishing goals effectively."*

—UNPOL Gender Toolkit (2015).

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# CHAPTER GOALS:

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**Police have empowered victims/survivors of VAWG throughout the justice system by communicating and listening in a manner that ensures a sense of safety, captures and enables their changing justice needs, enables a relationship based on confidentiality and privacy.**

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## **Key Messages and Learning Points**

- Identifying and addressing any gender and other intersecting harmful bias communicated by their staff is part of the command responsibility of the team manager/leader;
- Using 'Active' listening skills is a vital part of communicating with victims/survivors, ensuring that they are not judged by the 'listener' as they tell their story;
- Build trust and rapport with the victim/survivor to ensure she feels confident in her story, validate her and reassure her that she is not to blame;
- Fully explain the investigation and justice process and maintain contact to provide updated and coordinated information;
- Poor communication skills towards victims/survivors of VAWG has lasting traumatic impacts and drives underreporting in general;
- Gender bias is driven by a lack of understanding of the discrimination disproportionately affecting women and girls;
- The lack of consent is a precursor to sexual violence and sex-based crimes.



Photo courtesy of UNIFIL/Pasqual Gorriz (Lebanon)

# INTRODUCTION

Apart from daily engagement with communities and victims/survivors of violence and crime, the police need to engage with a wide range of justice agencies and local stakeholders to ensure the delivery of essential services. As a result, a broad range of interpersonal skills to enable the police to communicate effectively are perhaps more crucial than ever.

Externally, frontline police engage with victims/survivors and concerned citizens of all backgrounds. This requires a strong sense of empathy, compassion, non-verbal communication and active listening together with the capacity to adapt the communication style to the needs of the different interlocutors according to their age, level of education, ability to hear and/or comprehend.

At the individual level, such skills are key to reassuring victims/survivors, calming people down, de-escalating violence, ensuring clarity when transmitting information about roles and processes (adapted to the person they are engaging with), and developing a working or collaborative relationship to address public security issues.

**“Communication involves interacting with communities, listening to their views and ideas and acting upon them in a way that improves police performance and service delivery.”**

—UK College of Policing

Institutionally, all police officers, regardless of rank need to be prepared to engage effectively with community representatives, civil society, other law enforcement representatives, and other essential service providers. During these engagements, police communications should aim to be transparent, clear on expectations and roles, consistent, solutions driven, inclusive and collaborative.

Gender bias is an inclination toward, or prejudice against, one gender versus the other(s). Gender bias, whether implicit (unconscious) or explicit (conscious) – is shaped and informed by gender-based stereotypes and attitudes that assign various characteristics, roles, and behaviours to men versus women – and this includes sexual roles and behaviours.

Within the organization, police interpersonal communications are dictated by codes of conduct, integrity frameworks (as per doctrine) and leadership expectations

in terms of command responsibility. Police managers are expected to reinforce these codes, frameworks and expectations on a daily basis and in a skillful verbal manner with their staff to ensure discipline and integrity underpins operational effectiveness and efficiency.

This should include providing clarity when a fellow police officer or a group of officers do not understand or even question national policies or institutional decisions. Addressing VAWG and other forms of GBV is a subject matter that invokes many implicit and explicit harmful biases as it is inherently connected to perceived social and cultural norms that are patriarchal and discriminative in nature.


As many police officers may not have an adequate awareness of the harm implicit and explicit bias can have on policing, it is not uncommon for them to question the relevancy and/or applicability of policies and resulting strategies pertaining to gender equality that require behavioural changes from them.

Police managers should lead by example and be prepared to identify any gender and other intersecting harmful bias<sup>1</sup> and address such questions or apprehensive attitudes when they arise by clearly communicating the frameworks, policy's, or code's objectives towards public safety, the benefits for communities and policing in general, as well as the consequences when non-compliance occurs.

It becomes essential that officer training programmes and organisational support systems (such as mentoring schemes) provide interpersonal communication skills and tools when preparing police officers for command responsibility so they are better placed to mitigate the impact from harmful biases that undermine police VAWG investigation and prevention efforts.

Such training and support systems need institutional policies and strategies to be in place and to be reinforced by committed senior leadership who are prepared to prioritize **gender-sensitive** communication skills as the

<sup>1</sup> Biases influencing attitude and behaviour are linked to various intersection factors such as gender, age, disability, ethnicity, sexual orientation, and social-economic background amongst others.



*Gender sensitivity takes into account the unique needs and perspectives of the victim/survivor, respecting her dignity and integrity and minimizing intrusion while abiding by standards for the collection of forensic evidence.*

key competency for everyday policing. This is especially important considering the number of VAWG-related incidents the police respond to daily, and that the fact that IPV is not a single time-limited event so the police will often re-engage with the same victims/survivors and perpetrators.

This is further compounded by the daily need for front-line police to communicate effectively with people from diverse backgrounds under varying and often unpredictable conditions.

Such policies and strategies need to be transformative in nature and have a clear goal of creating institutional change, so the police, as a public entity and duty bearer, becomes more gender-responsive.<sup>2</sup> Embedding gender-responsive competencies and skill sets such as gender-sensitive communication skills are central to the transformation process.

As a result, transformative policies and strategies need to be reflected in the formulation of the mission and vision of the police organisation, and subsequently in its strategic objectives at the highest levels. This will be the basis for middle managers to be able to contribute impactfully to the desired transformation, promoting gender-sensitive communication skills in the process. See Chapter 10: *'Institution Building for An Effective and Accountable Response to VAWG'* and Chapter 11: *'Challenges and Strategies to Implementing Gender-Responsive Policing'* for more discussions on creating the institutional change needed for police transformation.

<sup>2</sup> Gender-responsive criminal justice means that the laws, the criminal justice institutions, the criminal justice processes, and the criminal justice outcomes do not discriminate against anyone on the basis of gender. See: Skinnider, Eileen, 'Towards Gender-Responsive Criminal Justice: Good Practices from Southeast Asia in responding to violence against women (Thailand Institute of Justice, 2018).





Photo courtesy of UNMIT/Martine Perret (TimorLeste)

The following chapter aims to provide guidance for police managers when communicating in a gender-sensitive manner to victims/survivors of VAWG, so they feel, and act empowered to participate in a police investigation in a meaningful way.

The guidance will also address challenges facing police managers when internally promoting gender-sensitive communication skills for engagement with victims/survivors and their communities or advocates.

Communication with other justice agencies will not be covered in this chapter as this will be discussed in more detail in Chapter 8: *Coordination among Justice Agen-*

*cies'* and Chapter 12: *The Justice Continuum*. Similar to past chapters, the reader is recommended to view this chapter in association with *Essential Service 10: Communications* in Module 3: *Justice and Policing* of the ESP.

The reader is also recommended to view in association with this Chapter the UN Peace Operations Manual, Strategic Guidance Framework for International Police Peacekeeping and UNODC's Strengthening Crime Prevention and Criminal Justice Response to Violence against Women (2014).

## PEER TO PEER GUIDANCE

Effective communication is probably one of the most critical aspects of dealing with victims/survivors and witnesses of VAWG. Body language - Non-verbal communications ('NVCs'), have a key role to play in delivering either a positive or negative message to victims/survivors and 'active' listening is a skill that all those who come into contact with victims/survivors and witnesses of VAWG need to develop.

**“Police must ensure that women are provided with information that is timely, relevant, reliable, and honest. Information relayed in this way can help reduce crime. Conversely, if the community or the police do not share information, crime reduction can be adversely affected.”**

—UN Police Gender Toolkit, 2015

The effective delivery of any message depends on the words used, the tone of voice and the body language displayed. Research tells us that it is the ratio in which these three elements are communicated that has the greatest impact on what the listener absorbs from the message.

The ratio may surprise you, as a successful message is delivered when only 7% is by the words used, 38% by tone of voice and 55% by the body language. This has implications for you and your staff if you are unaware of your own body language, or if you are not demonstrating sensitivity or compassion in your tone of voice.

To enable trust and rapport to be built with a victim/survivor so she will tell her complete story, the style of communication with her will be critical. Remember she may be frightened, fearing the consequences of reporting to the police, suffering from the impact of trauma, or have specific vulnerabilities or needs. The use of language is important too, positive language identifies possibilities, choices and opportunities, whereas negative language identifies what cannot be achieved.

Active listening is a valuable skill and is supported by positive use of body language such as eye contact, nodding of the head, displaying a positive approachable posture with the victim/survivor.

This needs to be managed carefully in certain cultural contexts and if a victim/survivor is unable to maintain eye contact due to cultural norms and/or any trauma she may have suffered, or be suffering, it does not mean she is not telling the truth.

Get your staff to put themselves in the victim's/survivor's shoes. How does it make them feel when they are trying to tell somebody something that is important to them and the other person does not appear to be listening? For example, they may not be looking at them or may be distracted by something else such as a telephone call or radio message?

See Chapter 4 'Initial Contact' for further information on speaking with victims/survivors.

**“Children are not small adults. They experience events, think, speak and behave in their own manner, in a way that reflects their age and evolving capacities. If we want children to be able to participate in a meaningful manner in justice processes and to be protected from further harm, we need to adapt our language and behaviour when communicating with them.”**

—Handbook on Effective Police Responses to Violence Against Women (UNODC, 2015)

Your staff need to listen with an open mind to what a victim/survivor is saying to them and ensure any prejudices, preconceptions or judgements they may have are not conveyed to the victim/survivor in any way. **Remember they are not there to judge a victim/survivor and allowing her to talk will build her trust.** Building trust and rapport with the victim/survivor will take time, dependent on factors such as the level of trauma they may have suffered or the fear they are experiencing.

It is very important for your staff to validate what the victim/survivor has experienced, as we know victims/survivors often blame themselves for what has happened. By using a narrative that helps to take the blame away from the victim/survivor, you will also help build trust. One of the most powerful things your staff can say to a victim/survivor is 'you are not to blame for what happened.'

Your staff need to accept what the victim/survivor is saying and then gather the evidence as they would with any other crime, remembering that false reporting is actually very rare. You should focus instead on the fact that, globally, VAWG is vastly under-reported.

You need to ensure your staff meet the following basic standards:

- Choose an appropriate location to speak to the victim/survivor that ensure their privacy and confidentiality and does not exacerbate any fear or trauma they are experiencing;
- Introduce themselves and explain processes likely to take place, such as victim/survivor safety, confidentiality of information, support services if available, forensic/medical examination, etc;



### Box 1

#### Tips for Talking with Children\*

Good practice dictates that a child who has been assaulted should not be picked up or any physical contact made by the police officer/investigator. As an adult stranger, you might be adding to the trauma and could be criticized in court as exerting undue influence. It is advisable to use a room with few distractions (i.e. toys and noise), avoid strong perfume or aftershave and consider the use of anatomically correct dolls to assist with demonstration and understanding.

Moreover, as a child speaks to you while in a lower level be sure to be on the same level with the child and make horizontal eye contact (e.g. sit or go down on your knees).

Ensure you learn the child's language (ask parents) and engage with the child that way as opposed to using adult language, particularly in relation to male and female genitalia. Establish if they know right from wrong, do they know it is wrong to tell a lie? Are they going to promise to tell the truth? What makes them happy? What makes them sad...? this addresses the claim that it was play and the child instigated the activities

Avoid	Use
Long Sentences	Short sentences
Intricate sentences	Simple sentences
Lazy or irritated voice	Calm and dynamic voice
Negative sentences ('Didn't you tell someone?')	Positive sentences 'Did you tell someone?')
Questions with more than one meaning ('What did you feel then?')	Questions with only one meaning ('Were you angry then?')
Negative facial expressions or body language	Positive facial expressions or body language

\*Adapted from the [Handbook on Effective Responses to Violence Against Women and Girls](#) (UNODC, 2010)

- Allow them to provide their 'free narrative' without interruptions;
- Use open questions – who what, when, where, and how - to encourage them to provide further information following the 'free narrative.' Be very careful of asking the 'Why?' question, as a traumatized victim/survivor is likely to have asked themselves that question many times already and you could be adding to their trauma and sense of self blame.
- Initiate the risk assessment process and consider early elements of a safety plan with the victim/survivor.

**For more information on talking to children see Chapter 5: 'Investigation.'**

Once the victim/survivor has entered the justice process by making her complaint to the police, it is vital that on-going communication is maintained with her. She

must be provided with updated information as the case progresses, including the detaining of any alleged perpetrator and any release conditions or known breaches of any conditions.

She needs to know what to do and how to contact the police if she fears for her safety. Communication with the victim/survivor also needs to be maintained in order to carry out regular reviews of the risk assessment and safety plan.

**See Chapter 7 'Support and Assistance' for a good practice example of maintaining contact with victims/survivors and their families - Family Liaison Officers ('FLO')**

Ongoing contact with victims/survivors should be coordinated with other justice agencies to ensure messages are consistent. Communications between justice agencies are likely to require protocols to be in place as it



Mediation can be extremely problematic and indeed dangerous in cases of VAWG for the following reasons:

- Cases of violence against women involve unequal power relationships between the parties, based on acts of assault, violent intimidation, and/or controlling, abusive, or humiliating behaviour;
- Mediation assumes that parties approach the process with equal resources and power – which is often not the case in these situations.

may involve sharing sensitive or private information in relation to the victim/survivor.

An agreed protocol will ensure confidentiality of the information, only allowing it to be accessible to those who are directly involved with the case. Prior to sharing any information relating to the victim/survivor you will need to ensure your staff have obtained her informed consent. She will require reassurance on why the sharing of such information with justice partners is required and how it will be protected and stored. A victim/survivor-centred approach means that the victim/survivor must be kept fully informed and her views must be taken into consideration for any decisions being made on their case.

Do you have any data or information sharing protocols in place between justice partners? If not, consider requesting them to ensure the justice process in your area is more effective. Data, information or intelligence from other justice agencies could help your staff to ensure a thorough and complete investigation, thereby increasing the prospects of a successful outcome for the victim/survivor, ultimately resulting in increased trust and confidence of the police within your local community.

**For further information on coordination and protocols see Chapter 7: ‘Support and Assistance’, Chapter 8: ‘Coordination Amongst Justice Agencies’ and Chapter 12: ‘The Justice Continuum’.**

## Dealing with challenges in responding to VAWG starts with identifying the gaps in your team’s performance

As discussed in Chapter 2, explicit and implicit biases are embedded in our cultures but when it comes to policing, gender and other intersecting harmful bias, there are forms of discrimination that can easily affect the quality of essential services provided to victims/survivors of VAWG and lead to secondary forms of victimization.<sup>3</sup> This normally starts with poor communication between responding police and victims/survivors at initial contact and can continue throughout her engagement with the police and other justice actors.

The motives that drive explicit and implicit harmful bias varies from person to person, but they can both be harmful for victims/survivors of VAWG. For example, an officer who intervenes and mediates in a case of domestic or inter-family violence without making an official report may believe he or she is acting in the best interest of the victim/survivor (and their children) in the long run. However, this actually communicates the incorrect message that there is tolerance for such crimes, opening the door to the intimate partner reoffending.

In other more extreme cases, harmful bias by responding police can be more explicit leading to shaming, blaming and humiliating, even accusing the victim/survivor of false reporting or betrayal of cultural or social norms. Such poor communication skills towards victims/survivors of VAWG has lasting traumatic impacts and drives underreporting in general. Under-reporting represents a missed opportunity to:

- Identify and provide specialist support to victims, repeat victims and their families;
- Identify repeat dangerous and violent perpetrators;
- Identify repeat dangerous places and locations.

<sup>3</sup> Secondary victimization has been defined in the UN *Updated Model Strategies and Practical Measures* to be victimization that occurs not as a direct result of the act but by through the inadequate response of institutions and individuals to the victim/survivor.



Intersectionality calls on us to recognize that women's and girls' identities and social positions are uniquely shaped by several factors at the same time, creating unique experiences and perspectives.

Explicit and implicit gender biases are also manifested internally between male and female police colleagues which often results in the female police colleague changing her behaviour (such as avoiding working within certain units) to avoid confronting sexist, even misogynist language. Unchecked sexist and biased language ultimately discourage female police officers from fulfilling their professional potential and negatively influences the way the police engage female victims/survivors of violence and crime.

See Chapter 2: 'Making a Difference as a Manager and Team Leader' and Chapter 5: 'Investigation' for more information on gender bias.

### Killing of women by intimate partners or family members is rising

“Some 87,000 women and girls were intentionally killed in 2017, a decrease from 2012. The share of women killed by intimate partners or other family members, however, rose from 47 per cent of all female homicide victims in 2012 to 58 per cent in 2017, and the overall number who lost their lives to this type of homicide rose from 48,000 victims in 2012 to 50,000 in 2017. The home remains the most dangerous place for women, who continue to bear the heaviest burden of lethal victimization as a result of inequality and gender stereotypes.”

UNODC Homicide Study (2019)

In many cases, harmful bias such as gender bias is driven by a lack of understanding of issues disproportionately affecting women and girls. This can lead police officers to question, even openly challenge specific laws, policies and/or strategies that aim to increase protection for women and girls when they are disproportionately targeted for violence or crime as a result of society 'plac-

ing' their gender in a position of vulnerability. Such acts of violence disproportionately affecting women and girls includes, but not limited to, gender-related killing of women and girls (also known as 'femicide' or 'feminicide'), such as killing by an intimate partner or with an 'honor-based'<sup>4</sup> motive. Intimate partner homicide is the most observed and documented form of gender-related killing of women and girls according to the 2019 UNODC Homicide Study.<sup>5</sup>

Many police officers may feel that such laws, policies and/or strategies specifically addressing women's and girls' security needs end up discriminating against men who they see as the group disproportionately affected by crime and violence in general, especially homicide.<sup>6</sup>

When gender bias in police organizations results in a perception of being the victim of a reverse form of discrimination and this is not addressed nor informed by their superiors, negative attitudes and behaviours will impact the effectiveness and efficiency of the police work, especially when responding to VAWG and other forms of GBV.

A study by the Harvard Business Review (2016) on *Why More American Men Feel Discriminated Against* concluded that that even if men are generally privileged in society, the belief itself that they aren't is enough to create a backlash that leads them to **increase their gender group identification, experience lower self-esteem, get angry, and even lash out at the group they see as doing the oppressing.**<sup>7</sup>

Having an internal communication strategy that involves all police leadership and seeks to pre-emptively address negative perceptions of laws, policies and/or strategies promoting gender equality is a good starting

4 It is recommended that when the police respond to 'honor-based violence', they should be careful of relying on stereotyping and other discriminatory categorizations targeting individuals and communities.

5 See Global Study on Homicide (UNODC, 2019).

6 Backlash in Gender Equality and Women's and Girls' Rights. Women's Rights & Gender Equality. Policy Department for Citizens' Rights and Constitutional Affairs Directorate General for Internal Policies of the Union PE 604.955, June 2018.

7 Cassino, D., 'Why More American Men Feel Discriminated Against', *Harvard Business Review*, September 29, 2016, at: <https://hbr.org/2016/09/why-more-american-men-feel-discriminated-against>

## Box 2

“It is vital that you, as police managers, are able to effectively demonstrate personal support for preventing and tackling all forms of violence and abuse including GBV. You need to demonstrate visible leadership in that your words used in tackling such violence and abuse must be complimented by your own actions and behaviours. If you do not ‘walk the talk’ then you will not be trusted by your staff who are likely to lose confidence in you.”

—Jane Townsley, Former Chief Inspector, British Transport Police, UK and current Executive Director of the International Association of Women Police (IAWP).



point. The communication strategy should, in theory, be targeted at all levels of the organization hierarchy, including the lower levels so that there is uniformity in practice as well as accountability. Equally important, police training and education programmes should reflect and reinforce the internal communication strategy to ensure its sustainability.

Where such a communication strategy is absent in a police organization, team/unit leaders or managers can easily implement a team-level approach to resolving questions, doubts or scepticism at opportune moments, especially when behaviours such as those identified in the *Harvard Business Review* article begin to manifest.

Implementing such a communication system, whether organisation-driven or part of a team-level approach, can also be important for enforcing zero tolerance of sexual harassment and other sexist behaviour within the team.

The following is a non-exhaustive list of police shortcomings when communicating with victims/survivors of VAWG. The list is meant to provide examples inspired from an extensive global mapping of good practices and capacity gaps of police institutions when responding of VAWG. The mapping involved outreach to several serving and retired police officers, civil society and UN staff with experience working with police and non-governmental organizations specialising in addressing VAWG.

The list is meant to raise awareness of the common internal and external communication gaps in policing when responding to VAWG. The categories titles are meant to help the reader relate to a key issue of the

identified capacity gap; however, they are all applicable and/or complimentary to each point:

### Attitude

- Police who are not part of specialized units often lack sympathy or empathy for the victim/survivor. For example, they don't acknowledge the most difficult aspects of the account nor explain why these details are needed— if they are. Police managers should consider bringing in specialist officers to help enhance knowledge within their team(s);
- Verbal sexual harassment is not taken seriously enough;
- Gender equality is referred to negatively or dismissed, even characterized as a political agenda that aims to discriminate, alienate, even harm men.

### Gender Bias

- Victims/survivors are pressured not to make an official complaint on conjugal rape ('You're going to ruin his life the poor guy, it's really not a big deal, think of your children.');
- Police believe that, by giving a victim/survivor advice, this is helping them when actually they are inserting their own personal opinion by telling victims/survivors what they should do and how they should do it;<sup>8</sup>

<sup>8</sup> The police cannot know whether a personal opinion is right for the victim/survivor, so it is better to give them the information they need to make their own decisions. It also shows that you respect and trust the victim's/survivor's own opinions and judgment. See: UN Police *Gender Toolkit* (UN. Department of Peace Operations - DPO/ DPET/Integrated Training Service, 2015).

**“Some national studies show that up to 70 per cent of women have experienced physical and/or sexual violence from an intimate partner in their lifetime.”**

—UN Women Facts and Figures: Ending Violence against Women

- The most problematic rationale provided by various police officers for not issuing a warning of specific aggressors of VAWG to local communities is that it would not have changed a woman’s behaviour.<sup>9</sup>

### Secondary Victimization

- During interviews with police, victims/survivors can often be interrupted and/or stared at, assumptions are made about what she wants to say, discussions are rushed, or made to repeat her story of abuse to different people;
- Victims’/survivors’ opinions, beliefs, thoughts and emotions are often not respected (victims/survivors are told to stop crying or to calm down);
- Not enough opportunities including physical spaces are provided for the victim/survivor to fully tell her story, be listened to, and have her story accurately recorded and to be able to express her needs and concerns according to her abilities, age, intellectual maturity and evolving capacity.<sup>10</sup>

### Malpractice

- Investigative information identifying VAWG serious crimes trends are often not shared with officers at the community level who engage local women and girls.<sup>11</sup>

9 Inspired from The Honourable Wally T. Oppal, ‘FORSAKEN. The Report of the Missing Women Commission of Inquiry VOLUME IIB Nobodies: How and Why We Failed the Missing and Murdered Women Part 3, 4 and 5 (2012)’ at: [https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/about-bc-justice-system/inquiries/forsaken-vol\\_2b.pdf](https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/about-bc-justice-system/inquiries/forsaken-vol_2b.pdf)

10 Women and girls must have the opportunity to tell their story, be listened to, have their story accurately recorded and to be able to express their needs and concerns according to their abilities, age, intellectual maturity and evolving capacity.

11 See n. 9.

Consider asking local analysts/specialists to share VAWG crime trends;

- In cases of missing women and girls, internal communication failures contribute to delays in properly assessing the linkages between the cases. This type of linkage blindness is common in multi-jurisdictional cases.<sup>12</sup>

### Discrimination

- Sexist language is often tolerated on duty, even encouraged in the presence of women and girls.

### Training and education gaps

- Police who are not part of specialized units often lack empathy. For example, they don’t know when to stop asking certain questions or change the topic;
- Police do not pay enough attention to their own or the victim’s/survivor’s non-verbal communication;
- During interviews, clear simple language is not utilized enough, and efforts not made to clarify any unfamiliar terms.
- Police do not pay enough attention or are not trained to identify and address the challenges/barriers victims/survivors may face in understanding staff’s instructions/questions and answering them, and that they need to adapt their communication needs accordingly;
- Police are not as forthright as they should be when it comes to sharing information with women and other community members about the investigations of serious crimes linked to VAWG; Notwithstanding, investigators need to hold back some information in order to advance the investigation. However, consideration must be given to the appropriate balance between the twin goals of catching the perpetrator and preventing another woman from being a victim/survivor of a serious crime.<sup>13</sup>

As a veteran with over thirty years of experience with the Police in Scotland, retired Chief Inspector Graham

12 Ibid.

13 Ibid.

Goulden observed a culture of men, including colleagues, not speaking out when they observed behaviour inappropriate behaviour towards women or girls. Often, when interviewing people who had witnessed abuse and violence, Graham was met with the words, 'I knew something was going to happen.' As a result, retired Chief Inspector Graham Goulden designed initiatives to develop approaches, such as the 'bystander approach',<sup>14</sup> as well as programmes that help create conditions where good people can take positive action when faced with challenging situations. See Box 3 for information on the *Bystander Approach* by retired Chief Inspector Graham Goulden.

## DEFINITION AND FRAMEWORKS

Communication is a key theme throughout the justice continuum. The ESP states that for the victim/survivor, the provision of essential services starts by listening to her and comprehending her changing justice needs so they can be addressed effectively.

Providing clear and accessible information in an empathetic, unbiased and inclusive manner can empower the victim/survivor to make informed decisions regarding her engagement with the justice system. This includes reassuring her that confidentiality and privacy are priorities when sharing information and communicating with various justice service agencies and non-justice sectors.

A principled and victim/survivor-centered culture of communication between victim/survivors and the police can contribute to the minimization of the risks victim/survivors face when seeking justice.<sup>15</sup>

In helping police organizations better communicate with victims/survivors of crime and violence, the UN has recommended that the principles prescribed in the *Dec-*

<sup>14</sup> For more information on the 'Bystander Approach' by retired Chief Inspector Graham Goulden and current Director of *Cultivating Minds UK* see: [www.grahamgoulden.com](http://www.grahamgoulden.com)

<sup>15</sup> Essential services package for women and girls subject to violence : Core Elements and Quality Guidelines (United Nations Joint Global Programme on Essential Services for Women and Girls Subject to Violence, 2015).



Effective communication builds trust, creates transparency and fosters an atmosphere of mutual respect and empathy, be it in the office, on the streets or in the courtroom.

*laration of Basic Principles of Justice for Victims of Crime and Abuse of Power* (1985) be promoted and respected by law enforcement.

To help in this process, UNODC provide numerous tools for police organizations when seeking to communicate with victims/survivors in a gender-sensitive manner. For example, in terms of communicating with victims/survivors during interviews, see the 2010 *Handbook on Effective Police Responses to Violence against Women*<sup>16</sup> and the 2014 *Handbook on Effective Prosecution Responses to Violence against Women and Girls*.<sup>17</sup>

In terms of communicating with child victims/survivors of VAWG, the joint UNODC-UNICEF manual *Training Programme on the Treatment of Child Victims and Child Witnesses of Crime for Law Enforcement Officials* (2015)<sup>18</sup> provides clear guidance for law enforcement in operationalizing the *Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power* when engaging child victims of crime and violence. It also provides awareness of the complementing *Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime*.<sup>19</sup>

This manual and set of guidelines are very useful as they provide clear definitions of victims and child victims according to international standards (see Table 1 below). This clarity allows for law enforcement agencies and police organizations to understand with who they are engaging, and therefore how they should structure their communication with them.

<sup>16</sup> See section on victim interviews and statements in the 'Handbook on Effective Police Responses to Violence against Women' (UNODC, 2010).

<sup>17</sup> See section on updated guidance on interviewing victims in the 'Handbook on Effective Prosecution Responses to Violence against Women and Girls' (UNODC, UN Women, 2014).

<sup>18</sup> UNODC Training Programme on the Treatment of Child Victims and Child Witnesses of Crime for Law Enforcement Officials (2015).

<sup>19</sup> The United Nations Economic and Social Council adopted in its resolution 2005/20 of 22 July 2005 the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime.



### Box 3

#### What is a Bystander Approach to Prevention?

Traditionally, approaches to violence and abuse focuses on the acts of perpetrators and victims/survivors. A bystander approach firstly removes this binary approach identifying individuals as friends, classmates, neighbours, team-mates, work colleagues or family members with a role in the prevention of abuse being committed against/ or by others.

In relation to VAWG, this approach for violence prevention focuses on boys and men, not as perpetrators or potential perpetrators, but as empowered bystanders who can confront abusive peers and support abused ones. Likewise, the model focuses on girls and women, not as victims or potential targets of harassment, rape, and abuse, but as empowered bystanders who can support abused peers and confront abusive ones. Sessions will, without judgement, force a form of 'self-inspection' helping individuals reflect on their own behaviours.

The goal of this approach is not simply to teach people how to intervene at the scene of an assault. It is a strategy to change social norms in peer cultures at all levels. To do this, the approach encourages people to speak out in the face of abusive behaviour before, during, or after an incident. This helps to create a peer culture where sexist abuse and other abusive behaviour is seen as wrong and unacceptable. For boys and men in particular, this abuse comes to be seen as a transgression against - rather than an enactment of - the social norms of masculinity.

The educational philosophy in the approach is rooted in the basic social justice teaching that everyone has a role to play in challenging and changing social norms that contribute to abusive behaviours, especially members of dominant or privileged groups. The philosophy also recognises the rights that individuals are entitled to expect within society.

The approach supports discussions around healthy norms that exist in our society. Simply providing the opportunity for discussion will enable individuals to identify that others in their peer network more often than not share their healthy attitudes and viewpoints. The prevention of abuse is the responsibility of us all.

The approach is particularly useful in engaging boys and men in the prevention of violence providing them with a structured discussion that gains permission from other men to act. Boys and men are provided with an opportunity to rehearse and practice intervention in an environment where they receive peer support and encouragement from other men.

An additional goal is to help people move from being passive bystanders to being empowered and active ones, and thus contribute to a change in the social acceptability of harassment, abuse or violence.

See [www.mvpstrat.com](http://www.mvpstrat.com) for links to the website of Dr Jackson Katz. The Mentors in Violence Prevention ('MVP') Programme is a world leading evidence-based bystander programme that follows the above description of a bystander programme. It is being successfully used in the United States, the United Kingdom and in Sweden.

The MVP programme is used in School and University settings to help prevent VAWG, as well as other forms of violence in these, and other, settings.



For example, if a young girl is believed to be a victim/survivor of sexual abuse, it is common for them to undergo a forensic interview ideally with a professional who has received specialized training in interviewing children.

The common message promoted by these two UN-sanctioned documents mentioned above is that victims/survivors should be treated with compassion and respect for their dignity. They are entitled to access the mechanisms of justice and to prompt redress, as provided for by national legislation, for the harm that they have suffered.<sup>20</sup>

Table 1:

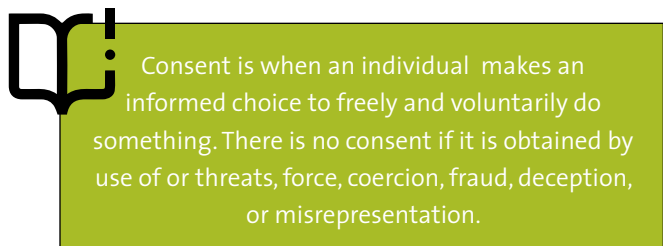
**Definition of Victims as per the UN guidance**

<b>According to the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (1985) ‘victims’ are:</b>	<b>According to the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime (2005) ‘Child victims and witnesses’ are:</b>
<p>Persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of criminal laws operative within Member States, including those laws proscribing criminal abuse of power.</p> <p>A person may be considered a victim under this Declaration, regardless of whether the perpetrator is identified, apprehended, prosecuted or convicted and regardless of the familial relationship between the perpetrator and the victim.</p> <p>The term “victim” also includes, where appropriate, the immediate family or dependants of the direct victim and persons who have suffered harm in intervening to assist victims in distress or to prevent victimization.</p>	<p>Under the age of 18, who are victims of crime or witnesses of crime regardless of their role in the offence or in the prosecution of the alleged offender or groups of offenders.</p>

A key element to ensuring compassion and respect for the dignity of victims/survivors of VAWG is to communicate how their centrality of the process will enable a more effective service provision. A consistent practice of genuinely seeking **consent** from the victim/survivor will play a key role in placing the victim/survivor at the heart of the investigation and will make her feel respected and meaningfully involved.

It’s important for police responders to acts of VAWG to understand that by taking away the victim’s/survivor’s power of consent it places her in the direct path of being subject to secondary victimization. It is also worth noting that the removal of her power of consent probably played a large factor in the violence to which she was initially subjected.

Understanding how ensuring consent plays a key role in communicating respect for human dignity, inclusiveness and transparency is fundamental in policing.<sup>21</sup>



Consent is when an individual makes an informed choice to freely and voluntarily do something. There is no consent if it is obtained by use of or threats, force, coercion, fraud, deception, or misrepresentation.

<sup>20</sup> See n. 18.

<sup>21</sup> See ‘Community-Oriented Policing in United Nations Peace Operations Manual. Strategic Guidance Framework for International Police peacekeeping’ (UN Department of Peacekeeping Operations Department of Field Support, 2018).

**“Victims have a right to information. The victim should receive appropriate information and updates on their case to allow informed decision-making and risk assessment. By involving the victim in decision-making, they become empowered and in control of their own lives.”**

—UN Police Gender Toolkit, 2015

It is also equally important for the police to have absolute clarity when the lack of consent is a precursor

to sexual violence and sex-based crimes. **Sexual violence is any sexual activity where consent is not freely given.** This should apply in all circumstances, including between a married couple. Consensual sexual relations are both people agreeing to what’s happening by choice and having the freedom and ability to make that choice.<sup>22</sup>

UN Women provides a very useful set of guidelines (Box 4) for understanding what consent in sexual relationship looks and sounds like:

**Box 4**

**UN Women: When it comes to consent, there are no blurred lines<sup>23</sup>**

<b>Enthusiastic</b>	<ul style="list-style-type: none"> <li>• Consent comes from a place of enthusiasm. Rather than looking for a ‘no,’ make sure there’s an active ‘yes.’</li> <li>• If your partner agrees but seems worried or unsure, they are not consenting.</li> <li>• ‘No,’ or ‘I don’t know,’ and silence are not consent.</li> </ul>
<b>Given freely</b>	<ul style="list-style-type: none"> <li>• Consent must be given without pressure. It’s not okay to trick, coerce or threaten someone into saying yes.</li> <li>• You can’t give consent if you’re unconscious or in an altered mental state such as being drunk or high.</li> </ul>
<b>Informed</b>	<ul style="list-style-type: none"> <li>• You can only consent to something if you have all the facts. For example, if a partner says they will use protection during sex, but they do not, that is not consensual sex.</li> <li>• Consent cannot be free and full if any parties involved are under-age. Therefore, child marriage is a non-consensual act.</li> </ul>
<b>Specific</b>	<ul style="list-style-type: none"> <li>• Consent allows for specificity.</li> <li>• You are entitled to consent to one thing and not another. You can consent to kissing or touching one day and not the next. What you agree to is up to you, and it is allowed to change.</li> </ul>
<b>Reversible</b>	<ul style="list-style-type: none"> <li>• Consent can be revoked. You can change your mind at any time. And consent is important even among couples who have had sex before.</li> </ul>

By having a strong understanding as to what does and what does not constitute consent in sexual relations, the police will be in a stronger position to communicate effectively with victims/survivors of alleged sexual violence. More specifically, it will help the police have the sensitivity to be able to identify the probability of a non-consensual sexual act committed against a person without having to be over invasive during an interview. This will help to mitigate the negative experience vic-

tims/survivors are faced with (secondary victimization) when making a formal complaint.

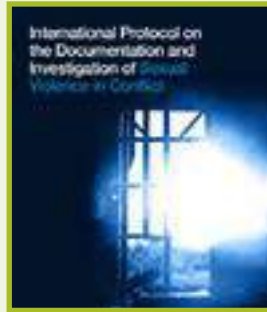
*The International Protocol on the Documentation and Investigation of Sexual Violence in Conflict: Best Practice on the Documentation of Sexual Violence as a Crime or Violation of International Law* (2017) provides further examples of good practice involving victim sensitive communication (see Box 5):

<sup>22</sup> ‘What is rape and sexual assault?’ Metropolitan Police UK, at: <https://www.met.police.uk/advice/advice-and-information/rsa/rape-and-sexual-assault/what-is-rape-and-sexual-assault/>

<sup>23</sup> ‘When it comes to consent, there are no blurred lines’, UN Women, November 18, 2019 <https://www.unwomen.org/en/news/stories/2019/11/feature-consent-no-blurred-lines>

### Box 5

#### Communications Dos and Don'ts<sup>24</sup>

Do	Do Not
<ul style="list-style-type: none"><li>• Give your full attention to the interviewee and show this by using an active listening posture: keep respectful eye contact, nod or say 'Mmm hmm' to maintain rapport and encourage the victim/witness to keep talking;</li><li>• Allow the victim/witness to talk freely without interruption;</li><li>• Keep calm and do not allow your own emotions to intrude on the interview process; allow the victim to control the pace of the disclosure and the extent of what is disclosed;</li><li>• Be comforting and supportive and provide reassurance;</li><li>• Frame clear simple open-ended questions; ask one question at a time;</li><li>• Use clear simple language and make sure to clarify any unfamiliar terms;</li><li>• Acknowledge the most difficult aspects of the account and explain why these details are needed—if they are;</li><li>• Pay attention to non-verbal communication; know when to stop asking certain questions or change topic;</li><li>• Respect the victim/witness's opinions, beliefs, thoughts and emotions—don't tell her/him to stop crying or to calm down.</li></ul>	<ul style="list-style-type: none"><li>• Interrupt the victim/witness;</li><li>• Press on and repeat questions over and over again;</li><li>• Make the victim/witness repeat her/his story of abuse to different people;</li><li>• Become angry or force the victims/witness to speak;</li><li>• Stare at the victim/witness;</li><li>• Express disbelief, disgust, disapprobation, exasperation or shock;</li><li>• Assume you know what the victim/witness wants to say;</li><li>• Rush the interview or the closing phase of the interview.</li></ul> 

### Key Managerial Competencies for Communicating Effectively When Responding to VAWG

As discussed above, interpersonal skills are necessary to effectively communicate with victims/survivors, fellow officers, subordinates, ranking superiors, community members, other departments and jurisdictions, and the court systems are critical for effective policing. According to the UK College of Policing communication involves interacting with communities, listening to their views and ideas and acting upon

them in a way that improves police performance and service delivery.<sup>25</sup>

Similar to past chapters, the competencies have been inspired by UN documents such as UNPOL Gender Toolkit (2015), good practices in building police-public partnerships by the Organization for Security and Co-operation in Europe (OSCE), the Strategic Guidance

**“Effective communication shapes service delivery towards the needs of the public. The various ways the police communicate should be proportionate to the needs and requirements of the different communities they serve.”**

—UK College of Policing

<sup>24</sup> See Box 1 in Chapter 11 ‘Interviewing’ of the [International Protocol on the Documentation and Investigation of Sexual Violence in Conflict. Best Practice on the Documentation of Sexual Violence as a Crime or Violation of International Law](#) 2nd Edition: Sara Ferro Ribeiro and Danaé van der Straten Ponthoz on behalf of the UK Foreign & Commonwealth Office, March 2017.

<sup>25</sup> Communication: Engagement and communication. UK College of Policing, at: <https://www.app.college.police.uk/app-content/engagement-and-communication/communications/>

Framework for International Police Peacekeeping (SGF)<sup>26</sup> and the Guidelines for Integrating Gender-based Violence Interventions in Humanitarian Action (2015).<sup>27</sup>

The following is a non-exhaustive list of key performance competencies police managers can refer to when seeking to ensure responding staff empower victims/survivors of VAWG by communicating and listening in manner that ensures a sense of safety, captures her changing justice needs, enables a relationship based on confidentiality and privacy. Managers should ensure responding officers are able to:

**“All communication strategies must adhere to standards of confidentiality and data protection when using stories, images or photographs of survivors for advocacy purposes.”**

—UN Police Gender Toolkit 2015

#### **Availability & accessibility (from the perspective of governance, oversight and accountability)**

- Ensure regular reporting on VAWG communications and reports to local stakeholders including those being supported in humanitarian situations using multiple formats and languages to ensure accessibility (e.g. braille; large print; sign language; easy to read language, simplified messaging such as pictograms and pictures; etc.).

#### **Effective communication and participation by stakeholders in design, implementation and assessment of services:**

- Sustain effective communication with women and children’s groups with the goal of building and maintaining trust. This should include spending time with such groups and their immediate communities, regular foot patrols, regular meetings, seeking feedback,

26 The Strategic Guidance Framework for International Police Peacekeeping (SGF) aims to enhance the effectiveness of UN police peacekeeping through more consistent, harmonised approaches to the provision of public safety, police reform and support to host-State police services.

27 Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action: Reducing risk, promoting resilience and aiding recovery (Inter-Agency Standing Committee, 2015).

conducting surveys, hosting community forums, obtaining high ranking support, and tailored responses;

- Identify and respond to your role in communication campaigns to inform affected populations about VAWG trends and responses.

#### **Adaptability**

- Understand and pay attention to body language, avoiding distractions such as noise, setting aside any prejudices and one’s own judgement on the issue, asking questions only to clarify information after she has narrated her full story, and paraphrasing or restating to check if the information was correctly understood;<sup>28</sup>
- Understand and adapt as community members react differently to male and female police officers, especially depending on the types of crimes they have suffered;
- Understand and adapt communication dynamics in community forums or similar so all voices are heard. This includes being aware that in large gatherings only people from particular groups may speak, while others, particularly vulnerable groups, such as women and children, may remain silent. Different approaches depending on the environment may be required.<sup>29</sup>

**“When the police give women advice about keeping safe, there is a need to make sure that it is couched in a way that does not suggest that they are to blame”**

—Misogyny Hate Crime Evaluation Report funded by the Office of Nottinghamshire Police and Crime Commissioner (2018)

#### **Appropriateness**

- Actively listen. This means focusing on the speaker and trying to understand her experience before interpreting and evaluating what is being said.<sup>30</sup> Interpreting what a person says rather than listening and understanding

28 UN Police Gender Toolkit 2015. UN. Department of Peace Operations - DPO/ DPET/Integrated Training Service, at:<http://repository.un.org/handle/11176/387374>

29 Ibid.

30 Ibid.

can be counterproductive as it is likely the listener will ‘interpret’ based on their own prejudices/experiences.

- Share information with children in a way they understand, particularly child-friendly versions of referral pathways and other key information;
- Engage (separately when necessary) local women, girls, men and boys in the development of messages

and in strategies for their dissemination so they are age, gender, and culturally appropriate;

- Show empathy towards victims/survivors and community members, particularly those often marginalised socially. In the case of victims/survivors, empathetic treatment will put them at greater ease and enable investigators to reconstruct the situation that led to the traumatic event.

#### Box 6

#### Dos and Don'ts for Engaging Victims/Survivors of VAWG with Disabilities<sup>31</sup>

DON'T	DO
Don't talk with the interpreter or through their support staff, other caregiver, or family members.	Talk directly with the person by watching them in the face, even if the person has visual impairments.
Don't touch the mobility equipment of the person without asking first for permission.	Each time when talking with a person with visual impairment, present first yourself (i.e. "officer X is speaking").
Don't underestimate a person with a disability's communication skills. A person with a hearing impairment can also communicate effectively with a pen/pencil and a paper.	When it comes to a person with hearing and communications impairments, ask if the person has a sign-language interpreter whom she/he trusts and would like to be involved.
Refer to the person as a 'disabled'. Don't use phrases "people like you" or other types of phrases which could infer that you categorize the person as from another category.	Refer to the person by their name.
Display impatience.	Be understanding of other people's needs.
Ask negative questions like "What's wrong with you?" or "Have you always been like that?"	Ask positive questions such as "Do you face any difficulties with different activities?" or "Do you need any accommodations to fully participate?"
Assume all persons with disabilities cannot shake hands.	Offer your hand to shake. You can ask first if it is okay, or to inform someone with low vision that cannot see your hand.
Assume all persons with disabilities need help, and that you know how to help.	Ask if a person would like assistance with something, and how you can help.

### Prioritize safety-risk assessment and safety planning

- Raise awareness within different communities about general safety and VAWG risk reduction;
- Establish and maintain various channels of communication with victims/survivors until the case is concluded and her wellbeing is secured;

### Linking with other sectors and agencies through referral and coordination

- Incorporate basic VAWG prevention messages into sector-specific community outreach and awareness-raising activities;

<sup>31</sup> Inspired by Elena Ratoi, UN Women Programme Manager in Moldova and Humanity and Inclusion <https://www.hi-us.org/>



- Ensure awareness-raising includes information on prevention, victim/survivor rights (including confidentiality at the service delivery and community levels), where to report risk and how to access care for VAWG;
- Encourage local men and boys to actively engage in discussions about speaking up against VAWG.

#### Data collection and information management

- Seek and incorporate feedback from women police officers and women in the community if the VAWG police actions proposed are what the police are expected to do;
- Collect and keep updated information on local VAWG response capacities and referral pathways and share this proactively with key stakeholders so that they can refer any victim/survivors to the appropriate channels for support/response.

#### Informed consent and confidentiality

- Enforce information-sharing standards that promote confidentiality and ensure anonymity of victims/survivors. This includes in the early stages of an emergency when services may be limited.

## REFERENCE INDICATORS FOR THE POLICE PROVIDING ESSENTIAL SERVICES: COMMUNICATION

The ESP recommends as core elements of communication for information to be simple and accessible about justice and policing services. In this regard, police communications should have a clear objective of promoting the dignity and respect of the victim/survivor. This should include ongoing police communication with the victim/survivor as well as regular and effective communication with their partners in the justice continuum.

To underpin these core elements, the ESP proposes that all justice and support services for victims and survivors share a range of common characteristics and common activities to ensure maximum impact. These common



Photo courtesy of UN Photo/Martine Perret (Timor Leste)

characteristics and common activities are listed in the Chapter 2: *'Making a Difference as a Manager and Team Leader.'*

As a means to help understand how the ESP's common characteristics and common activities can be incorporated into local communication strategies for responding to VAWG so they empower victims/survivors of VAWG throughout the justice continuum, the Handbook proposes examples of indicators police managers can reference if they exist but also encourage their inclusion with senior levels when they don't:

- **Availability and accessibility:** Percentage of the local population who are satisfied with the information made available by the police on the role the police have in providing essential services to victims/survivors of VAWG. Any survey should proactively seek to include groups normally marginalized or of greater risk from violence to ensure that any information communicated to them is both comprehensible and inclusive. An important source of information to consider in this indicator are citizen complaints that identifies police interpersonal communication as problematic.
- **Adaptability and accessibility:** Percentage of responding local police staff who are satisfied with the relevancy and timeliness of the information communicated to them before attending a case of family violence or IPV. For the police to respond appropriately to family violence incidents, it is essential that the responding officers are aware of any cultural issues, specific needs or previous police attendance at that address



Photo courtesy of UNAMID/Albert González Farran (Darfur region, Sudan)

for family violence, and whether the offender may be violent.<sup>32</sup> In terms of measuring performance, regular monitoring of the adequacy of information provided to patrol officers by communications areas is necessary. This collection of performance data should be collected regularly from responding officers by unit or section managers in coordination with investigating

case managers. It can be included as ‘remarks’ or as recommendations in case file reports. The information should then feed into the performance quality control of coordination mechanisms and pathways both internally and externally with other essential service providers including other law enforcement agencies.



Name the ethnicity as people consider themselves (i.e., in case of Roma people, in some languages there is another term to define this ethnic group, like “gypsy”, “tsygan”, which Roma people consider discriminatory and is recommended to be avoided)

<sup>32</sup> Internal police communications need to identify and provide patrol officers with key information quickly and accurately. Improving performance in this area will increase the actual and perceived safety of officers entering family violence situations as well as better prepare them in the case of any mental or physical disabilities or other special needs. See: ‘Measuring police performance in domestic and family violence (2008)’, Kiah Rollings and Natalie Taylor for *Trends & issues in Crime and Criminal Justice* No. 367 December 2008., Australian Institute of Criminology.

- **Appropriateness:** Number of complaints against responding police officers for misconduct in cases of VAWG, rate at which complaints are sustained, proportion of officers disciplined in relation to such complaints. Developing the evidence base is the starting point when seeking improvement for service delivery that is agreeable to victims/survivors. By empirically demonstrating where the police need to improve and build on good practices with regard to effective interpersonal communication towards the female population, police managers can steer their responding staff members towards empowering victims/survivors rather than subjecting them to secondary victimization.
- **Prioritize safety:** Percentage or ratio of updated VAWG case files (updated within past two weeks) versus cas-



In case person doesn't speak the language, ask before assigning a translator.

es depending on further information (longer than 2 weeks). Having this information allows managers to identify the quantity of cases of VAWG that may not be providing ongoing communication with the victim/survivor. A more rigorous examination of these cases deemed not up to date should establish the extent to which the victim/survivor may be at significant risk for continuing violence by the perpetrator; has been informed whether the suspect in the case has been apprehended; has escaped; is being considered for release; or has been released and is on bail or parole, and if the victim/survivor has the communication means or ability to access required support services. Data should also be required on a monthly, quarterly and yearly basis to enable comparisons to be made.

- **Informed consent and confidentiality and accessibility:** Percentage of police stations that have a process in place to provide police reports to victim/survivors and/or their legal team to facilitate action in related legal matters. These processes should base their services on a code of ethics for the exchange of information (in accordance with existing legislation), including what information can be shared, how it will be shared, how it should be stored securely and who it can be shared with. Emphasis should place high importance on compliance with consent and confidentiality by the police and other essential service providers.

- **Effective communication and participation by stakeholders in design, implementation and assessment of services & Linking with other sectors and agencies through coordination:** Number/per year of joint training for multi-agency coordination processes involving local police staff on effectively sharing information amongst justice service providers. Police staff should be trained to properly share information within privacy and confidentiality requirements, ensure informed consent for disclosure of information is sought from the victim/survivor and/or parents/guardians and legal representative, wherever possible, and to respect protocols and referral processes/pathways that promote timely and efficient flow of information amongst justice service providers.
- **Data collection and information management:** Public feedback survey required as part of the VAWG case management process. Experience from UK policing provides that the police need to do more to seek feedback from victims/survivors of domestic abuse. According to a government-sponsored study the police response to domestic violence in the UK, if (police) forces are to understand the reasons why some victims are reluctant to engage with them they must make a concerted effort to get feedback from them so they can act to meet the needs of victims and highlight areas where they need to improve.<sup>33</sup>

<sup>33</sup> The Police Response to Domestic Abuse: An update report, Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS), February 2019.

## CASE STUDY

# NOTTINGHAMSHIRE POLICE TREATING VIOLENT BEHAVIOUR TOWARDS WOMEN AS HATE CRIMES



In 2016, Nottinghamshire Police became the first police force in the United Kingdom (UK) to allow women and girls to report cases of misogyny, offer support to victims/survivors and investigate alleged perpetrators. Treated as a pilot for the rest of the UK, Nottinghamshire Police treated misogynistic acts towards women and girls as hate crimes with an external evaluation of the progress made released in 2018.

According to the policy, *Misogyny Hate Crime* is defined as “incidents against women that are motivated by the attitude of men towards women and includes behaviour targeted at women by men simply because they are women.”<sup>34</sup>

In the UK law, a hate crime is a range of criminal behaviour where the perpetrator is motivated by hostility or demonstrates hostility towards the victim’s disability, race, religion, sexual orientation or transgender identity.<sup>35</sup> The UK Crown Prosecution Service adds that a hate crime can include verbal abuse, intimidation, threats, harassment, assault and bullying, as well as damage to property. Moreover, the perpetrator can also be a friend, carer or acquaintance who exploits their relationship with the victim/survivor for financial gain or some other criminal purpose.<sup>36</sup>

Police forces in England, Wales and Northern Ireland annually monitor five strands of hate crime: disability, gender identity, race, ethnicity or nationality, religion,

**“What women face, often on a daily basis, is absolutely unacceptable and can be extremely distressing. It’s a very important aspect of the overall hate crime work being conducted and one that will make Nottinghamshire a safer place for all women.”**

—Nottinghamshire Police’s chief constable Sue Fish (Retired)

faith or belief, and sexual orientation.<sup>37</sup> According to the Metropolitan Police, evidence of the hate element is not a requirement. Victims do not need to personally perceive the incident to be hate related as it would be enough if another person, a witness or even a police officer thought that the incident was hate related.<sup>38</sup>

It is important to note that the Nottinghamshire Police policy on Misogyny Hate Crime does not change nor add to any existing laws, as it aligns within the hate crimes definition prescribed already under UK law.<sup>39</sup>

The added feature of the Nottinghamshire Police policy is that alleged victims of *Misogyny Hate Crime* can report incidents which might not be considered to be a crime under UK law and the police will investigate. Nottinghamshire Police are required to examine if and how a victim/survivor can be supported or if anything can be done to help prevent them being targeted again.<sup>40</sup>

This was particularly important for developing awareness and encouraging women and girls to report

34 Nottinghamshire Police records misogyny as a hate crime. BBC <https://www.bbc.com/news/uk-england-nottinghamshire-36775398>

35 This common definition was agreed in 2007 by the police, Crown Prosecution Service, Prison Service (now the National Offender Management Service) and other agencies that make up the criminal justice system. See: Hate Crime, England and Wales, 2017/18 Statistical Bulletin 20/18 16 October 2018. Home Office Crime and Policing Statistics.

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40 Nottinghamshire Police records misogyny as a hate crime, at: <https://www.bbc.com/news/uk-england-nottinghamshire-36775398>

## Box 7

### **Misogyny Hate Crime Behaviour**

As part of this policy, behaviours that Nottinghamshire Police had distinguished to be a Misogyny Hate Crime, were as follows:

- Whistling
- Leering
- Groping
- Sexual assault
- Being followed home
- Taking unwanted photos on mobiles
- Upskirting
- Sexually explicit language
- Threatening/aggressive/intimidating behaviour
- Indecent exposure
- Unwanted sexual advances
- Online abuse

\*In UK law, 'Upskirting' typically involves offenders taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks.

aggressive behaviour they did not they didn't always see as criminal in nature e.g. harassment (Section 4 or 5 Public Order Act, indecent assault). Crime is underreported by many women (especially violent and sexual crime) in general and one anticipated benefit was to improve women's confidence in policing and that reporting rates would improve.

This shift in strategy in addressing misogynist acts by the Nottinghamshire Police will impact women's perceptions of what they can report. In the UK, police forces can include their own definition of a hate crime with several recently adding sub-sections.<sup>41</sup>

As a result, recording misogyny as a hate crime will provide the police a more detailed picture of how often, when and where it is happening. It also sends a very strong message that the police will take act of misogyny seriously thereby giving women and girls the confidence to come forward and report offences. Interestingly, domestic abuse was not recorded as a misogyny hate crime under the introduced policing because it has its own procedure.<sup>42</sup>

Moreover, as based on the Nottinghamshire expe-

<sup>41</sup> Nottinghamshire Police records misogyny as a hate crime, at: <https://www.bbc.com/news/uk-england-nottinghamshire-36775398>

<sup>42</sup> This was following extensive consultation with local stakeholders addressing domestic violence and the decision reflecting their views. Also see Nottinghamshire Police records misogyny as a hate crime, at: <https://www.bbc.com/news/uk-england-nottinghamshire-36775398>

rience, the police who have typically little personal understanding of hate crime demonstrated a greater understanding of the experiences of women and girls in relation to misogynist behaviour. As a result, there appeared to be greater compassion and empathy for victims of all types of hate crime and immediately after the training programme the satisfaction of victims of hate crime improved especially with the empathy of the officer and being believed.<sup>43</sup>

### **Good Practice: Public Evaluation of the Misogyny as a Hate Crime Police Policy**

In 2018, an evaluation commissioned by Nottingham Women's Centre and funded by the Office of Nottinghamshire Police and Crime Commissioner was conducted with the results showing a high public opinion of the policy. The evaluation reported that over 87 per cent of people surveyed thought a policy change was a good idea.<sup>44</sup>

Despite the policy's positive feedback from the public, the Nottingham Women's Centre and other non-government partners involved in the pilot were subject to social online media abuse, both nationally and internationally, that ranged from disapproval and threatening insults of misogyny.

<sup>43</sup> Personal observation by Nottinghamshire Police's then Chief constable Susannah Fish (2020)

<sup>44</sup> Overwhelming public support for Misogyny Hate Crime Policy (2018), University of Nottingham.



Since the start of the pilot, several other police forces in the UK have introduced similar policies. However, Nottinghamshire Police's chief constable advised that any similar future work should include built-in strategies from the beginning to provide support in dealing with online abuse such those that targeted members of the Nottingham Women's Centre.

Further recommendations for operationalising the *Misogyny Hate Crime* policy can be found in the external evaluation<sup>45</sup> of the policy's implementation funded by the Office of Nottinghamshire Police and Crime Commissioner.

**“We take all reports of hate crime extremely seriously and it's great to hear that the focus on this particular strand of hate crime since 2016 by the force and partners has given women the confidence to report incidents. Our aim is not to criminalise people or increase prosecutions but about making it clear that behaviour which intimidates, threatens, humiliates or targets women is completely unacceptable.**

**However, we will of course seek prosecutions where these are appropriate. As the report shows, the vast majority of men are rightly appalled by this behaviour and it's fantastic to be able to offer a victim's perspective to educate and stop women being subject to hate crime due to their gender.”**

—Rachel Barber, Deputy Chief Constable of Nottinghamshire Police and the force's strategic lead for hate crime

## Recommendations for Improving Police Effectiveness

The recommendations targeted future *Misogyny Hate Crime* training for the police with many of them focusing on how best to communicate the policy internally to get buy in from officers from the start in an effort to prevent potential resistance. They include:

<sup>45</sup> Misogyny Hate Crime Evaluation Report for Nottingham Women's Centre Funded by the Office of Nottinghamshire Police and Crime Commissioner. Mullany, L. and Trickett, L. June 2018, at: <http://www.nottinghamwomenscentre.com/wp-content/uploads/2018/07/Misogyny-Hate-Crime-Evaluation-Report-June-2018.pdf>

- Training in the form of workshops with input from victims/survivors and external agencies. In the evaluation survey with the police, police officers expressed dissatisfaction with hate crime training (in general) and often criticized both the content and format of training, in particular, online training. Participating police expressed they preferred human input with input from victims and external agencies;<sup>46</sup>
- Behaviours covered in the policy needs to be explained as not being new and are largely already covered by criminal offences. Rather, the policy is really aiming to improve the recording and responses to crimes and incidents which are not currently being reported;
- Clearly explain that one purpose of policy is to record some incidents in order to reassure the public, support victims/survivors and improve intelligence gathering;
- A refresher course on hate crime more generally should take place, emphasising that it is wider than hate, and about prejudicial targeting based on personal characteristics often involving assertions of power;
- Emphasis that hate crime includes the recording of incidents and that the misogyny policy follows this format. There was too much emphasis from officers on the misogyny policy not really being about hate crime – so an emphasis on why these behaviours are indicative of contempt for women and may also involve expressions of hostility is important;
- Ensure the police are trained to see the importance of the policy for women in wider society, how it has a negative impact on them and infringes on their basic rights, including their everyday health and well-being, and not simply view it through a policing lens (in terms of what it means for workloads etc.);
- The policy needs to be described and understood as a multiple gendered experience that is intersectional, emphasising different experiences for different

<sup>46</sup> Training for Nottinghamshire Police followed best practice with in-person training and included the use of videos and women sharing testimony in person, so allowing for a debate and greater insight on matter of great complexity or sensitivity.



groups. This can be delivered through a variety of different training media (films, videos, social media etc.);

- Avoid a focus on single individual experiences to move away from accusations of a personal 'crusade' and instead focus on multiple experiences of different intersectional groups of women and girls;
- A wider debate about gendered victimisation more broadly for women and men in society needs to be encouraged, with the key message being how the actions of the police are part of a broader social picture in which we all have a part to play.

**Evidence from victims and those who have not reported demonstrates that officers need to ensure that they continue to give empathetic and sympathetic responses to female victims and take them seriously - this is crucial, even if perpetrators cannot be traced - to members of the public, being taken seriously is key, and often they are realistic in knowing that conviction rates are going to be low, as most incidents take places very quickly with little time to get descriptions etc."**

—Misogyny Hate Crime Evaluation Report funded by the Office of Nottinghamshire Police and Crime Commissioner (2018)



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# INSTITUTION BUILDING FOR AN EFFECTIVE AND ACCOUNTABLE POLICE RESPONSE TO VAWG

*“Having more women in police forces and training them adequately is a crucial first step in ensuring that survivors begin to trust again and feel that their complaint is being taken seriously at every stage of what can be a complex process. Progress also requires that we successfully tackle the many institutional and structural barriers, patriarchal systems and negative stereotyping around gender that exist in security, police and judicial institutions, as they do in other institutions.”*

—Phumzile Mlambo-Ngcuka, United Nations Under-Secretary-General and UN Women Executive Director, from a statement on the International Day for the Elimination of Violence against Women (25 November 2019)

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# CHAPTER GOALS:

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1. Provide guidance to police leadership seeking to establish enabling environments for their teams in the pursuit of a more effective response to VAWG
2. Provide guidance to police leadership on reinforcing a culture of institutional reflection and learning in collaboration with external stakeholders for a more professional and accountable police service





# INTRODUCTION

In accordance with UN standards, every police or other law enforcement agency should be representative of, responsive and accountable to the community it serves.<sup>1</sup> These are the critical elements to being perceived as a legitimate essential justice service provider.

Photo courtesy of MINUSTAH/Logan Abassi (Haiti)

Gender-responsiveness plays a defining role in perceiving the police organisation as trusted and legitimate, particularly when responding to VAWG and other forms of gender-based violence. However, this requires the police organization to first “own the problem” of VAWG. This means that the response<sup>2</sup> to its occurrence is a core responsibility of the police.

In essence, owning the problem of VAWG means the police are included amongst those being most affected by, and concerned by its occurrence. Most importantly, assuming ownership of VAWG implies that the police organization is committed to its transformation into a driver of the solution to gain positive outcomes for victims/survivors.

Getting things changed requires senior police leadership to self-reflect on why transformation is needed in

the first place. For example, what learning needs to be captured and what enabling environments are needed to transform police officers, so they are gender-responsive and driving solutions towards reducing the prevalence of VAWG?

This chapter will aim to provide guidance to senior police leadership and their middle managers seeking to establish the enabling environment so responding officers can contribute to a more gender-responsive, and thus more effective police organization.

This chapter will also seek to promote a culture of institutional reflection and learning through gender-sensitive policies and the promotion of officer competencies critical for police middle managers to be able to drive forward the transformation towards gender-responsive policing. This will include highlighting the important role accountability measures play in supporting middle managers through the transformation and how trans-

<sup>1</sup> General Assembly resolution 34/169 of 17 December 1979.

<sup>2</sup> For the purposes of this Handbook, responding to VAWG implies both police prevention and response efforts.



Photo courtesy of MINUSTAH/ Logan Abassi (Haiti)

parent relationships with external stakeholders<sup>3</sup> will add not only resilience and legitimacy to the process but will strengthen the professional growth and modernisation of the police organization.

Enabling environments for middle managers need to come in the form of transformative policies, structures that facilitate diversity and inclusive practices that encourage a critical awareness of gender roles and norms. This will include addressing ways to change harmful gender norms in order to foster more equitable power relationships between women and men, and between women and others in the community.

The guidance on enabling environments that police leadership should consider for a more effective and cumulative response to VAWG will be divided into the following sections

1. Establishing a common understanding of VAWG;
2. Policies and strategies that enable gender-responsive policing;
3. Building strategic partnerships;
4. Training, education and professional development;

<sup>3</sup> Stakeholders are all government and civil society organizations and agencies that have a role in responding to violence against women and girls at all levels of government and civil society. Key stakeholders include victims and survivors and their representatives, social services, health care sector, legal aid providers, police, prosecutors, judges, child protection agencies, and the education sector, among others.

5. Human resources;
6. Data collection, analysis and use for gender-responsive policing;
7. Monitoring and evaluating for effective gender-responsive policing.

Finally, it is recommended for users of this Handbook to view this chapter in association with the guidance from the revised Gender and Security Toolkit Tool 2: Policing and Gender (2019)<sup>4</sup> produced by the Geneva Centre for Security Sector Governance (DCAF), in partnership with the Organisation for Security and Cooperation in Europe (OSCE)/Office for Democratic Institutions and Human Rights (ODIHR) and UN Women. According to DCAF, this Tool is aimed at the policy rather than the operational level, with relevance for senior police, gender units and those interested in improving police effectiveness through integrating a gender perspective.

## ESTABLISHING A COMMON UNDERSTANDING OF VAWG

### Starting with a Common Understanding of the Problem

Women and girls, everywhere, must have equal rights and opportunity, and be able to live free of violence and discrimination. Gender equality requires whole-of-government action, police included, to eliminate the many root causes of discrimination that still curtail women's rights in private and public spheres. Gender inequality is discrimination.

Transformation towards gender-responsive policing will require police leadership to establish a well-informed<sup>5</sup> understanding of how the nature of the violence, its causes and consequences impact women and girls differently and disproportionately throughout the organization.<sup>6</sup>

<sup>4</sup> Toolkit Tool 2: Policing and Gender in Gender and Security Toolkit (Geneva: DCAF, OSCE/ODIHR, UN Women, 2019).

<sup>5</sup> For the purposes of the Handbook, 'well informed' means it is contextually relevant and with regular input consisting of qualitative and quantitative data provided by police experts and external stakeholders such as essential service providers and/or civil society organizations.

<sup>6</sup> Special consideration should be given in situation of armed conflict or humanitarian crisis.

**The term ‘gender perspective’ is a way of seeing or analyzing which looks at the impact of gender on people’s opportunities, social roles and interactions.**

— UN Women

This understanding, when well informed<sup>7</sup> by the most affected and vulnerable, will enable police leadership to identify the institutional gaps. Such gaps are likely to be in the form of incomprehensive policies and strategies that are limited in scope and range, and weak accountability measures that are generating police practice, conduct and bias that is harmfully discriminative particularly against women and girls.

**See ‘Introduction’ for background on the nature of VAWG its causes and consequences and how it impacts women and girls differently and disproportionately and Chapter 11: ‘Challenges and Strategies to Implementing Gender-Responsive Policing’ for common institutional obstacles.**

With these institutional gaps identified, polices and strategies, including those to strengthen police integrity and accountability can be introduced by executive police management with the goal of ending discriminative practices and eventually transforming towards a gender-responsive police organization.

A gender-responsive police organization is one that is committed to mainstreaming principles of gender equality and non-discrimination in its policy and practice, including, but not limited to, applying a gender perspective to its learning and professional growth.

Applying a gender perspective will allow police to better account for the differences in men’s and women’s lives and how decision making, and circumstances affects them differently. The analysis generated will allow VAWG such as IPV to be properly understood it will consider its history, context, meanings, impact and consequences. Seeing VAWG in the context of gender will help police to make sense of the context, nature, scale and consequences of it to understand how to better respond to it.

A well-informed understanding of the nature of VAWG, its causes, consequences and disproportionate impact, will also provide the basis from which police can work in coordination with other essential services in the justice continuum and build the right partnerships with external stakeholders in the process.

Box 1 provides a simple table of the role police leadership plays in owning the problem of VAWG:

**Box 1**

**Owning the Problem of VAWG: The Role of Police Leadership**

Establish within the Organization:	Provide an Enabling Environment for Responding Officers to:	Ensure Accountability for the:
An informed understanding of the nature of violence, its causes and consequences and how it impacts women and girls differently and disproportionately	Proactively collaborate and coordinate with stakeholders, including women’s rights organizations to better understand the issues, communicate the unacceptability of VAWG and demonstrate commitment to taking action when it occurs	Meaningful Participation of victims/survivors is an established practice when responding to VAWG
	Commit to a perpetrator-focused and victim-centred approach to VAWG in coordination with essential service providers	
	Apply informed and broadly consulted learning towards VAWG prevention and investigation actions so they reflect being rights based, gender-sensitive, and trauma informed	

**Reflection, learning, transformation and modernization**

<sup>7</sup> Well informed’ means it is contextually relevant and with regular input from internal and external stakeholders with qualitative and quantitative data.



## Raising Awareness and Educating on the Way Forward

Transformation towards a gender-responsive police organization implies that the prevention of VAWG is an institutional priority and the reaction to its occurrence in the form of an investigation complies with international standards that prioritizes the wellbeing of the alleged victim/survivors and hold perpetrators accountable.

Moreover, gender-responsive policing promotes measures and actions taken by officers and/or teams that respond in an effective and timely manner with a strong understanding that the majority of reported cases of violence against women are not prosecuted.

These priorities need to be framed and communicated by the executive police leadership as the starting point from which to drive solutions towards responding to VAWG, and to subsequently be reinforced by all commanding officers.

Key to gender-responsive policing in cases of VAWG is a strategic commitment to ensuring the victim's/survivor's meaningful participation<sup>8</sup> in the investigation as this will impact the course of the investigation itself. It will send a message for the prevention of further violence as the police will be committed to the victim's/survivor's safety and protection, and that their experience will be taken seriously.

**“Pursuing gender equality is both an international legal obligation and necessary to achieve national development goals.”**

—Tool 2: Policing and Gender (2019) in Gender and Security Toolkit

<sup>8</sup> ‘Meaningful participation’ requires that individuals are entitled to participate in the decisions that directly affect them, including in the design, implementation, and monitoring of interventions. This may take on a number of different forms, including informing victims/survivors with balanced, objective information so they retain intimate control over the key decisions that affect their wellbeing, as well as consulting with them to gain feedback on the decision making process including the development of alternatives and identification of solutions.

Police commitment to a victim's/survivor's meaningful participation to ensure a well-informed response should equally apply to civil cases as they would do in criminal judicial processes. A victim/survivor may seek some form of legal address in the civil courts only. Police should also be responding effectively and adequately to protection orders in cases of IPV or enforce Cease and Desist Orders that seek to prevent further publication and distribution of personal images on the internet.



Photo courtesy of Nigeria Police Force Public Relations Department

As police are often a reflection of the society they serve, internal messaging on commitments towards the victim's/survivor's meaningful participation should also be explicit in recognizing that victims/survivors and perpetrators of VAWG can also be members of the police organization. International data suggests that 1 in 3 women<sup>9</sup> will experience a form of domestic/sexual violence in their lives, meaning that police organizations themselves probably have both perpetrators and victims/survivors of gender-related violence within their ranks.

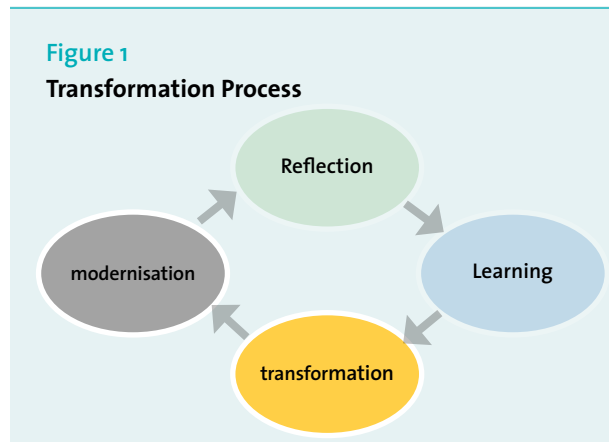
Research and practice suggest that the manner in which police enforce such laws has a significant impact on their effectiveness.<sup>10</sup> Thus, the meaningful participation

<sup>9</sup> A staggering one-in-three women, experience physical, sexual abuse. UN News 24 November 2019. <https://news.un.org/en/story/2019/11/1052041>

<sup>10</sup> Essential services package for women and girls subject to violence: Core Elements and Quality Guidelines (UN Joint Global Programme on Essential Services for Women and Girls Subject to Violence, 2015).

of victims/survivors in the investigation should be considered and communicated as both a means and a goal to effectively responding to VAWG by all police officers. Applying a rights-based approach and its principle of 'do no harm' to engaging victims/survivors of VAWG is the most definite way to ensure their meaningful participation in the investigation.

The importance of committing to a rights-based approach for the meaningful participation of victims/survivors in investigations needs to be an integral part of awareness-raising and education around/about the solutions for responding to VAWG. Such a clear message from senior and executive police leadership will be very important for middle managers when guiding responding officers towards compliance with international standards, and to ensure the victim's/survivor's meaningful participation in the investigation, as well as to reduce the risk of malpractice, such as engaging in informal mediation processes.



Given the positive impact that meaningful participation of victims/survivors can have in VAWG investigations, it is important that police organizations commit to its quality control particularly when there is non-compliance with policy and standards by responding officers occurs. A commitment by police leadership to institutional learning in the form of reviewing, evaluating and monitoring efforts to respond to VAWG is one form of institutional accountability which will help to minimize the risk of error or malpractice and improve the tools, approaches and strategies used.

Transformation towards a modern police organization that is gender-responsive cannot be achieved without

institutional self-reflection and the desire to learn, particularly from those who are impacted the most from police actions (see figure 1).

A modern police organization needs to be able to count on their police leadership, at different levels, to encourage internal performance reviews with external input from diverse communities and groups, particularly groups in positions of greater vulnerability.

Stakeholders are all government and civil society organizations and agencies that have a role in responding to violence against women and girls at all levels of government and civil society. Key stakeholders include victims and survivors and their representatives, social services, health care sector, legal aid providers, police, prosecutors, judges, child protection agencies, and the education sector, among others.

For this to happen, senior and executive leadership need to raise awareness and educate on how learning through internal performance reviews can benefit policing in general, especially when they are supported by external and competent stakeholders. This has to include emphasizing the importance of building and maintaining partnerships with a wide variety of stakeholders with competencies for addressing VAWG. Senior and executive leadership should consider investing in training or professional development in partnership-building for middle managers as an important enabling factor.

In terms of gender-responsive policing, police leadership have several options by which to encourage learning with input from competent stakeholders. Options can include establishing policing standards with built in internal periodic reviews conducted by the Policing Standards Unit such as the Policing Standards system used by the Ministry of Public Safety & Solicitor General Provincial Government of British Columbia, Canada.<sup>11</sup>

<sup>11</sup> The Police Act of 1996 allows the provincial government to create binding standards on police and to evaluate the compliance of police with those standards. See Provincial Policing Standards. Provincial Government of British Columbia at: <https://www2.gov.bc.ca/gov/content/justice/criminal-justice/policing-in-bc/policing-standards>

For example, in 2020, the Provincial Government of British Columbia introduced its Policing Standard for the Promotion of Unbiased Policing which seeks to reduce the risk of biased street checks by police that local CSOs described as historically targeting Indigenous persons and racial minorities in a disproportionate manner.<sup>12</sup>

Other options include standardizing periodic reviews of more operational practices, such as interviewing methods employed by responding officers, of the applicability and/or effectiveness of IPV risk assessments tools, and of trauma-informed intervention strategies.

Raising awareness and education for transforming towards gender-responsive policing should also aim to reinforce positive masculinities within society, so police are seen as role models for men and boys who are confident and secure and can celebrate diversity. Positive masculinities can be described as emphasizing that care, compassion and respect are not innately feminine, but are valuable qualities that are encouraged in all people. Equally important, promoting positive masculinities entail not replicating ideas of men as intrinsically aggressive, strong or dominant. Positive masculinities play a big in the solution to reducing VAWG.

In this regard, UNPOL provides some good practices for engaging male officers:<sup>13</sup>

- Highlighting the benefits of gender equality and family friendly policies to both men and women;
- Appealing to the police officers' sense of fairness;
- Providing officers with female police mentors;
- Exposure to command officers who champion gender equality;
- Inviting officers into the discussion through male-only and male-female police groups;

<sup>12</sup> Foreword BCPPS 6.2 Police Stops. Provincial Policing Standards. Provincial Government of British Columbia at:<https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/police/standards/6-2-foreword-police-stops.pdf>

<sup>13</sup> UN Police Gender Toolkit, (UN Department of Peace Operations - DPO/ DPET/Integrated Training Service, 2015).

- Finding champions on gender equality who can be role models for other officers (see Box 2);
- Organizing sensitization and awareness raising seminars.

To help achieve gender-responsive behaviours from responding officers, senior police leadership should ensure their middle managers can count on the following institutional understandings:

- The nature of violence, its causes and consequences and how it impacts women and girls differently and disproportionately;
- The operational importance of a rights-based approach to ensuring the meaningful participation' of victims/survivors in the response to VAWG;
- The operational importance of the concept of 'Do no harm;'
- Communicating with communities to reassure and help build trust and confidence in police for responding to VAWG is a priority;
- Gender-responsive policing requires police in leadership roles to promote a victim/survivor-centred ethos throughout organization, ensuring a minimum level of training to ALL staff;
- Gender-responsive policing requires self-reflection and learning to be continuous, transparent and broadly consulted;
- Police compliance with international standards and norms leads to being perceived as a legitimate and trustworthy essential service provider.

## External Awareness Raising

Police seeking to transform into a gender-responsive organization also need to commit to an external engagement process that is transparent and inclusive. External messaging to communities representing the diversity of the local population is just as important as messaging internally within the organization. Whether





## Box 2

### Police for HeForShe

Created by UN Women, the *HeForShe* solidarity movement provides a systematic approach and targeted platform on which men and boys can engage and become change agents towards the achievement of gender equality.

*HeForShe* is an invitation for men and people of all genders to stand in solidarity with women to create a bold, visible and united force for gender equality. The movement promotes that men should not be bystanders on human rights issues such as gender equality. Members take action to create meaningful change in their communities or counties.

Members include IMPACT Champions who are men in senior leadership positions in their countries and who make gender equality an institutional priority by implementing three bold, game-changing commitments to advance and achieve gender equality. They include police senior leadership such as the UN Police Adviser Luís Carrilho (see photo).

As a *HeForShe* Advocate, Mr. Carrilho commits to foster increased collaboration on gender-responsive policing between UN entities to ensure that a high-quality police and justice response, as part of collective UN efforts, is available and accessible to all women and girls who have experienced violence, especially those who are most marginalized.

*“More women in police peacekeeping is simply more effective peacekeeping. On behalf of the 11,000 police personnel who serve under the United Nations flag, I am proud to be a HeForShe Advocate,”...“With this great honor comes tremendous responsibility to strengthen our commitment to enhance the UN’s credibility in the countries where we serve and to make an even greater positive impact on the lives of the people, now and for the future.”*

—UN Police Adviser Luís Carrilho (2019)

Source: Press Release: UN Women announces United Nations Police Adviser Luís Carrilho as HeForShe Advocate for gender equality. HeForShe



UN Police Adviser Luís Carrilho

police leadership communicate orally, digitally or visually, representations of police, in official communications including recruitment campaigns, should reflect the transformative vision and steps police are taking to own the problem of VAWG.

External communication from police leadership on the transformation process needs to demonstrate a commitment to transparency. This can include a practice to upload internal reviews of police policies, strategies, approach and tools for responding to VAWG on the

internet. Such reviews will undoubtedly expose capacity gaps, but they should also detail the learning and the way forward. This will strengthen the perceived legitimacy of the police’s commitment to transformation, which will help inspire cooperation from victims/survivors of VAWG as well from their communities.

In general, awareness raising, whether internal or external to the police organization, should promote gender equality as a solution to responding to VAWG and its causes, consequences, and how it impacts women and



Photo courtesy of the International Association of Women Police (Bangladesh)

girls differently and disproportionately. This implies police leadership need to continually reinforce the message, throughout the ranks, that the needs and interests of all the community without discrimination is at the core of modern policing.



Understanding and ‘owning’ the problem of VAWG means you and your team recognize and respond to the needs of the most affected. Thus, you are committed to being part of the solution and change for the better.

For more information on external communications aligned with gender-responsive policing see Chapter 9: ‘Communication.’

## POLICIES AND STRATEGIES THAT ENABLE GENDER-RESPONSIVE POLICING

Middle managers play a vital role in the transformation process towards gender-responsive policing, but they require senior and executive police leadership to provide them with the right enabling environment to own the problem of VAWG. This will come in the form of institutional policies and strategies that are norm-based by principle, are adequately resourced and include mechanisms to hold people accountable.

Norm-based policies when instituted, should be respected by all officers as doctrine and should be accompanied by clear protocols or standard operating procedures (SOPs). Policies for gender-responsive policing are no exception.

According to UNPOL, a policy and SOP on VAWG are important since these guidance documents outline issues that are considered essential to the police organization and take away individual understanding, stereotypes and perceptions on these issues in favour of an institutional standard. Furthermore, they provide accountability for the officers involved and their supervisors.<sup>14</sup>

**“Policies and SOPs are not merely ‘window dressing’ and must do and achieve what they have been established to do. Police Middle Managers/Leaders have a fundamental role in leading the implementation, activation and delivery of such policies.”**

—Gerry Campbell MBE FCMI AFHEA - Detective Chief Superintendent (Retired), Scotland Yard

Investing in establishing well-informed protocols, policing standards or SOPs will allow responding officers to understand their responsibilities and provide them with the essential steps for applying intersectional and rights-based approaches to an investigation ensuring there is no discrepancy in terms of knowledge of these steps.

See Annex 2 of Chapter 5: ‘Investigations’ and Chapter 12: ‘Justice Continuum’ for good practices in police protocols for working in partnerships with other agencies on responding to VAWG.

Introducing new policies and subsequent protocols or SOPs require tailored messaging to reach a wide range of officers across all ranks. Police leadership should not rely exclusively on training to ensure understanding of such norm-based policies and associated codes of conduct. Evidence indicates that role models and/or people in mentoring roles actually have a bigger impact on the

<sup>14</sup> UNPOL *Gender Toolkit* Standardised Best Practices on Gender Mainstreaming in Peacekeeping Compendium of Project Tools (2015).

behaviour patterns of peers and subordinates rather than the actual training, especially if the training is specifically targeting a change in attitude.<sup>15</sup>

For example, when instilling an institutional culture of zero tolerance in relation to sexual and gender-based discrimination, harassment, bullying and abuse within the police organization, police leadership needs to continually call out such behaviour wherever it is witnessed or reported. They also need to activate internal control and oversight bodies speedily and transparently and ensure a safe and confidential enabling environment for such witnesses and/or complainants. Such behaviour demonstrated by police leadership provides middle managers the critical legitimacy needed to develop, empower and reward the competencies needed for effectively responding to VAWG.

Human Rights Watch also provides helpful guidance for internalizing safeguards against sexual harassment and other forms of violence in the workplace. Their document *“Safety and Dignity at Work: A Guide to the 2019 ILO Violence and Harassment Convention, No. 190”*<sup>16</sup>, provides clear definitions and actions, including on complaints mechanisms and monitoring, that public institutions such as the police can undertake as part of their efforts prevent and react to such violence.<sup>17</sup>



15 See Jenni Cross, '3 Myths of Behaviour Change and Other Challenges for Sustainability' (2014), Center for Energy and Behavior Institute for the Built Environment, Colorado State University and; Bohent, I, 'What Works: Gender Equality by Design' (Harvard University Press, 2016). See also the section 'Psychological and Sociological Theories in Flanagan', A.E., and Tanner, J.C., 'A Framework for Evaluating Behavior Change in International Development Operations', Independent Evaluation Group Working Paper 2016/No.2 (World Bank, 2018).

16 On June 21, 2019, members of the International Labour Organization (ILO) - Governments, trade unions, and employers' associations - voted overwhelmingly to adopt the ILO Convention on Violence and Harassment in the World of Work (Violence and Harassment Convention, No. 190).

17 'Safety and Dignity at Work: A Guide to the 2019 ILO Violence and Harassment Convention, No. 190' (Human Rights Watch, 2020), at: [https://www.hrw.org/sites/default/files/media\\_2020/06/ILO\\_advocacy\\_brochure\\_0620.pdf](https://www.hrw.org/sites/default/files/media_2020/06/ILO_advocacy_brochure_0620.pdf)

In general, norm-based policies should establish, commit and/or reinforce:<sup>18</sup>

**“Where officers maintain and exceed these standards they should be rewarded. When they fall short, they need to be held to account and, if appropriate, disciplined. It is only by having strong leaders who hold officers and staff to account, that we can make the progress that the public deserves.”**

—A Practitioner’s Toolkit on Women’s Access to Justice Programming (UN Women et al. ,2018)

### Protocols

- Clear SOPs and codes of conduct reflecting institutional policies for staff members who are themselves victims/survivors or perpetrators of IPV and other forms of VAWG. Such measures are a critical part of owning the problem and taking VAWG seriously as they support staff, set standards and help hold the organization accountable:<sup>19</sup>
- Binding police standards with built-in periodic evaluation frameworks for compliance;
- A monitoring system measuring the consistent application of protocols/SOPs with input from specialised organizations to ensure they are inclusive (such as organizations representing the needs of persons with disabilities);
- Comprehensive protocols and guidelines that promote consistent and uniform gender-sensitive approaches to handling and investigating sexual violence incidences. This should include guidance that

18 'The Trial of Rape. Understanding the Criminal Justice System Response to Sexual Violence in Thailand and Viet Nam' (UN Women, UNDP and UNODC, 2017).

19 As an example, the Metropolitan Police Service (MPS), the territorial police force responsible for law enforcement in the Metropolitan Police District of the City of London, provides online its checklist for mandatory actions when officers/staff are suspected of domestic abuse, rape or other serious sexual offences: [https://www.met.police.uk/SysSiteAssets/foi-media/metropolitan-police/disclosure\\_2019/january\\_2019/information-rights-unit---reports-of-domestic-abuseviolence-received-by-the-mpps-directorate-of-professional-standard-from-april-2015-to-april-2018](https://www.met.police.uk/SysSiteAssets/foi-media/metropolitan-police/disclosure_2019/january_2019/information-rights-unit---reports-of-domestic-abuseviolence-received-by-the-mpps-directorate-of-professional-standard-from-april-2015-to-april-2018)

requires police officers to explain to the victim/survivor the justice process, her rights and the services available.<sup>20</sup> Ideally protocols should emphasize that women should be able to choose what gender of police officer they report to/work with;

- Strategic level joint working agreements with prosecution actors and other agencies, including service providers, e.g. social, health, education etc.

### Professional incentives

- Team success should be defined by collective efforts towards a reduction in the general prevalence of VAWG, which is linked to an initial increase in reporting to police. Police leadership should refrain from setting a target of reducing recorded VAWG crimes as many police organizations have recognized that this is a significantly under reported area;<sup>21</sup>



General Director for Public Security, Altin Qato and the Director of the Albanian State Police, Haki Çako are #HeForShe. Photo courtesy of UN Women Albania/Besnik Baka

- Incentives for professional recognition of police officers who demonstrate a command of gender-sensitive competencies in investigations of VAWG. Creating such incentives and opportunities for career development increases the commitment of both male and female police officers towards addressing VAWG including the victim's/survivor's meaningful participation in the investigation. Such incentives will also reinforce gender equality and responding to VAWG as a priority;
- Officers of middle to senior rank to actively participate in public campaigns that address gender/social norms

<sup>20</sup> 'Police as an Entry Point to End Violence Against Women and Girls. Lessons from Civil Society Organizations Funded by the UN Trust Fund to End Violence Against Women. UN Trust Fund to End Violence against Women, New York, 2019.

<sup>21</sup> See 'Everyone's business: Improving the police response to domestic abuse', (Her Majesty's Inspectorate of Constabulary, 2014) for the experience of the UK police organizations in moving away from setting a target of reducing recorded domestic violence crimes.

and stereotypes such as the *HeForShe* campaign. In 2020, the UK Police Forces collaborated to publish their first "Gender Equality in UK Policing First Annual Report" as part of the *HeForShe* national campaign. The Report highlights the significant commitment and progress that has been made by all UK police forces in promoting gender equality within their respective police organizations, including the decisive roles taken by the most senior male officers when committing to addressing gender inequality as a key policing issue.<sup>22</sup>



- Incentives for middle managers, particularly at police stations level to develop initiatives/partnerships with other agencies, communities as well as public and/or private initiatives such as charities supporting victims/survivors of VAWG;
- Raise status of *First Responders* so they understand the critical role they play in building trust and confidence in police by local communities.



Fred Yiga, UNMISS Police Commissioner, joins the HeForShe campaign. Photo courtesy of UNMISS (Sudan)

<sup>22</sup> Gender Equality in UK Policing First Annual Report (2020). Sussex Police Corporate Communications 2019 in support of HeForShe UN Women Solidarity Movement for Gender Equality, see: <https://www.sussex.police.uk/SysSiteAssets/media/downloads/sussex/about-us/governance-and-processes/equality-and-diversity/heforshe-annual-report-2019.pdf>



## Specialized Units

- Specialized units that include multi-disciplinary professionals, including forensic experts, health care workers, social workers, counsellors, etc. In some countries, such as India and Tanzania, specialized police units are led by women and can comprise 100% of women. Part of their work is to assist in building trust with communities for the reporting of cases. For example, the 'She Teams' established in Hyderabad, India have been involved in addressing teasing and harassment amongst other forms of VAWG.
- Specialist-trained responding officers to join 'One Stop Centres' such as the Sunflower Centres in Korea (see Box 3), the Victim Support Centres (VSC) in Bangladesh or the Sexual Assault Referral Centre (SARC) in Bulgaria (See Chapter 7: 'Support and Assistance' Case studies).<sup>23</sup>
- Special protection units and gender desks in police stations tasked with ensuring gender-sensitive procedures are helping to avoid secondary victimization and stigmatization;
- Dedicated teams to handle reporting from different entry points 24 hours a day, 365 days a year e.g. online, SMS, helplines, so it is easier and more confidential.

### Box 3

#### Sunflower One-Stop Centers in Korea



The Sunflower Centers were first established in 2004. As of 2019, there are 39 Sunflower Centers across the country. The Centers are hospital-based integrated service centers for victims/survivors of gender-based violence (GBV) providing medical, counseling, investigative, and legal support in a single location.

Sunflower Centers provide integrated services through formal partnerships among the Ministry of Gender Equality and Family, local governments, police, and hospitals.

In terms of police support, a female police officer with specialized training on GBV and victim/survivor interview techniques is made available and dispatched to the Center 24/7.

The role of the police officer includes conducting interviews with the victim/survivor in an environment where they feel safe. The interview results (i.e. verified statement), together with forensic evidence collected by the medical team, are sent to the police station for further investigation. The Centers also offer specialized support for children and persons with disabilities. The Centers made video recording mandatory for victims/survivors under the age of 19. This prevents victims/survivors from having to testify repeatedly.

Key takeaways from the experience of the Sunflower Centers in Korea include:

- Coordination and formal agreement among relevant stakeholders are political processes and take time. Mobilization of high-level political support is important; engagement of different stakeholders and decision-makers from the beginning is recommended;
- Coordination with the existing support mechanism: engagement of NGOs in the designing of the integrated service center was important.

<sup>23</sup> For more examples of One-Stop Centres, see South Africa (Thuthuzela Care Centres) and of Women's police station (Delegacias Especiais de Atendimento à Mulher – DEAM) in Brazil, in *Progress of the World's Women 2011–2012: Families in a Changing World* (UN Women, 2011).

## Oversight Committees

- Senior and executive leadership commitment in providing victim/survivor-focused services. For example, committing officers of superior rank to participate in local level committees that address GBV, including VAWG.<sup>24</sup>

## Outreach

- Ensure strategic level communication takes place between police and communities and that engagement takes place at all levels of the organization.
- To give clear direction to all staff on expectations during police response of the different roles
- Informative booklets for communities with the aim of dispelling any myths and erroneous preconceptions surrounding VAWG which may be held by the general public.

Clearly defined norm-based policies that promote gender equality objectives will reflect democratic policing and best practice in the recruitment, deployment, transfers, training and welfare of officers. Implementing such actions will enable women to participate in and benefit equally from the transformation and restructuring of a police service.

For more norm-based policy examples promoting gender-responsive policing, refer to DCAF's *'Toolkit Tool 2: Policing and Gender'* (2019) in Gender and Security Toolkit. Also, for guidance, please see the "[UN Women Legislation Handbook](#)" (2012) and the [UNODC Blueprint for Action: an Implementation Plan for Criminal Justice Systems to Prevent and Respond to Violence against](#)



<sup>24</sup> In a few countries, such as the Democratic Republic of Congo, the government has established GBV Committees comprising of a mix of government, CSOs, community leaders and development partners with the mandate to monitor and recommend corrective measures for improving the criminal justice system.

*Women* (contained in the publication entitled *'Strengthening Crime Prevention and Criminal Justice Responses to Violence against Women'* (2014).

## Policies that Enable Inclusion and Value Diversity

Gender-responsive policing requires transformative policies that seek to reinforce the accountability of the police to respond effectively and adequately to VAWG but also to ensure their actions contribute to a wider prevention strategy that deter further acts of violence disproportionately affecting women and girls. Such policies need to transform the unequal gender relations within the police organization in order to promote inclusive power sharing and diversity in decision-making, as well as support for women's empowerment within the organisation.

One way to begin is by replacing or revising existing policies and structures that are promoting harmful biases and discriminative practices within the organization and replace them with ones that promote and reward inclusion and diversity. For example, clearly defined policies against sexual harassment, exploitation and abuse in the workplace enables the police organization to fulfil its responsibility towards the principle of equal opportunities for both female and male officers.

In its *Gender Toolkit* (2019), the Geneva Centre for Security Sector Governance ('DCAF') states that in order to shift the institutional culture of the police towards inclusivity, diversity, tolerance and respect policies and related directives should aim to create a professional work environment in which all staff are valued.<sup>25</sup> The following is a list inspired from DCAF's Gender Toolkit of examples of such institutional policies for police to be gender responsive:

- Robust 'zero tolerance' policies concerning discrimination, harassment, bullying and abuse;
- Obligatory training for all staff to ensure understanding of anti-harassment and discrimination policies;

<sup>25</sup> Toolkit Tool 2: Policing and Gender in *Gender and Security Toolkit* (Geneva: DCAF, OSCE/ODIHR, UN Women, 2019).





Photo courtesy of MINUSTAH/Marco Dormino (Haiti)

- Copies of the policies should be made available at all police stations, with promotional materials also distributed;
- Regular engagement that is genuine and open with police associations and civil society organizations that represent women and minoritized groups to reflect on their experiences of what is working and what is not in creating positive workplaces;
- For police leadership to speak publicly and consistently about the value of a diverse workforce and the rejection of discrimination, exclusion, bullying and harassment or attitudes that cultivate these;
- Strategies for the development of cognitive skills and stress management for all operational police.

Staff who feel valued, particularly for their integrity, tend to produce more positive experiences from engaging with others. In this case, middle managers who feel valued in the police organization will demonstrate a higher probability of being compliant with policing principles, norms

and standards including those pertaining to non-discrimination and accountability. It will be these managers that will lead by example and inspire change agency within their teams.

Police leadership can play a role in challenging unhelpful stereotypes and harmful bias, which has undermined police efforts towards VAWG in the past.



Photo courtesy of the International Association of Women Police (Abu Dhabi)

Norm-based leadership is vital for gender-responsive policing. In contrast, when police leadership do not set an example nor live the standards, professionalism, competencies and behaviours critical to gender-respon-

sive policing, they isolate the committed operational (middle) manager or team leaders who see the value in inclusive and diverse teams for responding to crime and violence in general.

According to DCAF, discrimination and harassment are more likely in organizations where minoritized groups are underrepresented, or where they are underrepresented in management or across a range of specializations.<sup>26</sup> Thus, the sustainability of the transformation towards a gender-responsive police organisation must be embedded in the establishment of a professional work environment in which all staff are valued, and harmful bias against minoritized groups are actively and consistently discouraged.

Police staff who feel valued for their integrity and compliance with standards, should equally feel their health and wellbeing are considered by their senior command. There is high burnout rate amongst police officers handling VAWG cases for years and the non-existence of incentives or promotion.

Box 4 provides an interesting example of efforts made by the Government of Mexico's National Security Commission and UNODC to address profession-related stress that can easily lead to **vicarious trauma**.

Vicarious trauma can be described as the negative reactions that can occur when hearing about someone else's traumatic experiences. Exposure to a traumatized person's emotions, memories and images can create reactions in essential service providers that resemble post-traumatic stress disorder ('PTSD').<sup>27</sup>

High exposure to vicarious trauma for police is indeed a reality that needs further attention within police organizations. Developing competencies that underpin the self-awareness to recognize and manage the intense and challenging emotions that police often report experiencing in response to attending cases of VAWG is a step in the right direction. Policies and related directives that pay special attention to stress management and officer wellbeing can strengthen a police officer's sense of empathy regarding a traumatic experience, thereby positioning that officer to better attend a victim/survivor of VAWG.

#### Box 4

##### UNODC joins forces with Mexico to eliminate gender-based violence

In 2017 UNODC joined forces with Mexico and established a programme entitled '*Strengthening of the Security for Vulnerable Groups*' in a bid to tackle gender-based violence.

Implemented by the UNODC Office in Mexico and the country's National Security Commission, the programme aimed to train 8,000 police officers and 1,000 emergency call operators in 19 federal states to identify and provide assistance to gender-based violence victims.

UNODC also developed a manual on stress management and cognitive-ability for civil servants exposed to high levels of violence. Similarly, other informational materials such as booklets, videos and posters were developed as training tools for a better learning experience.

Combined with trainings, informational materials have enabled participants to capitalize on necessary skills to identify and tackle gender-based violence in Mexico.

Source: UNODC joins forces with Mexico to eliminate gender-based violence, at: <https://www.unodc.org/unodc/en/frontpage/2017/November/unodc-joins-forces-with-mexico-to-eliminate-gender-based-violence.html>



26 Toolkit Tool 2: Policing and Gender in Gender and Security Toolkit (Geneva: DCAF, OSCE/ODIHR, UN Women, 2019).

27 See Chapter 12: 'Trauma and self-care in the Manual on Human Rights Monitoring' (OHCHR, 2011).

In 2019, an independent evaluation of the ‘Strengthening of the Security for Vulnerable Groups’ programme in Mexico, described in Box 4, observed that police stakeholders considered the training materials on cognitive skills and stress management to be very relevant for their use.<sup>28</sup> In other words, Mexican police who were consulted saw added value in connecting cognitive skills and stress management with a more effective police response to VAWG and other gender-based crimes.

## Without Accountability Measures Policies are not Transformative

A police organization regarded as legitimate in the eyes of the general public they serve and protect is one that adheres to the principle of accountability which involves a system of internal and external checks and balances aimed at ensuring that police perform the functions expected of them to a high standard and are held responsible if they fail to do so.<sup>29</sup>

In this regard, UNODC<sup>30</sup> sums up what effective accountability involves in four parts:

1. Guidance for the police on what to do and how to do it (before the act);
2. Supervision of the police and awareness of the need for accountability (during the act);
3. Remedying improper police actions and omissions (after the act);
4. Feedback and opportunities to reflect on lessons learned (after the act).

These accountability measures are equally applicable to police conduct and integrity frameworks. This includes for policies and related directives that promote gender equality and sanction improper conduct that is discriminatory in nature.

<sup>28</sup> Evaluación independiente de proyecto/evaluación en profundidad de: ‘Fortalecimiento para la Seguridad de Grupos en situación de vulnerabilidad’ CÓDIGO: MEXZ93-2018-005 México, abril 2019.

<sup>29</sup> Handbook on Police Accountability, Oversight and Integrity (UNODC, 2011), see: [https://www.unodc.org/documents/justice-and-prison-reform/crimeprevention/PoliceAccountability\\_Oversight\\_and\\_Integrity\\_10-57991\\_Ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/crimeprevention/PoliceAccountability_Oversight_and_Integrity_10-57991_Ebook.pdf)

<sup>30</sup> Ibid.

In particular, a transformation toward gender-responsive policing requires all police personnel to act decisively on any disciplinary matters involving discrimination, harassment, bullying or abuse.<sup>31</sup> DCAF warns that jokes, pranks, defamatory language, hazing rituals or other practices considered minor or insignificant can create a culture where discrimination and exclusion are tolerated.<sup>32</sup>

To guide States, the *Updated Model Strategies* (2010)<sup>33</sup> provides recommendations for internal accountability measures for their police organizations:

- Develop enforceable standards of practice and behaviour and/or codes of conduct to avoid and address explicit and implicit biases from police officers involved in VAWG responses;
- Monitor the implementation of such standards of practice and behaviour and codes of conduct;
- Hold officers accountable for any infringement of such standards of practice and behaviour and codes of conduct through established oversight and accountability mechanisms.

Other useful measures that can be included in this list are:

- Development and enforcement of clear guidelines for applying mediation and other restorative justice practices in VAWG in line with international standards and recommendations of UN agencies as described in this Handbook;
- Provide training for all supervisors on how to spot and address harmful bias within their teams. Instances of explicit and voluntary bias should be disciplined, and instances of implicit bias should be discussed with officers to avoid repetition.<sup>34</sup>

These measures are reinforcing the police integrity needed for gender-responsive policing, and police modernization in general.

<sup>31</sup> Ibid.

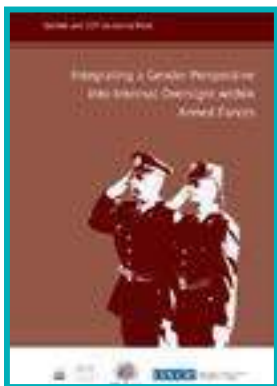
<sup>32</sup> Toolkit Tool 2: *Policing and Gender* (2019) in Gender and Security Toolkit. Geneva: DCAF, OSCE/ODIHR, UN Women.

<sup>33</sup> Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice (2011, General Assembly resolution 65/228, annex)

<sup>34</sup> Global Network of Women Peacebuilders <https://gnwp.org/>

For more information on accountability measures for police, this Handbook recommends the following tools produced by DCAF in partnership with the OSCE and Office for Democratic Institutions and Human Rights (ODHIR):

- Integrating Gender into Internal Police Oversight (2014);<sup>35</sup>
- Integrating a Gender Perspective into Internal Oversight within Armed Forces (2014)<sup>36</sup>



## Corruption and its Impact on the Gender-responsive Policing

Similar to measures that promote codes of conduct for police integrity, quality control measures for gender-responsive policing are vulnerable to corruption. According to the Global Network of Women Peacebuilders (GNWP), corruption has a well-documented negative impact on human rights, including women's human rights. Corruption is also a security concern, as it can trigger conflict and aggravate existing insecurities, particularly for groups considered vulnerable for reasons of social discrimination, including women and girls.<sup>37</sup>

Importantly, corruption restricts the ability of women and girls to meaningfully participate in decision-making, including in police investigations. It acts as a barrier and prevents victims/survivors from report-

ing VAWG crimes, particularly if the perpetrator is an influential public figure, police officer, or member of the security forces. Corruption also prevents witnesses coming forward for fear of their details being exposed and they and/or their families being targeted by corrupt officials. Equally, corruption exposes victims/survivors in refuges or shelters as well as those in Witness Protection Schemes.

The Global Network of Women Peacebuilders ('GNWP') have documented several cases of police and medical personnel demanding payment for services provided to sexual gender-based violence ('SGBV') victims/survivors, even when they should be provided for free. In other cases, when SGBV was perpetrated by a highly influential person in the community, it was overlooked by police resulting in the alleged perpetrator not being prosecuted because of their position. In such cases where police are influenced by persons in powerful positions, the mindset of those within the police and the judiciary is often hostile or distrustful towards women.<sup>38</sup>



GNWP highlight that in spite of the broad reach of corruption in security forces in general, women, in particular women-led civil society, can be key actors in preventing and combating corruption.

Addressing corruption is not within the scope of this Handbook but recommends DCAF's 'Toolkit on Police Integrity' (2019)<sup>39</sup> which specifically focuses on police corruption and gives guidance to responsible police and political decision makers on adequate reaction when police corruption appears in their fields of duty.

<sup>35</sup> Bastick, M., Integrating Gender into Internal Police Oversight (DCAF, OSCE, OSCE/ODIHR, 2014).

<sup>36</sup> Ibid.

<sup>37</sup> Global Network of Women Peacebuilders <https://gnwp.org/>

<sup>38</sup> Global Network of Women Peacebuilders <https://gnwp.org/>

<sup>39</sup> 'Toolkit on Police Integrity' (Geneva Centre for Security Sector Governance, 2019)



## BUILDING STRATEGIC PARTNERSHIPS

Gender-responsive policing requires a dynamic and holistic approach and should include input from ministries of, for example, education, health, national security, and justice. They need to work collaboratively, as essential service providers or **duty bearers**,<sup>40</sup> to prevent VAWG and address the needs of victims/survivors in a manner reflective of their obligations towards fundamental human rights norms and standards. Within these obligations, Police, like other State institutions, have their specific competencies and shared responsibilities that when they come together produce a holistic response to VAWG.

The effectiveness of this holistic response to VAWG depends on how well these duty bearers can coordinate their specific competencies to provide the best possible outcome for victims/survivors and ensure those who commit violence and crime are held accountable. The *Essential Services Package for Women and Girls Subject to Violence: Core Elements and Quality Guidelines* provides a Framework for joint coordination and intervention for duty bearers inspired from principles and common characteristics that are rights-based. The specific role of the police in this holistic response configuration is discussed throughout Chapters 2 to 9 of this Handbook in more detail.

**Chapter 8: ‘Coordination Among Justice Agencies’ provides guidance for middle managers on identifying entry points for partnerships with essential service providers and with key stakeholders representing the interests of rights holders.**

For a holistic response to VAWG to be comprehensive and rights-based, strategic bilateral partnerships need to be built and maintained with key stakeholders who represent the interests of the **rights holders**,<sup>41</sup> in this case, women and girls.

As highlighted throughout this Handbook, women and girls experience violence and crime in different and inter-

secting ways. Gender-responsive policing needs to be **intersectional**, meaning it seeks to understand women and girls’ experiences at the intersection of a number of simultaneous oppressing factors including [but not limited to] race, class, caste, gender, ethnicity, sexuality, disability, nationality, immigration status, geographical location, religion and so on.<sup>42</sup> The manner in which a police organization builds its strategic partnerships with other essential service providers and key stakeholders needs to reflect this intersectional approach to understanding how the nature of the VAWG, its causes and consequences impact women and girls.

Moreover, as the police have national and international obligations to respond effectively and adequately to VAWG, it is up to them to establish and initiate measures to reach out to stakeholders, particularly those in positions of vulnerability and/or who in many cases do not have trust in the police. Thus, reaching out to stakeholders needs to start at the senior level with police leadership helping to establish the goals and roadmaps for implementing joint commitments including for related quality control mechanisms. This will pave the way for middle managers to build and maintain the partnerships needed for gender-responsive policing.

The following is a list of examples of partnership building objectives that when achieved by police executives/senior leadership will enable middle managers and their teams to respond more effectively to VAWG:

### **Strategic partnerships with other essential service providers**

- Strategic data/information sharing protocols with justice continuum partners;
- Strategic information sharing protocols with other service providers;
- Pooled resources including staff and facilities to ensure victims are treated appropriately. This includes increasing the availability, accessibility and quality of safe houses;

<sup>40</sup> States have the primary responsibility for respecting, protecting and fulfilling human rights.

<sup>41</sup> Rights holders are all human beings.

<sup>42</sup> The Value of Intersectionality in Understanding Violence against Women and Girls (VAWG) (Imkaan, UN Women and the European Union, July 2019).

- Joint oversight of investigation processes is in place and accountable. This should include joint de-briefing and lessons learned sharing;
- Joint complaints mechanisms that are robust, accessible, and victim/survivor-centred;
- Strategic level communications between all justice agency partners including other law enforcement agencies.

## Strategic partnerships with key stakeholders

- Relationships with victim/survivor advocates in order to strengthen the link between the community and the police organization. Advocates complement the work of police officers, give feedback, and provide training<sup>43</sup>. The police should see an opportunity in building partnerships with human rights and women’s rights advocates to strengthen their credibility with the community;
- Developing working partnerships with academic institutions, think tanks and other knowledge-based organisations can be beneficial for informing and strengthening the common understanding of VAWG, its causes and consequences and how it impacts women and girls differently and disproportionately. This can include policing organizations establishing MoUs with knowledge-based organizations which can provide the police with contextual information on the proliferation of small arms and light weapons (SALW), on the behaviours of perpetrators of VAWG and their victims/survivors during public health crises such as the COVID-19 pandemic, and on vicarious trauma for police officers, including the possible interconnectedness between them amongst others. Such knowledge-based organisations can also be vital external partners when monitoring and evaluating police policies, strategies and actions;
- Establishment of community liaison officers for coordinated essential service responses and who demonstrate exceptional competencies in partnership building and interpersonal communication;
- Adequately trained investigation case managers in family liaison engagement with responsibility for the effective communication with victims/survivors and their families.

### Box 5

#### Police partnering with CSO for Persons with Disabilities in Malawi<sup>44</sup>

In 2017, the Malawi police, Central Region signed a Memorandum of Understanding (MoU) with the CSO Disabled Women in Africa (‘DIWA’) in order to improve the way cases of VAWG involving victims/survivors with disabilities are handled by the police and by the legal system. Under this MoU, DIWA committed to report cases of violence and train the police whereas the police committed to more rapid responses to VAWG involving women and girls with disabilities.

The MoU came as a result of a DIWA-conducted baseline survey in 2014 which confirmed that many women and girls with disabilities who experience violence and crime go unreported for even the most basic reasons such as not knowing where to report.

*“Before being trained by DIWA, we were not comfortable with disability issues: we only knew about physical disabilities and did not know how to handle anyone with a mental and/or invisible disability”*

Jane Mkangala, an Inspector in the Community Policing and Victim Support Unit, Malawi Police.

Source: Disabled Women in Africa (DIWA)



<sup>43</sup> To ensure VAWG victim/survivor-centred training is embedded across all basic and specialist investigation training.

<sup>44</sup> ‘DIWA curbs violence against women and girls with disabilities’, see: <http://www.diwa.ws/?p=101> and ‘Promoting a safer, Gender-Based Violence free environment for women and girls with disabilities’ in Lilongwe, Malawi. Disabled Women in Africa (DIWA)



## Box 6

### Building Police and Community Trust and Cooperation in British Columbia (BC), Canada<sup>45</sup>



The Royal Canadian Mounted Police (RCMP) has a National Aboriginal Policing Services (NAPS) section in BC that works closely with Aboriginal groups to develop innovative policing approaches that meet their distinctive needs.

Establishing, nurturing and expanding these relationships with women at the local level provides the potential to identify and address their specific access to justice needs, ranging from increasing awareness of services, to providing tailored gender and cultural sensitivity training, developing local referral and support networks, and ensuring gender-sensitive responses and investigations, thereby improving the levels of trust and confidence between women and men in these communities and the police.

Source: 'Serving Canada's Indigenous People' (Royal Canadian Mounted Police) at: <http://www.rcmp-grc.gc.ca/aboriginal-autochtone/index-eng.htm>

## TRAINING, EDUCATION AND PROFESSIONAL DEVELOPMENT TOWARDS GENDER-RESPONSIVE POLICING

Gender-responsive policing is about applying **knowledge, skills** and **attitude** that understand and take account of the societal and cultural drivers of gender-based exclusion and discrimination that occur all aspects of public and private life. Together they form **gender-sensitive competencies**. Gender-sensitive competencies are key to engaging effectively with victims/survivors of violence and for building working relationships with a variety of stakeholders who can influence the essential services provided.

Instilling and/or reinforcing gender-sensitive competencies in police training, education and professional development programmes begins with self-reflection. Self-reflection needs to stem from the understanding of how the nature of the violence, its causes and consequences impact women and girls differently and disproportionately. This common understanding, embedded by a police senior and executive leadership, should reflect in all basic and specialist investigations

<sup>45</sup> Inspired from 'Enhancing Access to Justice for Women Living in Rural and Remote Areas of British Columbia: Reviewing Practices from Canada and Abroad to Improve Our Response' (The International Centre for Criminal Law Reform and Criminal Justice Policy, 2017). (ICCLR).

training as well as in senior officer education and in police science academic programmes or similar.

For this common understanding to be the foundation for training and professional development, it must be continually informed. Dialogue and direct input from victims/survivors, vulnerable groups, communities, and experts, both academic or practitioner, who can contribute different perspectives in essential service provision is one way police training and education programmes can continue to remain relevant to meet the operational needs for gender-responsive policing.

**“Effective sexual assault investigations require impartial, skilled, empathic, well-trained, and experienced investigators, who carefully document all the details of the crime and properly collect all available evidence.”**

—International Association of Chiefs of Police (2005)

Internal and external committees can also be useful for collecting such information. For example, interagency commissions or working groups or taskforces on gender-based crimes are great sources of information for identifying gaps and lessons learned as well as good practices worth sharing.



Photo courtesy of Force International (Bangladesh)

Another way to maintain police training, education and professional development relevant is for police leadership to invest in and encourage internal learning cycles to review and evaluate current tools, and approaches applied when intervening in cases of VAWG. The usability and practicality of VAWG intervention tools, such as IPV risk assessment forms or case management systems, can benefit significantly from investing in these learning cycles, as they provide an entry point for responding officers and their team managers to provide input or feedback. Ensuring input for learning from both affected stakeholders and responding police will be complementary and mutually reinforcing.

Other sources for learning that will feed the transformation process towards gender-responsive policing are internal and external complaint mechanisms or oversight bodies such as national human rights institutions. Often, oversight bodies, such as national human rights institutions, can help identify partners who can assist in the training, education and professional development towards gender-responsive policing.

Equally important is to track or monitor the effectiveness of learning cycles. One way the effectiveness of such learning cycles can be monitored is by the number/percentage of recommendations incorporated into

police training that stem from reviews or evaluations of risk assessment<sup>46</sup> and safety planning tools used by police *First Responders* and/or during initial contact.

## Building in Resilience of the Behaviours Driving the Transformation

As self-reflection is the start of the transformation process, it requires open dialogue in order to address underlying social issues. In transforming towards a gender-responsive police organization, open and transparent discussions on harmful bias in institutional police cultures are necessary. In such cases, face-to-face training and education is ideal, as highlighted by surveyed police organizations who received training on different forms of VAWG.<sup>47</sup> For transformative learning, UNPOL, for example, recommends activities that encourage creative and analytical thinking and practical scenarios stimulate the participant's learning.<sup>48</sup>

To ensure a well-informed discussion, police should include key stakeholders to help facilitate and design the training modules and input on education curriculums to ensure established common understandings on VAWG are in fact well mainstreamed for all levels of aspiring cadets and officers.

Given that the transformation towards gender-responsiveness is about behavioural change, training and education initiatives, police should seek guidance from the behavioural sciences that can bring forward useful contributions. Insights from psychology, sociology and behavioural economics can help provide sustainably and

<sup>46</sup> The common approach taken to validate IPV risk assessment tools typically involves the use of statistical methods that assess the likelihood that the tool will produce a higher predicted probability of reoffending or recidivism for those perpetrators who actually go on to commit a further offence, compared with perpetrators who do not. See Dowling, C., Morgan, A., Boyd, C., Voce, I., 'Policing Domestic Violence: A Review of the Evidence', Australian Institute of Criminology, Research Report 13 (2018).

<sup>47</sup> See the Case Study of the Nottinghamshire Police, 'Treating Violent Behaviour Towards Women as Hate Crimes' in Chapter 9: 'Communication' for an example of responses from surveyed police towards VAWG training.

<sup>48</sup> UNPOL *Gender Toolkit* Standardized Best Practices on Gender Mainstreaming in Peacekeeping Compendium of Project Tools (2015).



Photo courtesy of MINUSTAH/Logan Abassi (Haiti)

resilience to the transformation in the form of collective lessons learned and good practice. For example, experts in behavioural sciences can contribute evidence-backed learning to help tailor training and education to facilitate changes in behaviour that are measurable and achievable.<sup>49</sup>

In regards to changes in behaviour that are measurable and achievable, the European Commission's police report *'Insights from Behavioural Sciences to Prevent and Combat Violence against Women'* (2016)<sup>50</sup> recommends that essential service providers, in particular the police, should seek to target a change in behaviour by their professionals that will result in victims/survivors taking the following steps to report being subjected to VAWG:

1. Hold a positive attitude toward reporting violence;

2. Believe that others will approve her behaviour (i.e. norm);
3. Think that she is actually able to do this (self-efficacy);
4. Know about the behaviour and must not be constrained by her environment (i.e. skills, knowledge and environmental constraints).

Box 7 provides some tips from the behavioural sciences on generating behaviour change:



Photo courtesy of MINUSMA/Marco Dormino (Mali)

49 Sara Rafael Almeida, Joana Sousa Lourenço, François J. Dessart and Emanuele Ciriolo, 'Insights from behavioural sciences to prevent and combat violence against women', EUR 28235 EN, doi:10.2788/412325

50 Ibid.

## Box 7

### Tips for Training and Education Towards Behaviour Change

- **Frame the lose vs gain.** Ensure police trainees and cadets understand the importance of prevention in terms of costs to society and how they are personally affected by such cost as a result of VAWG prevalence;
- **Behaviour predicts attitudes, attitudes do not predict behaviour.** Design training, education and professional development targeting expected behaviour, not the existing behaviour. As the expected behaviour becomes normalized, the desired changes in attitudes will follow;
- **Make information tangible and personalized.** Bring in examples of gender-responsive policing that have demonstrable results so trainees can connect with the experience of fellow peers in similarly challenging environments;
- **Promote commitment and describe what this means.** Clearly identify the behavioural expectations for gender-responsive policing and how their compliance is valued and rewarded institutionally. Refer to Annex 1 Engaging Men in Prevention in Chapter 3: 'Prevention' for examples of actions that reflect a commitment to gender-responsive policing';
- **Connect to values.** Clearly demonstrate the links between the expected behaviours established in codes of conduct, police integrity and policing best practices, and the goals of gender-responsive policing;
- **Identify and use motivating role models.** Include role models or their experiences into the training and education programmes as exemplary. Police officers are not different from other professionals in the sense that they are more motivated by seeing people in position of influence actually demonstrating the desired change behaviour.

Source: Inspired from Jenni Cross., '3 Myths of Behavior Change & Other Challenges for Sustainability', Center for Energy and Behavior Institute for the Built Environment, Colorado State University, at: [https://www.uccs.edu/sustain/sites/sustain/files/inline-files/Myths%20of%20Behavior%20Change\\_UCCS2015.pdf](https://www.uccs.edu/sustain/sites/sustain/files/inline-files/Myths%20of%20Behavior%20Change_UCCS2015.pdf)

Also, it is not uncommon for transformative processes in police organizations to be confronted with push back or explicit rejection, even undermining from officers including those in positions of leadership. Apart from codes of conduct and related accountability or reinforcement measures, resilience to push back or undermining of gender-responsive policing training, education and professional development need supporting mechanisms. Police mentoring and peer support programmes can be one such supporting mechanism.

UNPOL describes mentoring as a comprehensive, long-term, one-on-one relationship and involves encouraging professional growth where one person invests time, energy, and personal know-how in assisting the growth and ability of another person. UNPOL adds that it is a long-term relationship that focuses on the professional

development of the mentee through tutoring, coaching, guidance, and encouragement<sup>51</sup>

The establishment of women's police Associations/ Networks within the organization can also support the development of resilience to the training and education received on gender-responsive policing. Associations/ Networks can help influence policy change and, when the needs of gender, minorities and human rights are taken into account, the police service becomes more representative of the communities it serves.

<sup>51</sup> UNPOL *Gender Toolkit* Standardised Best Practices on Gender Mainstreaming in Peacekeeping Compendium of Project Tools (2015).





Photo courtesy of the International Association of Women Police (Ending Sexual Violence in Conflict Summit, London 2014)

Women Police Associations/Networks also exist to ensure women have a voice and are recognized for their contributions. They can also act as a consultation base for responding to gender crimes and the subsequent challenges faced by female victims/survivors. Women's Associations/Networks influence change and help policing organizations achieve continuous improvement for the benefit of service delivery to the community

Women's Associations/Networks in general can be important partners for governments in meeting international gender equality commitments, for example:

- CEDAW - Convention on Elimination of all forms of discrimination against women (1979)
- UN Security Council Resolution 1325
- UN General Assembly Resolution on Crime Prevention and Criminal Justice measures to Eliminate Violence against women (1998)
- Sustainable Development Goals, in particular 5 - Gender Equality and 16 – Peace, Justice and strong Institutions

**See the Case Studies at the end of this chapter on How Women Police Associations/Networks can support the implementation of gender-sensitive and gender-responsive Policing.**

The following is a non-exhaustive list of recommendations to strengthen police training, education and profession development in gender-responsive policing:

## Training Frameworks

- Revisit the curriculum and structure of the trainings and education which lays the foundation for the future work of the new entrants and those in service. The focus should be on empathy and moral principles with a victim/survivor-centred approach. This will help create an empowered police organization which has the ability to perform its duties more effectively – without prejudice and discrimination.
- Incorporate perpetrator-focused and victim/survivor-centred Investigations into VAWG in the training modules and curriculum such that all officers that go through the police training schools have a basic knowledge on the subject matter;
- Conduct interdisciplinary training where possible and developing training in close cooperation with essential service providers and women's rights groups and civil society;
- Bringing in subject matter experts on a regular basis so training is ongoing and current such as forensic medical experts; sexual assault centers, VAWG advocacy groups, VAWG research educators, and cyber-crime investigators;
- Limit the reliance on e-learning as a means of training officers and staff on VAWG. It is possible to arrange for face-to-face briefings on VAWG without significant additional investment or abstraction of officers from front line duties. Short training sessions as part of their daily briefing process is a good option;
- Prepare case studies and scenarios in real time from local experiences that show officers the results of their actions in VAWG cases;
- Do no harm. VAWG does not discriminate nor are police officer's immune to it. Training and education on VAWG need to keep in mind that police can be both

victims/survivors of VAWG as well as perpetrators. Sensitivity should be encouraged during the training;

- Include visible commitment by police leadership to the training. This can be by means of remote or in-person messages from the senior officers at the start of training, or by their attendance on the training programme with other officers;
- Develop specialized/promotional/short and long-term courses on crimes against women and girls, including cybercrime and non-physical forms of abuse;
- Consider mandatory courses on trauma informed practices;
- Develop training materials exclusively related to women and girl victims/survivors of physical and cyber sexual assaults;
- Consider mobile refresher training prioritizing areas with higher concentrations of vulnerable and minoritized women and girls;
- Ensure every investigative officer undergoes a thorough induction course;
- Design training and education programmes to encapsulate police frontline leaders to senior investigating officers and other middle managers / leaders.

## Competencies (knowledge, skill and attitude)

- Prioritize interpersonal attributes that are gender-sensitive, reliable, committed, motivating, communicative, responsive, encouraging, fair, impartial and non-judgmental;
- Focus on respect for victims'/survivors' confidentiality and wellbeing. Victims/survivors should be at the centre of the training. For example, detective training should place greater emphasis on managing a victim/survivor than managing an exhibit;
- Focus on perpetrator behaviour that is coercive and controlling. This form of abuse is often challenging for

responding police to identify as it is often non-physical and verbal. Not understanding coercive and controlling behaviour linked to VAWG usually leads to stereotyping and blaming of victim/survivor;

- Encourage open discussion by challenging officers' existing attitudes and bias. Using scenarios in real time followed by discussing decisions collectively facilitates self-reflection;
- Develop a sensitization strategy for 'desensitized' officers. The nature of the violence, its causes and consequences impact women and girls differently and disproportionately and is often best addressed by hearing from victims/survivors themselves;
- Ensure training and education includes how to identify physical, attitudinal and communication barriers usually faced by women and girls with different types of disabilities;
- Facilitate dialogue that challenges the notion of the ideal victim with different examples including ideal cases;
- Ensure police officers have knowledge and understanding of the gaps in law and social norms as part of sensitization about the nature of the violence, its causes and consequences impact women and girls differently and disproportionately.

**“Emotional competency requires developing essential social skills to recognize, interpret, and respond constructively to emotions in yourself and others. This means developing the ability to interview victims in ways that empower and calm them, so they are able to provide more accurate, coherent, consistent and persuasive narratives.”**

—The Impact of Trauma on Adult Sexual Assault Victims  
(Justice Canada 2019)



## HUMAN RESOURCES

### The Potential that Female Officers Offer

Gender-responsive policing requires both representation and inclusion within the police organization. Women contribute to a more gender-sensitive police organization and diversity among female police officers strengthens the effectiveness of the response. Both are vital to improving the work on addressing VAWG. However, having more women in police organizations does

**A police service that is representative of the diverse community it serves, including as regards gender, is more approachable and trusted by that community.**

—Tool 2: Policing and Gender in Gender and Security Toolkit (DCAF, OSCE/ODIHR, UN Women, 2019)

not necessarily lead to a decrease in VAWG, especially if the female officers do not represent the communities they serve and protect.

#### Box 8

##### **Albania: The Impact of Women in Senior Leadership Positions in the Police:**

In 2016, Force International conducted an analysis of a positive action initiative to integrate female officers into operational command positions within the Albanian State Police (ASP). The initiative had been supported by the ICITAP, US Embassy and other strategic partners in Albania. The overall goal of the review was to establish positive learning in the planning and management of the delivery of such positive action programs in the future. During the review, consultation took place with members of a rural Albanian Community (women) on the impact of the first female district police commander. The focus groups took place 3 months after the female commander took up her position.

Comments made by the women from the community focused very much on community engagement and the impact of a woman officer in a position of senior leadership on them and their feeling of safety. The consultation observed that for the women in the community, seeing someone in charge who was similar to them increased their trust and confidence of the police, thereby strengthening the argument for increasing the visibility of women in policing. The following list are examples of the feedback provided by the women in the community during the consultation process:

- *‘For women and girls in the community there is now more communication with the police...’*
- *‘Having women in leadership and command roles makes a difference for women and girls in the community, it changes their sense of self-esteem’*
- *‘Having a woman in charge will increase trust and confidence, it has influence as we see someone similar to us’*
- *‘Having women in leadership and command roles makes a difference for women and girls in the community, it changes their sense of self-esteem, It affects all of us, a commissariat full of women would be a good thing’*

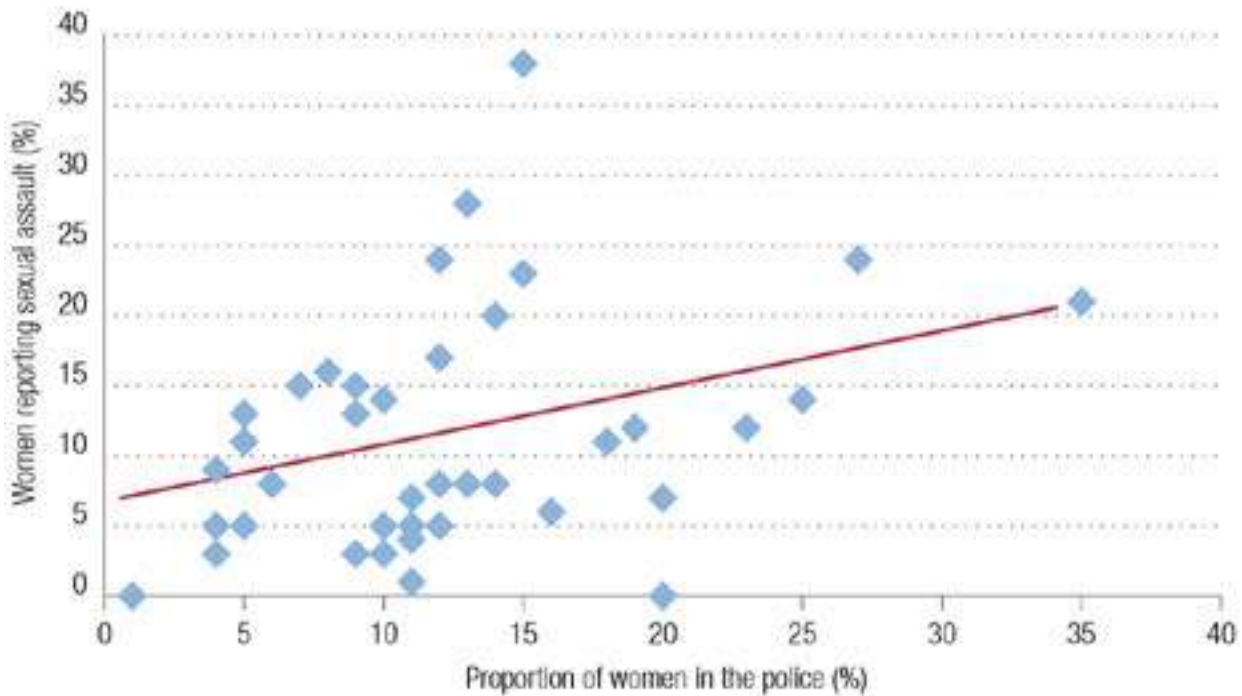
Source: Anon as cited in Townsley, J. (2016:40) *Initiative for Mid-Ranking Women Officers to take on Operational Command Roles within the Albanian State Police*: Review, Castleford: Force International Ltd. (Document not in public domain).

Recruiting and retaining women in the police organization will be a critical part of the transformation towards gender-responsive policing. According to DCAF, apart from adding broader ideas, skills and experience to the

police organization, female police officers tend to also contribute particular qualities such as being associated with less use of force, fewer citizen complaints than male officers, often have better communication skills

Figure 2

Correlation between the presence of women police officers with reporting of sexual assault



and are viewed as more sympathetic by complainants.<sup>52</sup> In the US, one gendered analysis of allegations and cases of police excessive force indicated that only 5% of the citizen complaints for excessive force and 2% of the sustained allegations of excessive force in large police agencies involve female officers.<sup>53</sup>

Moreover, women and girls, even male victims/survivors of GBV, have shown a consistent preference to report to female officers.<sup>54</sup> This is not surprising given the vast majority of the perpetrators of VAWG are men and boys and that historically, institutional police culture hasn't been very rewarding towards gender-responsive police practice and its champions.

In 2011, UN Women combined police representation data from 39 countries collected by UNODC (2009) together with the reporting of sexual assault calculated by the International Crime Victims Survey (ICVS) to demonstrate that the presence of women police officers correlates positively with reporting of sexual assault.<sup>55</sup> This analysis strengthens the notion that recruiting and retaining women in police organizations plays a significant role in responding effectively to VAWG (see Figure 2).

EUROPOL have also looked towards similar studies when seeking institutional development. For example, EUROPOL learned that gender-balanced leadership teams significantly improve the quality of decision-making with gender-balanced workplaces also performing better.<sup>56</sup> As a result, EUROPOL has invested in further exploring how

52 Toolkit Tool 2: Policing and Gender in *Gender and Security Toolkit* (Geneva: DCAF, OSCE/ODIHR, UN Women, 2019).

53 Men, Women, and Police Excessive Force: 'A Tale of Two Genders a Content Analysis of Civil Liability Cases, Sustained Allegations and Citizen Complaints,' (The National Center for Women and Policing, 2002).

54 Welch, J and Mason, F., 'Rape and Sexual Assault', *British Medical Journal* 2007;334:1154-1158

55 Progress of the World's Women 2011–2012: Families in a Changing World (UN Women, 2011).

56 Wittenberg-Cox, A, 'How Women Mean Business: A Step by Step Guide to Profiting from Gender Balanced Business (2010)', in 'The Female Factor Gender Balance in Law Enforcement (EUROPOL, 2013), see: <https://www.europol.europa.eu/publications-documents/female-factor-gender-balance-in-law-enforcement>

a more diverse and balanced workforce would improve their performance and results by launching its own gender-balance project (2012) to explore why the imbalance exists in its staff, particularly at management level.<sup>57</sup> This project aimed to improve this gender imbalance, raise awareness on gender equality and develop an approach to ensure that gender equality becomes an integral part of EUROPOL's working environment.<sup>58</sup>



Photo courtesy of MINUSTAH (Haiti)

## Recruiting and Retaining Staff for a Gender-Responsive Police Organization

In essence, in spite of their smaller proportion in numbers in police organizations, female police officers have tremendous potential to contribute to the police being perceived as legitimate and trustworthy. Perceived as legitimate and trustworthy are essential ingredients of a modern police organization.

As a result, recruiting and retaining women in the police organization is inherently part of the DNA of gender-responsive policing. However, this is far from the full story. Experience shows that ensuring the capacity for essential service delivery is properly resourced and that all staff are well trained and motivated is just as

57 The Female Factor Gender Balance in Law Enforcement (EUROPOL, 2013), see: <https://www.europol.europa.eu/publications-documents/female-factor-gender-balance-in-law-enforcement>

58 Ibid.

important as increasing and maintaining the presence of women officers.<sup>59</sup>

The *Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice* urges States to:

- Ensure gender equitable representation in the police force and other agencies of the justice system, particularly at the decision making and managerial levels;
- Provide victims of violence, where possible, with the right to speak to a female officer, whether it be the police or any other criminal justice official;<sup>60</sup>

Caution, however, should be taken when the aim is simply to increase representation in the police services as the police organization may run the risk of perpetuating the stereotype that only women officers should be gender-sensitive and responsible for victims/survivors of VAWG.<sup>61</sup>

Instead the recruitment, retention and promotion of all police officers in general should prioritize and promote candidates who consistently demonstrate competencies reflective of gender-responsive policing including intersectional and rights-based in approach.

**“Women have appreciable skills in management and direction... they have good listening and delegation skills, a quite complete sense of reality and are generally very well organized. They are able to balance major strategies whilst giving special attention to the minor details, taking on responsibilities with great diligence.”**

—Ignacio Cosidó Gutiérrez, Director of the Spanish National Police (2013)

Also, the implementation of such gender-sensitive recruitment policies should run parallel to staff training on human rights and gender issues, infrastructural

59 ‘Progress of the World’s Women 2011–2012: Families in a Changing World’ (UN Women, 2011).

60 A/Res/65/228, annex, para. 16 (k-l). See also: UNODC’s Education For Justice Module on Gender in the Criminal Justice System, [Topic 4 - Gender diversity in the criminal justice workforce](#)

61 Ibid.

development to reduce risks to women and people of diverse gender identities and processes to guard against, and respond to, discrimination.<sup>62</sup>

DCAF's *Gender Toolkit* (2019) provides examples of competencies for police officer job descriptions that are aligned with gender-responsive policing (Box 9):

### Box 9

#### Competencies in police officer job descriptions

- Strong intercultural communication skills with diverse parts of the population (men, women, girls, boys, persons of diverse sexual orientation and gender identity and expression, different ages, ethnicities, religions, etc.);
- Empathetic, with good listening skills;
- Ability to de-escalate volatile situations and mediate disputes;
- Ability to build consensus among those with diverse interests;
- Ability to multitask and prioritize among competing demands;
- Ability to co-ordinate and co-operate with a range of government departments and other stakeholders;
- Proactive in developing preventive approaches to crime and social problems;
- Respectful and courteous;
- Values consultation and relationship building;
- Honest and committed to following due process.

Source: Toolkit Tool 2: Policing and Gender in Gender and Security Toolkit, (Geneva: DCAF, OSCE/ODIHR, UN Women, 2019)

Additionally, UNPOL's *Gender Toolkit* (2015)<sup>63</sup> provides more guidance for police recruitment and retention processes that complement and reinforce DCAF's guidance on recruiting for a diverse police service. However, all the guidance offered and recommended in this Handbook can be easily undermined without accompanying accountability measures and policies that remove discriminative barriers.

For example, women in policing face obstacles that men do not, such as the effects of labelling and sexual harassment. Moreover, data suggests that these female police officers choose not to advance their careers because of

structural family expectations and norms.<sup>64</sup> As a result, policies that require reviews of police recruitment procedures with a gender perspective are important to determine if they are discriminatory towards women. In this regard, UN Women recommend police recruitment policies ensure the following:<sup>65</sup>

- Women have a clear pathway to enter positions of decision-making;
- Human resource plans support the sustained growth of the female labour force;
- Conditions and incentives exist for the retention of female staff.

62 Gordon, E., McHugh, C., and Townsley, J., 'Risks versus Transformational Opportunities in Gender-Responsive Security Sector Reform', *Journal of Global Security Studies*, 0(0), 2020, 1–16 doi: 10.1093/jogss/ogaa028.

63 See: Section 1: 'Assisting Host State Police in Recruiting Female Police Officers', (UNPOL *Gender Toolkit* 2015).

64 Graue T.M., Hildie, R.E., and Weatherby, G.A, 'Women in Modern Policing'. Department of Sociology and Criminal Justice, Gonzaga University, Spokane, WA, USA, *Journal of Social Sciences and Humanities* Vol. 2, No. 3, 2016, pp. 51-62 ISSN: 2381-7763 (Print); ISSN: 2381-7771.

65 'A Practitioner's Toolkit on Women's Access to Justice Programming' (UN Women et al, 2018).

The establishment of internal committees or working groups tasked with identifying barriers that result in discriminating against women and minoritized groups is another positive action. However, these committees or working groups should themselves reflect principles of gender equality and equity in their membership.

Moreover, they should be adequately resourced and supported by police senior and executive leadership in order to have the desired impact. Box 10 provides an example from Liberia of how a collective of the Liberian police influenced positive advancements for female officers:

#### Box 10

##### **Women police in Liberia advocate for greater leadership roles**

With support from UN Women, the Liberian Female Law Enforcement Association held a symposium that brought together all the stakeholders involved in the security sector, including senior managers. The key highlights included a discussion regarding the challenges facing women in security institutions. For example, in the Liberia National Police there were no females in executive positions and only 16 females (among 126 males) in supervisory roles, as well as 78 female college graduates in the entire work force.

The Association succeeded in lobbying for the appointment of two senior female officers within both the Liberia National Police and the Executive Mansion Protection Services, including one who is currently third rank in the Liberia National Police.

Source: 'Analysis of Country Annual Reports', (UN Women, 2016). (Unpublished).

#### Box 11

##### **Women Police Officers Network in South East Europe (WPON)**

Another positive example is the Women Police Officers Network in South East Europe (WPON) who, during their existence until 2013, were able to establish an influential advisory body and network for the region's police services on matters related to gender equality and policing. On this topic, the WPON also developed very useful '*Guidelines for Gender-Sensitive Policing, with an Emphasis on Recruitment, Selection and the Professional Development of Women in Police Services*' (2012).



These guidelines were designed as a manual for police managers at all levels, particularly those working in departments responsible for education, human resources and public relations, or other officials within the Ministry of Interior and the police who handle recruitment, admission, selection, and professional development. They propose a set of simple and low-cost measures, which will help police services attract and retain more qualified women and advance gender equality.

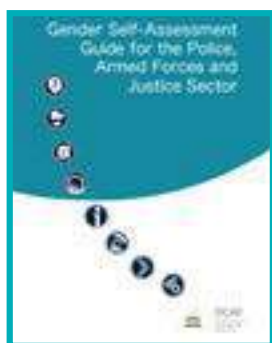
Source: 'Guidelines for Gender Sensitive Policing, with an Emphasis on Recruitment, Selection and Professional Development of Women in Police Services', The Women Police Officers Network in South East Europe (WPON)- South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC, 2012), see: <https://www.seesac.org/f/tmp/files/publication/812.pdf>

## Internal Gender Assessments

According to DCAF, conducting an internal assessment of the barriers and entry points for gender equality should be a first step in transforming towards gender-responsive policing. An internal gender assessment can assist in the following:

- Identify the institutional resources that you already have to address gender issues, in terms of skills, knowledge, mandates, policies and procedures;
- Identify what is, and is not working well in meeting the needs of women, men, girls and boys in the communities that you serve;
- Identify training and equipment needs;
- Get baseline data against which to monitor and evaluate progress;
- Demonstrate to your staff your commitment to excellent working conditions and fair opportunities;
- Understand why male and female staff leave;
- Identify existing good practices in supporting the equal recruitment, retention and advancement of women and men;
- Demonstrate to your local community, government and other stakeholders your commitment to meeting human rights and gender equality commitments;
- Strengthen partnerships with communities, non-governmental organisations (NGOs) and complementary service providers;
- Develop realistic goals and practical strategies to become more gender responsive.

The Handbook recommends DCAF's ['Gender Self-Assessment Guide for the Police, Armed Forces and Justice Sector \(2011\)](#) for when considering internal assessment of the barriers and entry points for gender-responsive policing.



## DATA COLLECTION, ANALYSIS AND USE FOR GENDER-RESPONSIVE POLICING

### Public Confidence Indicators for Gender-responsive Policing

With an internal gender assessment completed, police can establish baselines for measuring whether they are doing the right thing and its impact on the prevalence of VAWG. Public confidence will play a key role in how effective police will be in responding to VAWG as this will be a good indicator of the public's will to engage the police to report crime and violence. Therefore, police should design baselines and data collection methodologies accordingly, so they know if they are on the right track for responding effectively to the prevalence of VAWG.

Gender analysis is a critical examination of how differences in gender roles, activities, needs, opportunities and rights/entitlements affect men, women, girls and boys in certain situations or contexts.

There are numerous models for measuring public confidence in a police organization. Stanko and Bradford for example, recommend police systems capture data that will respond to the following qualitative indicators: a) perceptions of police effectiveness; b) fairness of personal treatment; c) the level of police engagement with the community and d) local people's concerns about local disorder as they all have strongly significant effects on 'overall' confidence towards police.<sup>66</sup>

However, for the purposes of gender-responsive policing, Stanko and Bradford's recommended qualitative indicators will require further disaggregation to allow for a **gender-sensitive analysis** of the intersecting factors impacting women's and girls' security needs.

<sup>66</sup> Stanko, E.A., and Bradford, B. (2009), "Beyond Measuring 'How Good a Job' Police Are Doing: The MPS Model of Confidence in Policing", *Policing*, Volume 3, Number 4, pp. 322–330. Oxford University Press.



Box 12 provides examples of how Stanko and Bradford's (2009) four measures of public confidence in police organization can be further disaggregated to ensure a

more gender-sensitive analysis for monitoring police performance in responding to VAWG:

**Box 12**

<b>Public Confidence in Police<sup>67</sup></b>	<b>Perceptions of police effectiveness</b>	<b>Fairness of personal treatment</b>	<b>Concerns of local population about local disorder</b>	<b>The level of police engagement with the community</b>
<b>Qualitative Indicators</b> Disaggregated by age and other socio-economic variables where possible	An increase in the level of confidence women and girls have in the police services  An increase in the perception of police referral effectiveness by essential service partners	Victims/survivors and/or family are reporting being less subjected to secondary victimization <sup>68</sup>  Reduction in complaints against police <i>First Responders</i> in cases of VAWG	An increase in the satisfaction of victims/survivors and/or family who feel their participation was meaningful and they feel safer as a result	An increase in the level of confidence CSOs have in the police essential services
<b>Quantitative Indicators</b> Disaggregated by age and other socio-economic variables where possible	An increase in the number referrals to appropriate essential service providers  % of victims/survivors who had to use specialist VAWG services and who can report a complete cessation of all types of abuse	A decrease in attrition rates disaggregated by justice continuum phase (initial contact, investigation, pre-trial etc)	An increase in the rate of victims/survivors reporting VAWG to police  A % reduction in the number of repeat offences committed by individual perpetrators	Number of community organizations partnering with police to provide information about VAWG  Number of young people receiving VAWG awareness from police in schools, other educational establishments and the community


It is important to highlight that police performance measures are complex and multi-dimensional so all recommended indicators in the Handbook should not be viewed as exhaustive and should be considered in conjunction with each other, rather than viewed in isolation.

Moreover, apart from the imperative requirement of baseline information from which performance measurements can be applied, police data collection systems need to consider introducing a unique victim identifier to follow up on VAWG cases.<sup>69</sup>

<sup>67</sup> As per Stanko, E.A., and Bradford, B (2009).

<sup>68</sup> Secondary victimization has been defined in the UN *Updated Model Strategies and Practical Measures* to be victimization that occurs not as a direct result of the act but by through the inadequate response of institutions and individuals to the victim.

<sup>69</sup> Measuring police performance in domestic and family violence (2008). Rollings, K. and Taylor, N. for Trends & issues in crime and criminal justice No. 367 December 2008. Australian Government. Australian Institute of Criminology.

Data that is not disaggregated by sex and other intersecting factors is not representative 

In the case of IPV, police data collection systems with unique victim identifiers can monitor the impact of protection measures activated to ensure the safety and security of victims/survivors of VAWG as well as on the prevalence of repeat offending. In this regard, Rollings and Taylor (2008) believe tacking offenders over time would allow for repeat offending to be properly measured and compared to other data such as attrition rates or perception of police service by women and girls.<sup>70</sup>

In terms of collecting police data for monitoring perpetrator behaviour, recent experience from the UK

<sup>70</sup> Ibid.

recommends police to introduce the following indicators to target<sup>72</sup>

- Reduction in the number of serial perpetrators of IPV;
- Reduction in the number of repeat and new victims/survivors;
- Reduction in the harm caused to victims/survivors and children;

- Faster response times to safeguard families living with high-risk, high-harm IPV.

In another example, Box 13 provides an interesting government-led baseline study from Department for Social Sciences in Australia which focused on the behaviour of perpetrators of family and domestic violence (FDV). The baseline study also produced a series of indicators police can employ to track perpetrator behaviour. The baseline data collected will be fundamental when informing perpetrator-focused investigations, a key element for gender-responsive policing.

### Box 13

#### Collecting Data to Inform Perpetrator-focused Investigations

In Australia, the Department for Social Sciences released a baseline report for 2015-2016 called the “National Outcome Standards for Perpetrator Interventions (NOSPI)” for monitoring and measuring the results of national interventions that target the attitude and change behaviour of perpetrators of family and domestic violence (FDV).

The report was based on a collection of nation-wide data on the performance of the perpetrator system, which included a prevention focus via holding perpetrators to account and ensuring they face consequences for their violence, as well as providing services to work with them to change their behaviours and attitudes. The NOSPI used and recommended a series of indicators that police can use to ensure their response to VAWG is adequately informed. They include the following:

- Proportion of reported FDV incidents where a victim risk assessment was made;
- Proportion of police reported FDV incidents where the victim was referred to an appropriate service or program for assessment;
- Proportion of police attended FDV incidents where police issued FDV intervention orders on behalf of the victim;
- Proportion of victims reporting sexual assault referred to specialist sexual assault services;
- Proportion of child protection notifications that record FDV in the notification;
- Proportion of women (and their children) who felt safer a) before and b) at the time of after the perpetrator intervention was operating;
- Proportion of women who experience FDV who are re-victimised by the same perpetrator within 12 months;
- Proportion of children who experience FDV who are re-victimised within 12 months;
- Proportion of FDV incidents where the perpetrator was referred to an appropriate service or program for assessment;
- Proportion of FDV or sexual incidents reported to or recorded by police where charges were laid (where appropriate);
- Proportion of perpetrators that are first time offenders;
- Proportion of FDV perpetrators who perpetrate again with a new FDV or sexual offence within 12 months of completing a behaviour change program (or other perpetrator interventions).

\*Source: ‘National Outcome Standards for Perpetrator Interventions (NOSPI) Baseline Report 2015-2016’, Australian Department for Social Sciences, see: <https://plan4womenssafety.dss.gov.au/wp-content/uploads/2018/08/nationaloutcomestandardsreportweb.pdf>

71 Taken from ‘Evaluation of the Drive Project – A Three-year Pilot to Address High-risk, High-harm Perpetrators of Domestic Abuse’ (Centre for Gender and Violence Research, University of Bristol, 2019).

## Establishing the Prevalence of VAWG

Capturing data on the **prevalence of VAWG** is a challenging but worthwhile exercise, as it will require surveying representative samples of women and girls in a given population to inquire about their experiences of violence.

For the purposes of this Handbook, the prevalence of VAWG will be defined as a statistical concept referring to the number of acts of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women and girls, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life in a given population.<sup>72</sup>

Population-based surveys for data on prevalence, if conducted properly and with due consideration for quality and ethics, are the best source of data for estimating the commonness of VAWG and help shed light on the scope, nature and consequences of most types of violence against women and girls.<sup>73</sup>

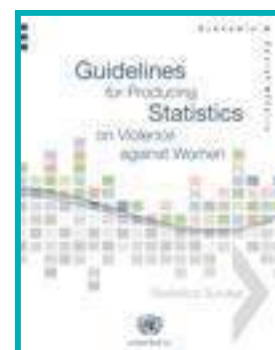
Having data on the prevalence of VAWG will provide essential service providers including police with a more realistic indicator of whether their efforts to respond to VAWG are having the desired impact. However, data on prevalence of VAWG cannot be left to the police to collect as police are generally only in position to contribute information such as number of cases reported to them, a legal classification of crime and (normally) the physical violence used.

Surveying women and (adolescent) girls about their experiences of violence including, but not limited to, the frequency and circumstances of the violence, the resulting health consequences thereof and the actions they took to seek help is a highly sensitive manner often

requiring trust to share.<sup>74</sup> Trust is a vital element not all police organization can count on from women and girls, particularly if they come from minoritized and/or invisible communities. Collecting data on prevalence thus requires a holistic approach involving several competent government agencies and their stakeholder partners.

Ensuring the capture of the frequency of VAWG per victim/survivor in such surveys is particularly important especially as it can fill a common gap in criminal justice system data systems.

The ‘UN Guidelines for Producing Statistics on Violence against Women’ (2014) warns that it is common for criminal justice system data to not be representative of all VAWG that occurs as victims/survivors tend to involve the police only as a last resort and after other strategies to end the violence have failed.<sup>75</sup> The



*Guidelines* add that this is compounded by the fact that VAWG are among the most under-reported of all crime.

Nevertheless, police organizations still try to establish the prevalence of VAWG by measuring the number of incidents reported to them, which is a more convenient measure as the unit of recording is a reported incident or case, rather than the victimized person (woman or girl).<sup>76</sup>

Not only does this indicator not tell the full story in terms of extent, severity and patterns of violence but it relies heavily on the level of quality and comprehensiveness of the police incident reports. This is further complicated by the fact that court statistics are often even more limited as a result of police and prosecutors often using their discretion not to proceed with these cases and that police data is often not linked to court data collection systems.<sup>77</sup>

72 VAWG is also understood to encompass, but not be limited to physical, sexual and psychological violence occurring in the family, within the general community and perpetrated or condoned by the State. See the Declaration on the Elimination of Violence Against Women (General Assembly resolution 48/104 of 20 December 1993).

73 Guidelines for Producing Statistics on Violence against Women— Statistical Surveys (UN New York. Department of Economic and Social Affairs Statistics Division. 2014).

74 Ibid.

75 Ibid.

76 Ibid.

77 Ibid and see: V. Jaquier, H. Johnson and B.S. Fisher, ‘Research methods, measures and ethics’, in *Sourcebooks on Violence against Women*, 2nd ed., C.M. Renzetti, J.L. Edleson and R.K. Bergen, eds. (SAGE Publications, 2010).

As police should target reducing the gap between prevalence estimates and reported cases it is in the interest of police organizations to establish working relationships with CSOs and other essential service providers to promote whole-of-government approaches to VAWG prevalence studies.

Moreover, prevalence studies can benefit from a wider research focus on societal attitudes towards VAWG issues (reporting, victim blaming, tolerance, inhibition, silence). Police can be instrumental stakeholder partners in informing such studies and would also benefit operationally for the ensuring results. For example, wider research focus on societal attitudes, including that of the police, towards VAWG can strengthen the analysis and dissemination of qualitative and quantitative data on extreme forms of VAWG, such as gender-related killing of women or femicide, which would inform IPV risk assessment methodologies, police protection and safety measures, as well as prevention strategies.

However to be adequate, wider VAWG prevalence studies need to account for factors such as age, racial and ethnic origin, criminal history of perpetrators, the relationship between the victim/survivor and the perpetrator, modus operandi, context and motive, as well as taking special care to include reports on violence in rural and marginalized areas and the situation of specific groups of women and victims/survivors.<sup>78</sup> Participation in such studies in partnership with external stakeholders would provide the police a platform to build strategic partnerships but to also take a step forward in owning the problem.

## MONITORING AND EVALUATING FOR EFFECTIVE GENDER-RESPONSIVE POLICING

### Monitoring for Impact

How a police organization measures its own performance and, how in turn, police leadership holds its members to account for delivering against priorities

<sup>78</sup> Recommendations for action against gender-related killing of women and girls (UNODC and UN Women, 2015).

and related goals are essential elements of what steers everyday police work.

Intersectionality accounts for how differently women and girls are subjected to violence and how they experience crime.



According to UNODC (2014), ensuring effective implementation of policing priorities requires oversight, monitoring and evaluation. All effective actions need to be supported by accurate empirical data about the scope and impact of crime and violence and how effective the police are in ensuring perpetrators are accountable and meeting the needs of population.<sup>79</sup> UNODC adds that the development of police internal monitoring and oversight mechanisms should be guided by the principles of transparency and accountability to the victims/survivors. Responding to VAWG is no exception.

As previously mentioned, monitoring performance for gender-responsive policing requires a baseline from which to measure impact as well as organizational growth and development. With a well-informed baseline in place, police organizations can begin to monitor and evaluate their policies and strategies for gender-responsive policing more accurately for alignment with State obligations such as the 2030 Agenda for Sustainable Development which emphasizes achieving gender equality and empowering all women and girls cut across all State sectors, including the police.<sup>80</sup>

Integrating a gender perspective will form a critical part in designing transformative gender-responsive policies and strategies including the **monitoring system** that will accompany the process.

A monitoring system can be described as a continuing function that aims primarily to provide managers and main stakeholders with regular feedback and early indications of progress or lack thereof in the achievement of

<sup>79</sup> Handbook on Effective Prosecution Responses to Violence against Women and Girls (UN Women, UNODC 2014).

<sup>80</sup> See 'Integrating Gender in Project Design and Monitoring for the Security and Justice Sector', Tool 15: *Gender and Security Toolkit* (DCAF, OSCE/ODIHR and UN Women, 2019).

intended results.<sup>81</sup> Moreover, monitoring implies collecting and analyzing gender-sensitive and intersectional data on implementation processes of policies and strategies and recommending corrective measures.<sup>82</sup>



Monitoring feedback and its recommended corrective measures should always consider gender-sensitive budget reviews. In this regard, DCAF's 'Tool 15: Integrating Gender in Project Design and Monitoring for the Security and Justice Sector' (2019) recommends the following key questions:

- Does the budget – in the way that financial and material resources are allocated to different groups of women, girls, men and boys within the project – advance gender equality?
- Is there a funding target established for gender equality and women's empowerment work?
- Could the budget perpetuate any form of inequality?
- Is the budget designed in such a manner as to enable the intended groups of women, men, boys and girls to contribute to and benefit from the project?

In general, monitoring systems should incorporate regular and cost-effective feedback loops to stimulate learning throughout the learning cycle. In the case of VAWG, involving key stakeholders such as women's rights organizations and other community level partners in institutional learning processes will strengthen and recognise women's voices and knowledge, as well as validate women's experiences and break down the cultures of silence that surround VAWG.<sup>83</sup>

Moreover, the trust that external stakeholders such as

81 Nicola Popovic. 'Security Sector Reform Assessment, Monitoring and Evaluation and Gender' in *Gender and Security Sector Reform Toolkit*, Eds. Megan Bastick and Kristin Valasek (Geneva: DCAF, OSCE/ODIHR, UN-INSTRAW, 2008).

82 Ibid.

83 'Guidance on Monitoring and Evaluation for Programming on Violence against Women and Girls', (Guidance Note 3, Department for International Development - DFID - practice paper).

women's rights CSOs have with victims/survivors of VAWG can play a significant role in the quality of information received for institutional learning. As previously mentioned, involvement with women's rights CSOs, for example, will be particularly important for conducting surveys measuring victim's/survivor's satisfaction after reporting to the police. Women's organizations, for example, will tend to cultivate more trust from victims/survivors of VAWG than police and are thus better placed to capture qualitative data on behalf of the police themselves.

Surveying victims/survivors of VAWG for service satisfaction will feed a very important indicator for gender-responsive policing but should be done with appropriate safeguards in place to ensure no harm is done.<sup>84</sup>

For more information on developing a gender-responsive monitoring system, the Handbook recommends the following documents produced by Geneva-based DCAF:

- Tool 11: *Security Sector Reform Assessment, Monitoring and Evaluation and Gender* (2008) of the Gender and SSR Toolkit;
- Tool 15: *Integrating Gender in Project Design and Monitoring for the Security and Justice Sector* (2019) of the Gender and Security Toolkit.



## Gender-sensitive Competencies: The Key to Transformation

As discussed throughout the Handbook, gender-responsive policies are based on applying **knowledge, skills and attitude** that is gender-sensitive or **gender-sensitive competencies** that are able to empower the powerless and build trust and working relationships with a wide range

84 Recommendation taken from 'Everyone's Business: Improving the police response to domestic abuse' (Her Majesty's Inspectorate of Constabulary – HMIC - 2014).

Figure 3

### Gender-responsive Competencies



of stakeholders respecting the principles of non-discrimination and ‘do-no-harm’ in the process. Accountability measures to ensure compliance with institutional codes of conduct for police integrity play vital roles in ensuring the ownership and resilience of the competencies needed for gender-responsive policing.

Thus, these three components are strongly connected and mutually reinforcing in their practical application as well as in their compliance and performance outputs (Figure 3). The following section will focus exclusively on monitoring and evaluating (M&E) performance for gender-responsive policing.

This section will not discuss accountability measures for compliance with codes of conduct for police integrity in detail as the topic is not within the scope of this Handbook. Nevertheless, basic recommendations regarding accountability measures for compliance with codes of conduct for police integrity are provided in previous sections.

In ensuring a gender-responsive police organization, gender-sensitive competencies should be monitored for their consistent application across the organization. Senior police management should consider providing middle managers with a uniform job performance

appraisal system that includes the application of gender-sensitive competencies.

Job performance appraisal should be seen as a learning tool not just a means for ensuring accountability. Middle managers should be encouraged by senior police leadership to actively support the resilience of the learned competencies for gender-responsive policing.

For example, team leaders can conduct a complete investigative debrief on both successful and unsuccessful investigations. This should include all members involved in the case from *First Responders* to detectives or inspectors and supervisors. The debrief can include a chronological review of each responding officer’s involvement referencing gender-sensitive competencies to discuss what went right and what could be improved next time. Followed by an after-action report which can turn out to be one of the best methods for learning and growing as a team and unit. Depending on the police organization, middle to senior police management could be included in this from time to time to provide strategic level input.

Job performance appraisals which include gender-sensitive competencies should help to clarify which types of VAWG strategies have been effective and how but also why. At the same time, monitoring such competencies will help to identify which barriers continue to exist that are limiting the impact of gender-responsive policing so they can be corrected in a timely manner.

Any barriers identified will probably have a direct link with gaps in institutional accountability measures that are meant to uphold police codes of conduct including ‘no-tolerance’ policies. Middle managers should view the inconsistent application of gender-sensitive competencies by their staff as a symptom of deeper problems facing the police organization. These normally include, but are not limited to, difficulties in instilling of a culture of accountability, ineffective leadership, and overall police training and education that does not comprehensively address gender equality principles.

Corrective measures should therefore target these three challenging issues in policing to improve the overall application of gender-sensitive competencies. Thus, scrupulous



monitoring of gender-sensitive competencies will not only help to drive the transformation towards gender-responsive policing, but will also help prevent complaints against the police, in particular *First Responders*, whose inaction may amount to human rights violations.

Moreover, as police work is teamwork, individual performance appraisals and mentoring systems should be inherently linked to achieving the following collective goals:

- Reducing the gap between the prevalence of VAWG and the number of reported cases;
- Increasing the perception of police as legitimate essential service providers by victims/survivors of VAWG and their communities.

However, these goals need indicators that are reflective of gender-responsive policing, specifically the competencies required by police officers. Ideally, station commanders should have local baseline data on the prevalence of VAWG to measure against the trends in reporting documented at their duty station.

Having this information supported by gender-responsive policing indicators will provide insight on whether gender-sensitive competencies are being applied on a consistent basis by responding officers. Box 14 provides examples of the types of gender-sensitive competencies that will underpin gender-responsive policing and which can be referred to for job performance appraisal:

Box 14

Gender-sensitive Competencies			Gender-responsive Policing Indicators	
Knowledge of VAWG	Skills	Attitude	Qualitative	Quantitative
Social and economic consequences	Partnership building	Prevention oriented	An increase in the perception of local security by women and girls	Increased stakeholder engagement on VAWG prevention (projects, fora etc)
Medical or health consequences	Trauma-informed	Do no harm	Victims/survivors and/or family are reporting being less subjected to secondary victimization	Reduction in complaints against police <i>First Responders</i>
Disproportionate nature of violence subjected on women and girls	Victim/survivor identification	Proactive and resourceful in engagement with essential service providers	An increase in the perception of police effectiveness by essential service partners	An increase in referrals
People, groups and communities considered most vulnerable	Interpersonal communication	Non-judgmental and aware of harmful bias	Perception of trust of police is more positive from minoritized women and girls	A decrease in victimisation rates of minoritized women and girls
National procedure and law	Setting investigative/ intervention priorities to be perpetrator focused	Oriented towards victim/survivor empowerment and cooperation	Victims/survivors and/or family feedback of their participation indicates it was meaningful	A decrease in attrition rates
International standards, principles and norms	Case management including chain of custody and intervention records	Accountable and transparent	Quality of police reports is good and considered reliable for data collection	A decrease in number of cases of perpetrator recidivism

In some cases, such as the UK, gender-responsive policing indicators have been encouraged to be included in the annual performance evaluation of every section, unit and department.<sup>85</sup> In terms of competencies and values, the UK College of Policing rely on the Competency and Values Framework (CVF). The goal of the CVF is to ensure that there are clear expectations of everyone working in policing which in turn will lead to standards being raised for the benefit and safety of the public.<sup>86</sup>

85 Modern Crime Prevention Strategy (Home Office, 2016).

86 Competency and Values Framework for Policing - Overview of Framework (College of Policing, 2016).

One of key competencies for policing promoted by the CVF is to be 'emotionally aware.' The UK College of Policing has identified the importance of police being empathetic, especially if police are to engage and involve some of the most vulnerable individuals, who may not be able to fully express or articulate their thoughts or feelings.<sup>87</sup> Below (Box 15) provides descriptions of different emotional awareness levels, as per the CVF:



87 Ibid.

**Box 15**

**Being Emotionally Aware as per the CVF (UK College of Policing 2016)**

Level 1	Level 2	Level 3
<p>I treat others with respect, tolerance and compassion.</p> <p>I acknowledge and respect a range of different perspectives, values and beliefs within the remit of the law.</p> <p>I remain calm and think about how to best manage the situation when faced with provocation.</p> <p>I understand my own emotions and I know which situations might affect my ability to deal with stress and pressure.</p> <p>I ask for help and support when I need it.</p> <p>I understand the value that diversity offers.</p> <p>I communicate in clear and simple language so that I can be easily understood by others.</p> <p>I seek to understand the thoughts and concerns of others even when they are unable to express themselves clearly</p>	<p>I consider the perspectives of people from a wide range of backgrounds before taking action.</p> <p>I adapt my style and approach according to the needs of the people I am working with, using my own behaviour to achieve the best outcome.</p> <p>I promote a culture that values diversity and encourages challenge.</p> <p>I encourage reflective practice among others and take the time to support others to understand reactions and behaviours.</p> <p>I take responsibility for helping to ensure the emotional wellbeing of those in my teams.</p> <p>I take the responsibility to deal with any inappropriate behaviours</p>	<p>I seek to understand the longer-term reasons for organizational behaviour. This enables me to adapt and change organisational cultures when appropriate.</p> <p>I actively ensure a supportive organizational culture that recognises and values diversity and wellbeing and challenges intolerance.</p> <p>I understand internal and external politics and I am able to wield influence effectively, tailoring my actions to achieve the impact needed.</p> <p>I am able to see things from a variety of perspectives and I use this knowledge to challenge my own thinking, values and assumptions.</p> <p>I ensure that all perspectives inform decision making and communicate the reasons behind decisions in a way that is clear and compelling.</p>

## Box 16

### Indigenous Relations Behavioural Competencies: Cultural Agility

Cultural Agility is the ability to work respectfully, knowledgeably and effectively with Aboriginal people. It is noticing and readily adapting to cultural uniqueness in order to create a sense of safety for all. It is openness to unfamiliar experiences, transforming feelings of nervousness or anxiety into curiosity and appreciation.



It is examining one's own culture and worldview and the culture of the BC Public Service, and to notice their commonalities and distinctions with Aboriginal cultures and worldviews. It is recognition of the ways that personal and professional values may conflict or align with those of Aboriginal people. It is the capacity to relate to or allow for differing cultural perspectives and being willing to experience a personal shift in perspective.

Source: *Indigenous Relations Behavioural Competencies* (BC Public Service, British Columbia, Canada 2012).

In British Columbia, Canada, the provincial government or BC Public Service introduced the Aboriginal Relations Behavioural competencies in 2012 to help improve their individual and collective abilities to work effectively with the Indigenous people in the province.<sup>88</sup> Of the 17 Indigenous relations behavioural competencies recommended, four of them apply to all BC Public Service employees including those in the Ministry of Public Safety and Solicitor General, the government entity responsible for managing the police services. They are:

- Self-discovery and awareness
- Sustained learning and development
- Cultural agility
- Change leadership<sup>9</sup>

Change leadership In terms of intersectional approaches, the Aboriginal relations behavioural competency for **Cultural Agility** stands out. In the British Columbia, Canada Indigenous people have claimed to historically be over policed and under protected. Developing such a competency for the daily application by police and government officials is a good step forward in seeking to be perceived as a legitimate essential service provider by a minoritized people.

According to the BC Public Service, Aboriginal relations competencies provide them with a roadmap for making behavioural shifts that will help them achieve their commitments.<sup>89</sup> The BC Public Service recommends police and government officials to use these competencies as a road map for evaluating their behaviour and making the changes necessary to better serve Indigenous people (see Box 16).

### Gender-based Violence (GBV)

*“GBV is an umbrella term for any harmful act that is perpetrated against a person’s will and that is based on socially ascribed (gender) differences between females and males. The nature and extent of specific types of GBV vary across cultures, countries and regions. Examples include sexual violence, including sexual exploitation/abuse and forced prostitution; domestic violence; trafficking; forced/early marriage; harmful traditional practices such as female genital mutilation; honour killings; and widow inheritance.”*

Source: UNICEF, UNFPA, UNDP, UN Women. “Gender Equality, UN Coherence and You”.

<sup>88</sup> The phrase “ Indigenous people” refers to all First Nation, Inuit and Métis people. It includes individuals, communities, bands, nations, organizations and urban populations, while acknowledging their distinctness and diversity.

<sup>89</sup> Implementation Guide Aboriginal Relations Behavioural Competencies (BC Public Service Agency, British Columbia, Canada, 2012).



## CASE STUDY 1

# HOW WOMEN POLICE ASSOCIATIONS/NETWORKS CAN SUPPORT THE IMPLEMENTATION OF GENDER-SENSITIVE AND GENDER-RESPONSIVE POLICING.

Local communities' trust and confidence in the police is a critical component of tackling all crimes, in the case of violence against women and girls ("VAWG"), it is vital in empowering victims/survivors to report such crimes. The challenges to police organizations globally in encouraging the reporting of crimes of VAWG is immense as we know such crimes are vastly under reported. Women and girls make up 50% of the world's population, yet it's estimated that on average only 9% of the world's police are women.

**"Men of quality are not afraid of gender equality - institutions of quality are not afraid of gender equality."**

—(Anon), IAWP member at International Association of Women Police Annual Training Conference in 2012.

Women's concerns are often ignored due to cultural or social pressures, by prejudicial or stereotypical views and a poor understanding of their needs...when female officers are more visible, women in the community are more likely to believe their concerns are valued and being addressed. Female officers professionally trained and equipped can play a vital role in removing the barriers to women's access to justice.<sup>90</sup>

In 2011, UN Women, utilizing UNODC (2009) data across 39 countries, were able to evidence that the presence of women police officers showed a positive correlation with victim/survivor reporting of sexual violence.<sup>91</sup> This finding was strengthened by similar findings in a 2013 study by Miller and Segal.<sup>92</sup> Various other studies have

90 Townsley, J. (2014), 'The challenge of implementing Gender-Responsive Policing,' *MDG Acceleration through Transformative Policing and Security*, 58th Commission for the Status of Women Parallel Event, New York, USA 12 March 2014.

91 UN Women, *Progress of the World's Women: In Pursuit of Justice*, (UN Women, New York, 2011)2011).

92 Miller, A. R. and Segal, C., (2013), 'Do Female Officers Improve Law Enforcement Quality? : Effects on Crime reporting and Domestic Violence Escalation', at: <http://ssrn.com/abstract=2335990>

found that women in policing bring benefits, not only to local communities but also to their male colleagues and the police organizations themselves.<sup>93 94 95 96 97</sup>

Increased numbers of women in policing should not be feared by men, but embraced by them, as it supports the overall delivery of policing services.

Other studies have concluded that a gender-sensitive police service is better able to respond to the safety and security needs of both men and women, creating a more accountable and professional police organization.<sup>98 99 100</sup>

101 102

So, if the evidence shows the need for more women in policing, for them to be visible, well trained and equipped how can police organizations be supported in achieving this aim?

93 Lonsway, K. (2003), *Hiring & Retaining More Women: The Advantages to Law Enforcement Agencies*, Los Angeles: National Centre for Women and Policing.

94 Denham, T. (2008), 'Police Reform and Gender' in M. Bastick, K. Valasek (eds), *Gender and Security Sector Reform Toolkit*, Geneva: DCAF, OSCE/ODIHR, UN-INSTRAW

95 Bastrick, M. (2008), 'Integrating Gender in Post-Conflict Security Sector Reform', Policy Paper 29, Geneva: Geneva Centre for the Democratic Control of Armed Forces (DCAF).

96 Natarajan, M. (2008) 'Women Police in a Changing Society': *Back Door to Equality*, Aldershot: Ashgate Publishing Ltd.

97 Miller, A. R. and Segal, C., (2013) 'Do Female Officers Improve Law Enforcement Quality? : Effects on Crime reporting and Domestic Violence Escalation', at: <http://ssrn.com/abstract=2335990>

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100 Natarajan, M. (2008), 'Women Police in a Changing Society': *Back Door to Equality*, Aldershot: Ashgate Publishing Ltd.

101 Peters, A., 'Gender Responsive Policing and the Importance of Women Officers' Involvement in Tackling Violent Extremism', *International Association of Women Police Annual Training Conference*, (Cardiff, UK, 26 August 2015).

102 Abbas, H., 'Women Fighting for Peace: Lessons for Toady's Conflicts', *Presentation to the Committee on Foreign Affairs Relations Hearing*, Washington DC: United States House of Representatives, 22 March 2016.

**“Gender Responsive Policing and Women’s Inclusion is not about women’s rights or equality; it is in fact about operational effectiveness.”**

—Peters, A. , ‘Gender Responsive Policing and the Importance of Women Officers’ Involvement in Tackling Violent Extremism’, IAWP Annual Training Conference, Cardiff, UK (26 August, 2015).

Women’s associations/networks exist to influence change and to help policing organizations achieve continuous improvement for the benefit of service delivery to the community. When the needs of gender, minorities and human rights are taken into account, the police service becomes more representative of the communities it serves. They can also raise the profile of gender crimes and the subsequent challenges faced by female victims/survivors.

Three examples of how women police associations/networks can influence real change:

- In 2001, the British Association for Women in Policing (‘BAWP’) produced a document, ‘Gender Agenda,’ which aimed to assist Police Services in the UK to become more gender sensitive. A ‘Gender Agenda 2’ followed, updating the original document, noting what had been achieved as well as the remaining challenges. ‘Gender Agenda’ in UK policing is now on its third iteration.<sup>103</sup>
- The Women Police Officers Network in South-East Europe (‘WPON’) was established in 2010, with regional government support and, in 2012, produced the ‘Guidelines for Gender Sensitive Policing’ with an emphasis on the recruitment, selection and the professional development of women in police services.<sup>104</sup> This document was produced using research obtained across the region through the various countries’ ministries, as well as collaboration with other women police networks, such as the International Association of Women Police (‘IAWP’) and BAWP.
- In 2011, the Ministry of the Interior of the Republic of

<sup>103</sup> The British Association for Women in Policing, see: <http://www.bawp.org>

<sup>104</sup> ‘Guidelines for Gender Sensitive Policing with an Emphasis on Recruitment, Selection and Professional Development of Women in Police Services’ (Women Police Officers Network in South East Europe, 2012).

Srpska established their own regional Women Police Officer Network with the overarching goal of promoting and implementing gender equality and democracy principles in police services. Their flagship project ‘Domestic Violence - Education of Police Officers-Managers’ was implemented in 2017, targeting police officers of all Police Administrations in the Republic of Srpska Ministry of the Interior.<sup>105</sup>

An association/network’s ability to influence is directly correlated to its own ‘professional’ structure and its sustainability. Much depends on the level of support they are given by their peers, senior personnel, organizations or even governments.

**“There is an over emphasis on re-structuring, re-training and re-equipping the police at the expense of changing the culture of policing, including shaping security institutions into more gender sensitive organizations”**

—Becker, J. (2012), ‘Freedom through Association: Assessing the Contributions of Female Police Staff Associations to Gender-Sensitive Police Reform in West Africa’ North-South Institute

Identifying the development needs of members of an association/network and addressing those needs enables them to become ‘agents for change.’ This may require developing their individual skills in, for example, leadership, strategy and policy, managing change and advocacy skills or improving their operational effectiveness.

An association/network can play a key role in empowering women and girls in the community, which will also help to build trust and confidence of the police by those they serve. Increased community engagement can only bring benefits to police organizations as a whole and we already know that women are recognised for their ability to engage. A community-based policing model is something women can relate to and excel at; it is also fundamental for tackling violence against women and girls.

<sup>105</sup> RS Mol Women Network – RS WPON, ‘Promotion and implementation of gender equality principles, strategic approach to the admission of women to the police, education, training and career development, and promotion of work results of RS Mol members’ at: <http://www.mrezazena-muprs.org/?lang=en>



## The Benefits of Associations/Networks Such as IAWP

Resilient and effective networks provide women with a safe means by which they can seek support and guidance, share good practice and work together to bring about change. Recognizing the key role men play in supporting both women in policing and women and girls in local communities, associations/networks often include male officers and staff within their membership. IAWP is one such organization that has male members and has had men serving on its governing body - The Board of Directors. Other associations/networks have created parallel organizations for men to become pro-active in their support for women in policing and women and girls in communities. One such example is in South Africa where the male network, 'Men for Change' runs alongside and supports the women within the South African Police Service Network ('SAPSN') and women and girls in communities. For example, in 2019, 'Men for Change' ran a public awareness campaign to combat Gender-Based Violence (GBV).<sup>106</sup>



IAWP Conference 2019, Anchorage, Alaska U.S. Photo courtesy of IAWP

A number of Women Police Associations/Networks proactively engage with women and girls in local communities, building relationships, opening lines of communication, empowering women and girls and reducing their vulnerability to become victims. The individual members also act as role models to women and girls, a valuable tool when trying to increase the numbers of women in policing.

106 South African Police Service, see: <http://www.saps.gov.za>

The International Association of Women Police (IAWP) has a number of affiliates across the globe, actively supporting their members and supporting their police organizations to become gender-sensitive, thereby enabling them to deliver gender responsive policing services. IAWP affiliates provide a number of good practice examples of the establishment and sustainability of women police Associations/Networks and the benefits they bring to their members, their colleagues, the police organization and local communities.

Examples of IAWP Affiliates include, but are not limited to: The Bangladesh Police Women's Network; Association of Women in Kosovo Police; British Association for Women in Policing; Guyana Association of Women Police; Police Ladies Association of Ghana; Ukrainian Association of Women in Law Enforcement; Trinidad - Tobago Association of Women Police; Kentucky Women's Law Enforcement Network; Emirates Women Police Association; Atlantic Women in Law Enforcement; Ontario Women in Law Enforcement; and the Chicago Association of Women in Law Enforcement.<sup>107</sup>

## Examples of REAL change by the empowerment of women in policing:

### Lebanon:

In 2010, Major Suzanne El Hajj attended her first IAWP conference and, at that time, she was one of only two women in the Lebanese Internal Security Force ('ISF') within a workforce of 23,000. As a result of attending the IAWP conference, she was inspired to work with the ISF to increase the number of women. By the time she attended IAWP's 2011 conference, her campaign to recruit an additional 1,000 female officers had resulted in 11,000 applications from women wanting to become police officers. On returning from the 2011 IAWP conference, Major Hajj and her senior officer were inspired to implement the first women's leadership conference for female ISF officers in Lebanon.

According to Major Hajj, 'Women have very important qualities that help them succeed in the police. Their humanity and compassion contribute to the application

107 IAWP Affiliate Program <http://www.iawp.org/iawp-affiliates>



of human rights. Women, by nature, love organization and arrangement, which allows them to do several jobs with distinction. Also, women have a prompt co-operation with the community, which leads to success of the performance of community policing and to achieve preventative security.”

### United Arab Emirates:

Following her introduction to the IAWP, Major Amna Al Belooshi was determined to set up an association within the United Arab Emirates. She took the initiative to her Generals and, most importantly, she sought the support from His Highness Lt. General Sheikh Saif bin Zayed Al Nahyan, Deputy Prime Minister and Minister of the Interior. It took her 3 months to get a meeting with him, but she knew how important it was to gain support from the highest levels.

By the time she attended her first IAWP conference in 2011, she had already established the Emirates Women Police Association, (‘EWPA’), which became the IAWP’s first Arabic Affiliate at that conference. Within 6



IAWP Conference 2019, Anchorage, Alaska U.S. Photo courtesy of IAWP

months, in 2012, she had arranged the first ever International Police Training Conference for women within the Gulf Region. By 2013, she had organized the EWPA’s 2nd Conference, followed by other conferences. The EWPA has a membership of over 5000 from across the UAE. Major Al Belooshi continues to work to improve and integrate women in policing in her country and is working, as Chairperson of the EWPA, to raise the level of training and diversity of assignments for women police in the UAE.

### Box 17

#### International Association of Women Police (‘IAWP’)

**Vision:** IAWP envisions a world where police reflect the diversity of the communities they serve, and human rights are protected.

**Mission:** To strengthen, unite and raise the capacity of women in policing internationally.

The IAWP provides networking and peer support to its members in 72 countries, as well as professional development through mentoring, delivery of regional training conferences and the IAWP annual training conference. It aims:

- To provide training conferences, programs, educational events and workshops relating to policing worldwide;
- To encourage and provide mentoring and leadership for police officers in all aspects of career development;
- To strive towards true professionalism through education and training, and to keep apprised of the current trends and techniques in the interest of better service to the public;
- To encourage the application of the highest ethical standards of the law enforcement profession;
- To identify, recognize and reward performance, distinction and achievement among law enforcement.

[www.iawp.org](http://www.iawp.org)



IAWP Region 16 Conference 2012. Photo courtesy of International Association of Women Police

## CASE STUDY 2

# WOMEN POLICE OFFICER NETWORK OF THE REPUBLIC OF SRPSKA MINISTRY OF THE INTERIOR



Contributor: Ms. Sanja Sumonja (Higher Inspector in the Administration for Countering Organised and Serious Crime, Chair of the Board of RS MOI WPON)

In 2011, with the support of the Women Police Officer Network ('WPON') in Southeast Europe Initiative and the Director of Police, the Ministry of the Interior (MoI) of the Republic of Srpska ('RS') established their own WPON as a registered NGO. The RS MoI WPON had the overarching goal of promoting and implementing gender equality and democracy principles in police services.<sup>108</sup>

To reach this goal, the RS MoI WPON established four priority areas of support:

- Promotion and implementation of gender equality and democracy principles in police services;
- Strategic approach to the admission of women to the police;
- Education, training and career development; and
- The promotion of police officers' and other Ministry employees' results.



2019 Belgrade Conference Institutional Integration of Gender Equality in the Police of the countries of the Region

Shortly after its establishment, the RS MoI WPON had a membership of over 300 members, all serving female staff employed in the Ministry, comprising of police officers and other employees. Today, the Association has 460 members. Soon afterwards, the RS MoI WPON

started engaging in small 'quick win' projects, such as training fellow police officers and prosecution actors, promoting a career in the police among girls in high schools, as well as participating in local and regional events on policing issues.



RS MoI WPON Project: 'Sensitization and Education of Elementary Schools Teaching Staff on Criminal Offences against Marriage and Family.'

The RS MoI WPON were soon able to attract external donor support from UN Women, the OSCE, the US Embassy, the government of Norway, and UNDP particularly on IPV/domestic violence training and awareness. As a result, the RS MoI WPON came to be perceived as a legitimate and knowledgeable stakeholder within the justice and security sector, including by civil society actors, with whom the RS MoI WPON would expand in terms of partnerships.

Currently, the RS MoI WPON is considered one of the most active and impactful associations for female police officers in the world. Examples of activities include:

- Providing inputs on organizational policies and on the impact of new laws (such as on the Domestic Violence Law of 2020);
- Raising awareness of nos. of women and men in the Ministry on gender equality;
- Advocating for gender-sensitive education and training of Ministry employees;
- Collaboration with relevant institutions, bodies and organizations, non-governmental and international organizations on women's role and status in the security field;

<sup>108</sup> MoI Women Network – RS WPON, see: <http://www.mrezazena-muprs.org/about/?lang=en>



Members of the RS MoI WPON together with the Minister of the Interior, Mr Dragan Lukač (centre). Mr. Lukač's commitment and support for the WPON played a key role in the impact achieved within the Ministry.

- Prevention of and addressing all forms of violence against women, children and other groups at increased risk of experiencing violence;
- Preventing and addressing, for example, alcoholism, drug addiction, online and ICT-facilitated violence, which have a detrimental effect on women, children and other groups at increased risk of experiencing violence;
- Publishing books, brochures, manuals, academic articles and other publications in line with the Association's objectives;

Their flagship project 'Domestic Violence - Education of Police Officers and Managers' was implemented in 2017, and targeted police officers in all police administrations in the Republic of Srpska Ministry of the Interior. This project consisted of 12 training sessions, with a total of 144 police officers trained.<sup>109</sup>

109 'Domestic Violence – Education of Police Officers Managers (2017);, Ministry of the Interior of the Republic of Srpska, at: <http://www.mrezazena-muprs.org/project/domestic-violence-education-of-police-officers-managers/?lang=en>

Other significant work undertaken by the RS MoI WPON included a series of training workshops for young girls in primary and secondary schools on online and ICT-facilitated violence against women,<sup>110</sup> trainings with the teaching staff on criminal offences involving marriage and family,<sup>111</sup> and addressing discrimination against members of the Roma community and their children.<sup>112</sup>

### Key successes of the RS MoI WPON:

- Senior police management supported the development of the WPON. Although financing has been, and

110 'Prevention of Online Sexual Violence against Girls in Suburban Areas', Ministry of the Interior of the Republic of Srpska, at: <https://www.mrezazena-muprs.org/project/prevention-of-online-sexual-violence-against-girls-in-suburban-areas/?lang=en>

111 Sensitization and Education of Elementary Schools Teaching Staff on Criminal Offences against Marriage and Family (2015). Ministry of the Interior of the Republic of Srpska. <https://www.mrezazena-muprs.org/project/sensitization-and-education-of-elementary-schools-teaching-staff-on-criminal-offences-against-marriage-and-family/?lang=en>

112 Prevention of Discrimination against Roma and Violation of Roma Children Rights (2019). Ministry of the Interior of the Republic of Srpska. <https://www.mrezazena-muprs.org/project/prevention-of-discrimination-against-roma-and-violation-of-roma-children-rights/?lang=en>

still continues to pose a challenge for the RS MoI WPON, the continued support from the executive police management has effectively 'legitimized' the RS MoI WPON in the eyes of the law enforcement community, while at the same time signalling a strong commitment to promoting the important role of women in policing;

- Quick registration as a legal entity (in the form of an NGO/citizens' association) in September 2011 with the Court in Banja Luka enabled the Network to acquire a legal entity status, which led to the creation of its own statute, seal, logo and, critically, financial credentials, including a bank account to receive funds for activities and projects;
- Understanding of its limitations and strengths. Due to limited capacity, the RS MoI WPON focused their resources on 'quick win' projects that were manageable and avoided getting involved in larger initiatives. These quick win projects mainly consisted of organizing trainings or participating as trainers in partner workshops, such as on topics of multi-sectoral responses to violence against women and domestic violence, or on assessing risk and safety of victims/survivors;
- Building partnerships with civil society for enhancing community awareness on children's rights or on the rights of the LGBTQI community,<sup>113</sup> has strengthened the 'legitimacy' of the RS MoI WPON as a key partner in the wider justice and security sector, especially on issues relating to gender-based violence and child protection, as many female officers are involved in such cases;
- Establishing the RS MoI WPON as a brand that contributes value to the police organization based on its knowledge of the work culture, as well as the strengths and weakness of the police as an essential service provider. As a result of its activities, the RS MoI WPON has developed a reputation as a positive source for internal transformation;
- Promoting learning is critical. During its trainings to justice and security sector actors, the RS MoI WPON have been able to identify gaps in the system, such as

when dealing directly with victims/survivors (who, in many cases, were unaware of their rights). This experience positioned the RS MoI WPON to be able to provide constructive recommendations within the police organization.

### Key lessons learnt:

- A committed and motivated core of members is essential to the functioning of the RS MoI WPON. However, it is fundamental that a wider support team is created to ensure the sustainability of the network;
- Continuous support from senior management on matters relating to the implementation of projects that support the improvement of police acting in the field of human rights protection is essential;
- As the RS MoI WPON are reliant on external funds and donations, project management skills and donor relations experience of its members is a key competency;
- When establishing a network/association, communications strategies (especially with a view to enhancing visibility) must be considered and included at the outset. It is important that all activities, tasks and projects are well documented and positive outcomes shared publicly, including on social media, and in key languages;
- Sharing good practices regionally and beyond (e.g., Serbia, Moldova, Kyrgyzstan, Ukraine, Belgium, Germany, South Korea, etc.) WPON good practices include training fellow officers on how to handle domestic violence cases, which help strengthen the police organization in general, as well as sensitizing fellow officers who may, themselves, also be victims/survivors of interpersonal violence.<sup>114</sup> In addition, recognizing and appreciating the efforts of colleagues from other countries also strengthens the position of the Association and provides additional impetus for future activities.

113 Promotion of the Handbook "Policing Hate Crimes against LGBTI Persons" (2019). Women Police Officer Network of the Republic of Srpska Ministry of the Interior. <http://www.mrezazena-muprs.org/promotion-of-the-handbook-policing-hate-crimes-against-lgbti-persons/?lang=en>

114 For examples see: Umberto Bacchi, 'Inside job: Bosnian policewomen take on abusive husbands' (Reuters, 2019) at: <https://www.reuters.com/article/us-bosnia-women-police/inside-job-bosnian-policewomen-take-on-abusive-husbands-idUSKCN1POoZY>



### BOX 18

**Sanja Sumonja** is currently the Chair of the Board of the Association of Women Police Officers in Mol of Republika Srpska, with a rank of Higher Inspector in the Administration for Countering Organized and Serious Crime. She has been working as a criminal police inspector since 2003 in the Ministry. Her professional engagement includes working with children and minors, covering domestic violence, sexual abuse of children and juvenile delinquency, child pornography and sexual offences.

Serving as a project coordinator, she managed a large number of projects in the Republic of Srpska - Bosnia and Herzegovina (BiH) aimed at combating gender-based violence that were implemented through the activities of the police women network in her police service, with the support of UN Women, the US

Embassy in BiH, the Norwegian Embassy in BiH, UNDP, OSCE, and other national and international organizations. She has participated in many local and international seminars, conferences and events as an expert on gender-based violence and the advancement of women's position in the security sector.



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- 9 'DIWA Curbs Violence against Women and Girls with Disabilities', at: <http://www.diwa.ws/?p=101>
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## CHALLENGES AND STRATEGIES

*“The reasons for such high levels of violence against women and girls across the world are complex. But some of the solutions are simple. One of those is to change the way that the police and justice services respond to the women who report acts of violence.”*

—Phumzile Mlambo-Ngucka, Under-Secretary-General and UN Women Executive Director, Statement at the Announcement of United Nations Police Adviser Luís Carrillo as HeFor-She Advocate for gender equality (2019)







# INTRODUCTION

This chapter provides guidance for middle managers in police organizations on implementing analytical methods to achieve gender-responsive policing.<sup>1</sup> Throughout the world, activists and women's civil society organizations working to address violence against women and girls ('VAWG') are challenging the biases and oppressions that keep VAWG a part of the fabric of our society. Such biases are so deeply entrenched that they permeate the police organizations and justice institutions charged with protecting women and girls from violence.

There is a growing recognition that although changing attitudes is essential, institutional practices must also evolve in order to end communities' tolerance for VAWG. The United Nations' HeForShe campaign is an example of an international movement to promote institutional change by engaging male institutional leaders as advocates and allies. In 2019, the United Nations Police Adviser, Luis Carrillo, was named the newest advocate for its HeForShe campaign, paving the way as a role model to over 10,000 police officers - 85% of whom are men - from over 100 countries.<sup>2</sup>

Many institutional changes can be created and implemented by the executive leadership and/or middle-managers in police organizations. Once the initial institutional change occurs, middle-managers must be supported and empowered to create a workplace culture of accountability for putting gender-responsive policing into practice.

To successfully develop, implement, and institutionalize gender-responsive policing, there are two primary objectives:

- Educate the police staff on the sociological concepts that support the need for gender-responsive policing as it relates to VAWG. This will address questions about why gender-responsive policing is being implemented in their organization; and
- Create institutional change by:
  - Developing and incorporating gender-responsive policing into the work of the agency. In this chap-

1 Gender-sensitivity is an "Aim of understanding and taking account of the societal and cultural factors involved in gender-based exclusion and discrimination in the most diverse spheres of public and private life," European Institute for Gender Equality, at: [https://eige.europa.eu/thesaurus/terms/1218?utm\\_source=newsletter&utm\\_medium=email&utm\\_campaign=how\\_gender\\_equality\\_is\\_your\\_parliament&utm\\_term=2019-11-27](https://eige.europa.eu/thesaurus/terms/1218?utm_source=newsletter&utm_medium=email&utm_campaign=how_gender_equality_is_your_parliament&utm_term=2019-11-27). As it is used in this Handbook, gender-responsive criminal justice means that the laws, the criminal justice institutions, the criminal justice processes, and the criminal justice outcomes do not discriminate against anyone on the basis of gender. It necessitates taking a gender perspective on the criminal law itself, as well as an assessment of the access and obstacles to the criminal justice procedures available for women and men and adopting gender-sensitive strategies for protecting victims and promoting access to criminal justice, see: Skinnider, Eileen, 'Towards Gender-Responsive Criminal Justice: Good Practices from Southeast Asia in responding to violence against women' (2018: Thailand Institute of Justice).

2 'UN Women announces United Nations Police Adviser Luis Carrillo as HeForShe Advocate for gender equality, at: <https://www.heforshe.org/en/un-women-announces-united-nations-police-adviser-luis-carrillo-heforshe-advocate-gender-equality>

ter, we describe a method of analysis entitled the 'Eight Methods Institutions Use to Coordinate Workers,' which has been successfully implemented to improve systems' response to VAWG; and

- Monitoring its implementation in practice and identifying any gaps that still need to be addressed.

## OBJECTIVE 1: CREATING A DEEPER UNDERSTANDING OF GENDER AND VIOLENCE AGAINST WOMEN AND GIRLS AS A SOCIAL PROBLEM

When the police understand the social, legal and cultural norms related to gender where they live and work, they will be better able to respond in a way that is gender-sensitive. Perpetrators of crimes of domestic violence, sexual assault, stalking, human trafficking, and dating violence act in the context of social norms that create a climate of tolerance for VAWG. When police understand VAWG as a social problem as well as a criminal problem, they will recognize the context of the violence experienced by the victim/survivor, and will be able to identify the level of risk faced by the victim/survivor and intervene effectively.

### Four Pillars That Support Widespread Violence Against Women and Girls

The domination of one group of people over another, resulting in the exploitation of the subordinated group, is upheld by social, cultural and legal factors. These factors can be visualized as the pillars that hold up a roof. In order to effectively address VAWG, government institutions such as the police must address the four pillars that perpetuate this human rights abuse.<sup>3</sup>

#### 1. The notion of hierarchy and entitlement

3 Ellen Pence, Laura Connelly, and Melissa Scaia, 'Turning Points: A Nonviolence Curriculum for Women,' Minnesota: 2011, at: <https://www.theduluthmodel.org/wp-content/uploads/2017/03/Turning-Points-Curricula-for-Women-Who-Use-Violence-Preview.pdf>.

Gender-responsive policing acknowledges that gender hierarchy contributes to crimes against women and girls. Hierarchy and male entitlement reflect the idea that men are superior to women and girls. In the context of a hierarchical relationship, men believe they are more logical than women and girls, more intelligent, and better at making decisions. A perpetrator of VAWG believes he is entitled to a certain level of subservience from women and girls. He believes that if he has explained his position and it is logical and clear, his female partner should agree with him. -Her disagreement will be identified by him as 'illogical' or 'crazy.' A perpetrator's sense of entitlement to power is at the core of hierarchy, and is regularly reinforced through laws, custom, media and other social institutions.

Gender-responsive policing challenges hierarchy and entitlement by centering the victim's/survivor's safety/well-being and autonomy and holding the perpetrator accountable for violence. When police are silent or supportive of perpetrators' discriminatory attitudes toward women and girls, they are complicit to the crime.

#### 2. The ability to force those at the bottom of the hierarchy to submit

Gender-responsive policing will acknowledge that women's and girls' submission to men and their acceptance of a lower status is socially reinforced. To counter this social reinforcement, police responses to crimes against women and girls, including violence, will promote their equality and independence.

Gender-responsive policing will affirmatively address and counter women's and girls' tendency to blame themselves for crimes committed against them, to take responsibility for perpetrators' violence, and to place perpetrators' needs above their own. Instead, police will prioritize victim/survivor safety/well-being and equality and offender accountability.

#### 3. The objectification of those at the bottom of the hierarchy

Gender-responsive policing recognizes that VAWG is an extreme form of objectification of women and girls



### **A Coordinated Community Response (CCR) is:**

An interagency effort to change the climate of tolerance of VAWG and girls by institutionalizing practices and procedures which centralize victim/survivor safety and offender accountability.

The CCR method of organizing work between and among various systems is what will bring institutionalization by:

- Changing policies
- Changing procedures
- Each agency sharing data and being open to case review
- Co-leadership by a women's NGO
- Trainings on newly developed policies and protocols - and more!

and that perpetrators use violence to undermine the humanity of victims/survivors. Responses by police should send the message that women and girls are entitled to safety, equality, freedom, access to justice and the full realization of their human rights.

Objectification of women and girls takes many forms and operates to rationalize the widespread use of violence against them. By thinking of women and girls as objects rather than equal human beings, perpetrators believe they are justified in exerting their power through violence.

Gender-responsive policing will incorporate messages of equality and the human right to be free from violence through police officers' personal interaction with victims/survivors and offenders. This will also be reflected in policy directives, written forms and day-to-day practices that are designed to promote women's and girls' safety and autonomy.

#### **4. The ability of those at the top of the hierarchy to use punishment, violence, or coercion without consequences**

Gender-responsive policing must tackle centuries of male entitlement to commit crimes against women and girls

with impunity. By responding with swift and sure consequences for violence, police will be gender-responsive. The police are critical to disrupting male entitlement to



use violence and to shifting community thinking about women's and girls' entitlement to their human rights. No other system has the power of law enforcement or the legal system to hold violent offenders accountable. Gender-responsive policing shifts the responsibility to end the violence from the victim/survivor to the State.

#### **Law enforcement must be committed to dismantling all four pillars in order to eliminate the widespread use of violence against women and girls.**

In order to end VAWG, we must address all four of these pillars that perpetuate widespread VAWG. In order to hold men accountable, women and victims/survivors must begin to see police as a resource. While a gender-sensitive police officer may minimize the trauma of reporting, women and girls will only trust criminal justice systems that are organized to address their need for safety, increased well-being and autonomy.

Perpetrators rely on the power they have over the victim/survivor to shield them from legal interventions. Therefore, the ability to work with a victim/survivor of violence hinges on her belief that:

- the police intervention will counteract the perpetrator's power;

- the police make an effort to understand the reality of her experience;
  - the police have a collaborative approach to working with victim/survivor; and
  - the police are here to help, however long it takes.

The police and other criminal justice organizations typically have a powerful influence over people in their communities. The messages given to victim s/survivors, offenders, and children at each point of intervention can have a deterrent effect or, alternatively, can enable more violence. All contact by the police either serves to contribute to a victim’s/survivor’s safety and well-being or supports the perpetrator. Police action is rarely neutral.

## OBJECTIVE 2: CREATE AND MONITOR INSTITUTIONAL CHANGE BY USING THE ‘8 METHODS INSTITUTIONS USE TO COORDINATE WORKERS’

Police organizations (often in conjunction with other organizations as part of a Coordinated Community Response, or CCR<sup>4</sup>) can use various methods to institutionalize new concepts and intervention practices. The 8 Methods Analysis presented here is a practical way for police leadership to institutionalize change in police organizations and reinforce the concept of gender-responsive policing.

### Why Education and Training Alone Will Not Lead to Institutional Change

Providing education and training to police officers on gender sensitivity is insufficient to change the tolerance for VAWG if, for example, biased policies and practices do not also change.

4. For more on the importance of coordination, see Chapter 8: ‘Coordination Among Justice Agencies’ and the United Nations’ Essential Services Package for Women and Girls subject to Violence : Core Elements and Quality Guidelines, at: <https://www.unwomen.org/en/digital-library/publications/2015/12/essential-services-package-for-women-and-girls-subject-to-violence>

Training may raise the consciousness of individual officers, but they may still be constrained due to policies, lack of resources, or other institutional barriers to gender-responsive policing. Also, not all police will be equally receptive to the concepts underlying gender-responsive policing, and those who are receptive may leave their positions and be replaced by officers who are not informed on these issues.

For example, let’s consider three different police officers in the same department - Marcus, Roy and Juan.

- Marcus is a police officer whose own belief system is already aligned with gender-responsive policing.

### ‘8 Methods Analysis’

**Mission, Purpose and Function:** What is a police officer’s function and purpose with relation to VAWG, and how is this communicated to police?

**Concepts and Theories:** What concepts about gender and policing are currently being used when responding to VAWG?

**Rules and Regulations:** What law, policies or protocols do police officers follow when responding to VAWG?

**Administrative Practices:** How do applicable checklists and forms direct the police officer to include or exclude certain information?

**Linkages:** Does the working relationship between the police officer and prosecutor play a role in the outcome of cases?

**Resources:** What additional resources are needed by police to effectively respond to VAWG?

**Accountability:** What role do police supervisors and middle managers play in ensuring VAWG investigations and reports are gender sensitive?

**Education and Training:** When institutional changes are made, how are police trained on the new standards?



When he attends a training on the dynamics of VAWG, it deepens his understanding of gender inequality.

- Roy's personal belief system is not aligned with gender sensitivity. Providing him with education and training on gender sensitivity is not enough to change his beliefs. Continuing to provide additional training and education is unlikely to change this.
- Juan is more open to gender sensitivity training and his beliefs changed slightly as a result of training.

All three officers responded differently to gender sensitivity training, and with training alone, they are likely to each respond differently to cases of VAWG. Institutional mechanisms must be in place to **direct and standardize the actions and coordinate the work** of all three police, regardless of their personal opinions or level of commitment to women's safety and well-being.

Another limitation of training is that it is sometimes offered only to specialized domestic violence or Family Unit officers. Specialized officers rarely have the capacity to adequately investigate and respond to all cases of VAWG. By contrast, standardized and coordinated policies and protocols, with strong accountability mechanisms, can provide *all* officers with the guidance necessary to respond effectively to cases of VAWG. As emphasized in previous chapters, the first responder to

a case of VAWG has the biggest impact on how the case is treated by the criminal justice system as a whole.

### **Beyond Education and Training: Institutionalizing the Worker to be Gender Sensitive**

As demonstrated by the image below, a perpetrator of VAWG is most likely to end his violence when he experiences accountability in all spheres of his life. Institutional change seeks to strengthen the ability of police and other justice system organizations to hold the perpetrator accountable for violence.

### **Utilize Methods Common to Effective Coordinated Community Response**

The movement to end violence against women and girls has created institutional change in many ways, such as elimination of marital rape exemptions in the law, establishing Sexual Assault Nurse Examiner<sup>5</sup> positions in hospitals and mandatory arrest laws in cases of domestic violence. All of these institutional changes have both intended and unintended outcomes. A gender-responsive police organization will seek to close the gap between what victims/survivors need and what institutions provide. There are a number of core competencies and methodologies that can be used by effective gender-responsive police agencies to create institutional change.

### **Engaging Victims/Survivors and Women's NGOs**

Understanding victims/survivors' actual, lived experience is critical to analyzing existing policies or creating new policies that will promote victim/survivor safety and offender accountability. To identify problems in a systems' response and to fully understand how those problems come about, it is essential that police hear from those who experience the violence (and its effects) and the interventions that police seek to improve.

Women's organizations that work directly with victims/survivors can play a vital role in facilitating interviews

<sup>5</sup> A Sexual Assault Nurse Examiner (SANE) is a nurse who is specially trained in providing medical forensic care of patients who have experienced sexual assault or abuse.







or focus groups with women and girls. Organizations working with women who experience intersectional forms of oppression (such as organizations that support migrant and refugee communities, disability rights organizations, and organizations representing racial or ethnic communities) can play a critical role in engaging women and girls who are often underserved or marginalized by the criminal justice system.<sup>6</sup> Not all women and girls experience violence in the same way, and many experience multiple forms of oppression due to race, class, ethnicity, migration status, sexual orientation, gender identity, disability, and other aspects of their identities. If a police organization listens to women who are particularly marginalized within the

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6 For example, in Duluth, Minnesota, Native American organizations working directly with Indigenous women were instrumental in engaging input from Indigenous women about their experiences with law enforcements' response to sexual assault cases. See Mending the Sacred Hoop & The Program to Aid Victims of Sexual Assault, "Safety and Accountability Audit of the response to Native women who report sexual assault in Duluth, Minnesota, 2006-2008," at: <https://praxisinternational.org/wp-content/uploads/2015/12/TTAMSHTaAudit-Report2011.pdf>.

system and addresses the systemic gaps or problems that they identify, the system is likely to work better for *all* women.

Interviews or focus groups with victims/survivors, facilitated by trusted civil society organizations, can provide valuable information regarding women's and girls' lived experiences of violence in a local community.<sup>7</sup> Women and girls should be asked to reflect specifically on their experience with the policy or practice in question. Women and girls may also help to identify other gaps in police response to VAWG.

### **Creating Interrelated Policies Among Justice Agencies**

In a criminal justice system, police, prosecutors, probation officers and the courts have interdependent roles in processing cases of VAWG.

Therefore, the rules, policies and protocols of a police department cannot be analyzed in isolation. Policies of the police, advocates, emergency telephone operators, and prosecutors must be aligned to ensure gender-responsive services from the initial call for help to the processing of a case in court. Many police experience frustration when they thoroughly investigate a case and present it to the prosecutor, only to have the prosecutor decline to pursue charges.

Similarly, police policy does not always direct police officers to gather the information prosecutors need to build a successful case. Bringing agencies together to collaboratively review and adjust policies is one effective way to ensure that interrelated policies are mutually supportive.<sup>8</sup>

Police, prosecutors, judges, and others involved in the criminal justice system also have insight into gaps in the police response to VAWG. We turn to them to learn the steps involved in case processing and to understand the factors that shape their decisions on cases.

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7 For example, in Duluth, Minnesota, a focus group with victims/survivors led police to abolish the practice of interviewing victims in the same room as perpetrators.

8 See Chapter 8 on 'Coordination Among Justice Agencies' for more information on interrelated policies.





### **Meeting with local police: Creating a map of case processing**

Police organizations can draw on the expertise of front-line police and middle managers to identify possible problems with current case processing and to explore alternatives. Skillfully meeting with police is also a way to build allies and minimize resistance to the goal of creating institutional change.

Examples of questions and focus for interviews include:

- What is the police officer/middle manager's role in case processing? Map it out as the police officer/middle manager describes his/her actions in the case.
- What does the police officer/middle manager focus on when working on a case?
- Who else would it be important to interview?
- Who is the police officer/middle manager linked to? Who gets the case file that the police officer creates?
- Who monitors the work of police officers?
- What resources does the police officer have to process cases?
- What forms and documents does the police officer have to fill out while process a case?
- What laws, rules, regulations, and policies guide the work of the police officer/middle manager on VAWG cases?

### **Text analysis: Reading and analyzing case files**

Case files are the official record or 'story' of what has happened in a particular case. Case files reveal the institutional response in action. We need to read case files from the perspective of each practitioner who touches the case, as well as from the perspective of a women's organization providing services to victims/survivors. Reading case files helps us differentiate between systemic issues (how agencies organize workers to respond to cases in certain ways via policies and procedures) and issues related to an individual's job performance (whether she/he did a competent job). It is critical that a cross-section of case files get analyzed in order to fully understand how practitioners are organized to act on a case.

Analysis of case files includes:

- Understanding how documents and forms were created and how they are used
- Analyzing the focus and content of the documents;
- Asking what information is missing from the documents. What do we want to know more about?

### **Text analysis: Analysis of institutional policies and protocols**

Policies and protocols are the official direction of the institution on how practitioners should proceed with cases of VAWG. Policies and protocols should be reviewed to determine whether/how they centralize the needs of survivors, and whether/how they hold perpetrators accountable for violence.

### **Observation: Observing police in their work environment**

Observing police and other criminal justice system practitioners in their work environment provides a first-hand understanding and perspective on the pressures and opportunities they face. Examples of observation include, but are not limited to, police ride-a-longs, probation meetings with perpetrators, or court proceedings. Middle managers and senior level leaders in police organizations can gain invaluable insight by observing front-line officers on the job.

## BOX 1

### Mission, Purpose and Function: Key Messages

- A police organization's mission, the purpose of specific practices, and the function of police should be examined to determine whether they further the goals of victim/survivor safety and offender accountability
- Mission, purpose and function should be clearly communicated to police in writing.
- All policies, practices, and directives of the organization should align with its mission, purpose and function on VAWG cases

### The Eight Methods Institutions Use to Coordinate Workers

The 8 Methods Analysis promotes a systematic examination of the concepts, policies, practices and procedures that have been developed over time by institutions responsible for promoting the safety of VAWG victims/survivors and the accountability of the offender.<sup>9</sup>

It is important to emphasize that the Eight Methods is a *process* of institutional change – not a set of specific practices that can be implemented identically from community to community. Using the Eight Methods, each police organization – in consultation with women's civil society organizations and other local criminal justice organizations – will identify different gaps in its response to VAWG and will craft different solutions.

For years, members of the civil society community, law enforcement, human services, court personnel and government officials have sought to change how institutions address VAWG by training personnel to think differently. Government agencies and private institutions have spent millions of dollars on training police personnel over the last forty years around the world.

After a number of years of limited success in creating institutional change through education and training, a new methodology known as 'The Eight Methods' was developed in Duluth, Minnesota U.S. to create long-last-

ing institutional change in how government, civil society and police agencies address VAWG.<sup>10</sup> The goal of this methodology is not to critique individual job performances. Rather, it reviews whether responses to crimes and VAWG are working to promote safety and offender accountability. The 'Eight Methods' (discussed in detail below) help organizations identify systemic gaps and craft solutions for institutional change.

The Eight Methods refer to the methods that institutions use to structure the work of their employees; in this case, the methods police organizations use to organize the work of police to address VAWG. When we observe average, stellar, or troubling practices, we want to find out which of the eight primary methods of organizing a practitioner's job shapes the response. For example:

- Organizations can examine the work of police who already practice gender-responsive policing to create an ideal standard for police response. We can use the Eight Methods to ask, 'What changes can be made so that all frontline workers are prepared, supported, and held accountable to meet that standard?'
- Missing or incorrect applications of policy or protocol that could cause further harm for victims and their families may be identified using the Eight Methods. For example, suppose an emergency call operator disconnects a call rather than using an interpreter when she discovers that the caller has difficulty communi-

9 The Case Study included with this Chapter describes how the Eight Methods was used to create institutional change in Georgia's Ministry of Internal Affairs, see 'Developing Offender Risk Assessment : Georgia', Global Rights for Women (2017), at: <https://globalrightsforwomen.org/wp-content/uploads/2020/02/Georgia-2017-%E2%80%93-Developing-Of-fender-Risk-Assessment-FINAL-2.pdf>

10 Ellen Pence, Ph.D. developed what was originally known as the 'Safety and Accountability Audit.' The original Safety Audit process is based on the Eight Methods that institutions use to standardize worker's actions in any NGO, institution, or government agency, including the police. See Michael Paymar, Ellen Pence, and Graham Barnes, *Building a Coordinated Community Response to Domestic Violence: Trainer Guide*, Praxis International, 2010.

## BOX 2

### Mission, Purpose and Function Example: Code of Practice of Victoria Police

#### AIMS OF THE CODE OF PRACTICE

Victoria Police regards family violence as extremely serious and often it is criminal behaviour. The nature of violence in family relationships is seen as particularly insidious because it is an abuse of trust. There is often a continuing threat to the victim's safety or to their life, or the lives of their children and sometimes to extended family members.

When police are responding to calls for assistance in family violence matters they acknowledge that it is complex by nature and undertake to treat all victims with dignity and respect, in accordance with the Victims' Charter.

The aims of this Code of Practice are to:

- Increase the level of safety for all victims of family violence, particularly women and children.
- Provide early intervention and disruption to break the cycle of family violence.
- Hold perpetrators of family violence accountable for their behaviours by laying criminal charges where appropriate, including for contraventions of family violence intervention orders (FVIO) and family violence safety notices (FVSN); and by increasing successful prosecutions.
- Minimise trauma experienced by families during the process of police intervention.
- Support Affected Family Members (AFMs) to stay safely in their own homes where it is their wish to do so
- Encourage reporting of incidents of family violence.
- Achieve good practice through an appropriate, consistent, transparent and accountable response to, and investigation of, family violence.
- In partnership with other agencies, government and non-government, support an integrated response to family violence.

Source: Code of Practice for the Investigation of Family Violence (2019). Victoria Police. <https://www.police.vic.gov.au/sites/default/files/2019-06/Code-of-Practice-2019.pdf>

cating in the primary language. This could happen for a number of reasons: because the organization lacks an interpretation policy; or because the organization lacks the resources to provide an interpreter; or because the worker is not held accountable for following an existing policy.

The Eight Methods described below help organizations to identify the source of problems or gaps in the organization's response to VAWG. The Case Study included with this Chapter describes how the Eight Methods were applied by a police organization in Georgia.

## 1) Mission, Purpose, and Function

Police are guided by their organization's mission regarding VAWG, the purpose of their work, and the function they serve within the larger criminal justice system. More specifically:

- Mission concerns the overall process and the overarching purpose of an organization. Presumably, every action and case processing step within the organization reflects that mission.



- Purpose refers to the institutional purpose of a specific process within that overarching mission, such as police response to an emergency call or arrest procedures.
- Function is the function of a practitioner in a specific context; for example, what is a police officer directed to do under specific circumstances.

A middle manager explores how the interconnected mission, purpose, and functions of practitioners within specific systems and institutions account for victim safety and offender accountability.

Sometimes, middle managers may find that police are not carrying out their function or are attempting to perform a function more appropriate to another type of organization. For example, in one Central Asian country, soon after a domestic violence law was passed, police found themselves overwhelmed with counseling victims. Rather than holding perpetrators accountable, they were attempting to act as counselors for the victims/survivors. This contradicted the mission, purpose and function of police, and needed reforms were institutionalized so that victims were referred to skilled counselors who were trained in advocacy for victims/survivors.

Communicating an organization's mission, purpose and function in writing serves to inform and guide police in their response to VAWG cases. The following is an example of a police organization in Victoria, Australia's Mission, Purpose and Function, put in writing.

In some police organizations and communities, VAWG is not treated as a serious crime. As such, assignment to family violence or sexual violence units is viewed as less prestigious than assignment to other divisions. Middle managers can reinforce the importance of VAWG cases by valuing the experience, skills and competencies acquired in investigating VAWG cases, and intentionally provide career advancement opportunities to officers who show commitment and skill in responding to crimes against women and girls. Emphasizing the importance of VAWG through concrete actions will send the message that thoroughly investigating VAWG is an essential component of police officers' function.

## 2) Concepts and theories

Concepts and theories include language, categories, theories, assumptions, philosophical frameworks, and other methods that institutions use to organize how workers think, talk, and write about cases and the people involved. Concepts and Theories inform and impact the other seven methods.

Adoption of the Power and Control/  
Dominance Theory by criminal justice agencies  
leads to gender-responsive police practices.



Every policy or practice employed by a police department is driven by concepts, theories, or assumptions. All criminal justice agencies institutionalize concepts and theories of VAWG through the language they use in training, policies, procedures and other directives. Gender-responsive policing requires that a police department's core concepts and theories are rooted in an understanding of VAWG as 'a manifestation of historically unequal power relations between men and women.'<sup>11</sup> This is distinct from theories that violence is rooted in anger, mental illness, alcoholism or other factors.

This section examines several common theories of the root causes of VAWG and discusses ways to incorporate gender-responsive theories into a police organization's policies and practices. In addition, it covers several different types of IPV – the most prevalent form of VAWG globally<sup>12</sup> – and suggests how policies and directives can be crafted to respond effectively to each type of violence.

<sup>11</sup> UN General Assembly, United Nations Declaration on the Elimination of Violence Against Women, Resolution 48/104, 20 December 1993. It is important to note that many women and girls around the world are impacted by intersecting forms of oppression (due to race, class, sexual orientation, gender identity, religion, disability, migration status and other aspects of identity) which exacerbate their vulnerability to gender oppression and violence. Women and girls do not all experience violence in the same way, and effective responses to violence must take into account the experiences of women and girls who are subject to intersectional forms of oppression.

<sup>12</sup> According to the recent global research, 30 percent of women experience physical or sexual intimate partner violence in their lifetime., see: World Health Organization, 'Violence Against Women: Key Facts,' at: <https://www.who.int/news-room/fact-sheets/detail/violence-against-women>



## COMMON THEORIES OF VIOLENCE AGAINST WOMEN AND GIRLS<sup>13</sup>

### Theory: Power and Control/Dominance

We begin this section with an overview of the Power and Control/Dominance Theory because it is a gender-responsive theory that naturally leads to gender-responsive policies and protocols.<sup>14</sup> This theory is depicted by the Power and Control Wheel (pictured above). The inner spokes of the wheel include common tactics identified by victims that were used against them while also experiencing physical and/or sexual violence. When perpetrators used or threatened physical and/or sexual violence, along with the tactics on the wheel, perpetrators gained power and control over the victim.



Each type of intimate partner violence requires a different response. Police can contribute to a differentiated response through proper and thorough investigations.

The Power and Control/Dominance theory is gender-responsive because it accounts for the use of violence and other tactics to maintain women's and girls' oppression. Because it was developed in consultation with women survivors, it reflects women's actual lived experiences of violence. The Power and Control Wheel has been translated and used in hundreds of communities around the world.

<sup>13</sup> The theories discussed here are some of the most common theories around the world, but other theories may be more prevalent in some communities. For instance, in some communities, it is believed that men use violence because they have strayed from religious teachings.

<sup>14</sup> The Power and Control/Dominance theory was developed by the Domestic Abuse intervention Project in Duluth, Minnesota, USA, after consultation with women about their lived experiences of intimate partner violence. See Domestic Abuse Intervention Project, <https://www.theduluthmodel.org> Women explained that in addition to physically and sexually assaulting them, perpetrators used a variety of other tactics to control their actions, beliefs, resources, movement and relationships with other people. The Power and Control/Dominance theory has resonated with women and their advocates around the world for its reflection of women's lived experiences and its adaptability to diverse societal contexts and has been incorporated into human rights instruments on violence against women. See e.g. CEDAW/GC/35, para. 19.

Although the Power and Control theory and the wheel were specifically developed to explain the dynamics of domestic violence, the theory is relevant to other forms of VAWG. For example, justifications for sexual violence often reveal men's sense of entitlement to control women sexually – because of what she was wearing, because she was intoxicated, or simply because of the man's desire to have sex with her. Similarly, harmful practices such as female genital mutilation/cutting, child marriage, and so-called honour killings are perpetrated at least in part to control women's and girls' bodies and sexuality.<sup>15</sup>

Adoption of the Power and Control/Dominance theory by criminal justice agencies leads to gender-responsive police practices. For example, rather than narrowly investigating an incident of violence, police will be directed to develop an understanding of the patterns of abuse – the ongoing tactics that the perpetrator uses to control the victim.

Interventions can be tailored to disrupt this pattern of abuse and protect the victim/survivor in the long term. For instance, if an officer responds to an assault resulting in minor injuries but learns that the perpetrator has a long history of abusing the victim/survivor and has threatened to kill her, the police department will recognize a serious risk of harm and respond appropriately.

**Middle managers should direct police officers to take the actions available under applicable law that will most likely disrupt the long-term dynamics of power and control. A police response that centralizes victim/survivor safety might include detaining the perpetrator, issuing a protective order, recommending to a prosecutor that a verbal threat to kill be pursued as a serious crime, and recommending that the perpetrator attend a rehabilitation class that challenges his beliefs.**

### Theory: Individual psychological problem

Mental health disorders are not the cause of the vast majority of VAWG. Nonetheless, one of the earliest the-

<sup>15</sup> See Chapter 5: Investigation, Annex 2, Honour based violence / Abuse and Harmful Practices



ories of VAWG (still prevalent in many communities) is that violence is caused by mental illness or by alcohol or drug abuse<sup>16</sup>

Proponents of this theory believe that VAWG can be disrupted with individual therapy, psychiatric medications or chemical dependency treatment. If a criminal justice agency adopts this theory, common responses will include recommending treatment to the perpetrator and referring the victim to psychological counseling. Monitoring of the perpetrator would focus on drug testing and follow up on treatment recommendations, rather than monitoring of his violent behavior and of the risk of harm faced by the victim/survivor.

Studies have shown that although some men who commit IPV have mental illness, mental illness accounts for as little as ten percent of intimate partner violence.<sup>17</sup> In addition, the 'individual psychological problem' theory does not account for the ongoing use of tactics to control and manipulate the victim/survivor that are common to ongoing domestic violence.

**If middle managers recognize that individual officers or the organization is operating from the belief that most VAWG is caused by mental illness, existing policies, protocols, and practices will need revision to better respond to the violence experienced by the majority of victims/survivors. Consultation with victims/survivors in the local community is critical to better understanding their lived experiences.**

### Theory: Relationship Problem

Others believe that VAWG (particularly IPV) stems from poor communication skills and a lack of mutual respect, and that both partners are at fault. If this theory is adopted by a criminal justice agency, police might recommend that the victim and perpetrator attend couples counseling or mediation, or – even worse - suggest that the victim/survivor change her behavior to conform to

16 The Advocates for Human Rights, 'Theories of Violence,' at: [http://www.stopvaw.org/theories\\_of\\_violence](http://www.stopvaw.org/theories_of_violence)

17 Barbara J. Hart and Andrew R. Klein, 'Practical Implications of Current Intimate Partner Violence Research for Victim Advocates and Service Providers,' December 2013, 12, at: <https://www.ncjrs.gov/pdffiles1/nij/grants/244348.pdf>

social/cultural expectations of a 'good wife.' Police will likely fail to gather important information regarding the risk of future violence and will not impose measures that protect the victim. Similarly, in sexual assault cases, victims may be blamed for communicating the wrong message to a perpetrator through words, actions or dress. This theory is likely to operate as an excuse for the violence and will not lead to practices which protect victim safety and hold perpetrators accountable.



**If middle managers recognize that individual officers or the organization is operating from the belief that violence is caused by relationship or communication problems, existing policies, protocols, and practices will include mediation by the police officers and counseling recommendations. These policies or practices will need revision to better respond to the violence experienced by most victims/survivors. Consultation with victims/survivors in the local community is critical to better understanding their lived experiences.**

### Theory: Cycle of Violence and Anger Management Theories

Another common theory is that perpetrators have trouble managing their anger or expressing their emotions in nonviolent ways. In the 1970s, Dr. Lenore Walker developed the Cycle of Violence theory, which posited that abusive relationships are characterized by a continuous cycle in which the couple experiences a honeymoon phase, a 'tension building' phase, and a violent, explosive phase (followed again by the repentant honeymoon phase).



Proponents of this theory believe that IPV can be disrupted in the tension-building phase if men can learn tools to calm their anger. At best, a criminal justice agency operating from this theory of violence might recommend that a man attend anger management classes in order to stop the violence. At worst, police officers operating under this theory might blame victims for failing to prevent the tension building phase (or for failing to leave before the perpetrator uses violence).

Further research challenged the validity of the Cycle of Violence theory. First, the theory did not take into account that many victims never experienced a 'honeymoon phase' and as a result, it led to victim-blaming. Because the theory assumes that women will experience distinct phases to the relationship, the criminal justice and advocacy organizations that adopted this theory often put the onus on women to disrupt the violence or to leave during the 'tension building' phase.<sup>18</sup>

<sup>18</sup> Leigh Goodmark, 'Reframing Domestic Violence Law and Policy: An Anti-Essentialist Proposal,' *Journal of Law and Policy*, Vol. 31:39, 2009, 42, at: [https://openscholarship.wustl.edu/law\\_journal\\_law\\_policy/vol31/iss1/4/](https://openscholarship.wustl.edu/law_journal_law_policy/vol31/iss1/4/)

In fact, women said their partners' use of violence was unpredictable and impossible to control. Further, the many other tactics that perpetrators use to exercise control over their partners are not explained by the Cycle of Violence Theory.

Similarly, proponents of the theory that perpetrators have an 'anger management problem' fail to explain why a perpetrator can refrain from violence against people other than his partner – for example, against a boss who treats him unfairly.

**If middle managers recognize that individual officers or the organization is operating from the belief that violence is caused by an anger problem, existing policies, protocols, and practices will need revision to better respond to the violence experienced by most victims/survivors. Consultation with victims/survivors in the local community is critical to better understanding their lived experiences.**

### **What theories are currently driving the work in your organization?**

Middle managers should examine what theories are currently shaping responses to VAWG in their own organizations. What language is used to describe VAWG? What attitudes are supported by the agency's current practices? What, if any, 'excuses' for violence are accepted?

If the Power and Control/Dominance theory is not already informing the organization's work, middle managers can begin to incorporate this theory by learning more about the lived experiences of victims/survivors. A good first step is to partner with a local women's organization to hold focus groups with victims/survivors who can provide insight on the power and control tactics commonly used in their community.

### **Types of Intimate Partner Violence**

One of the most prevalent forms of violence worldwide is intimate partner violence. The concepts and theories about intimate partner violence that drive a police department's work will impact the officers' responses to victims and the consequences for perpetrators. For

example, some communities have adopted IPV laws and policies that require officers to respond to all such incidents in exactly the same way. The underlying ‘theory’ of this type of policy is that all violence occurring in the home or between intimate partners has the same intention and impact.

Research has shown that IPV is often a recurring crime in which one partner utilizes tactics of domination to control his partner over a long period of time.<sup>19</sup> His partner may also use violence in reaction or in retaliation. A policy which requires the same consequences for a perpetrator of ongoing violence and a victim/survivor who occasionally uses violence to defend herself will not effectively end the pattern of abuse. An effective response to intimate partner violence requires police officers to understand who is causing what harm to whom, and with what impact. They must understand who is the most dangerous and who is the most afraid.

To aid police officers in responding appropriately to IPV, middle managers can build officers’ capacity to identify the following categories of intimate partner domestic violence: coercive controlling violence, resistive violence, and violence unrelated to coercive control. As discussed in more detail in the ‘Rules and Regulations’ and ‘Administrative Practices’ sections below, police organizations can develop policies that direct officers to identify and respond appropriately to each form of violence.



Each type of intimate partner violence requires a different response. Police can contribute to a differentiated response through proper and thorough investigations.

**Coercive Controlling Violence and Abuse** is the ongoing patterned use of intimidation, coercion, and violence, as well as other tactics of control to establish and maintain a relationship of dominance over an intimate partner.

<sup>19</sup> Evan Stark, ‘Re-presenting Battered Women: Coercive Control and the Defense of Liberty,’ *Violence Against Women: Complex Realities and New Issues in a Changing World*, Les Presses de l’Université du Québec: 2012

### Concepts and Theories: Key Messages

- Concepts and Theories shape the policies, practices, directives, and language used by police organizations
- Gender-responsive theories recognize that most VAWG is an exercise of power and control that is reinforced by other dominating tactics
- Investigations by the police in cases of IPV should seek to distinguish between: Coercive Controlling violence, Resistive Violence, and Violence Unrelated to Coercive Control
- Middle managers should examine current theories and embed gender-responsive theories with respect to each of the other seven Methods discussed below

Perpetrators who use coercive controlling violence believe they are entitled to control the actions, thinking, and behaviors of their partner and children. Coercive controlling violence and abuse is distinguished by physical violence, sexual violence, and dominating and demeaning conduct. It creates fear in the victim and a significant power gap between the perpetrator and the victim/survivor. The victim/survivor has little or no autonomy in this type of relationship and often feels trapped. Domination is achieved when one person begins to live under the control of the other based on fear of harm, whether economic, physical, sexual, and/or emotional.

In order to identify whether a victim/survivor is experiencing coercive controlling violence, a police officer must investigate the pattern of abuse – not just the incident to which the police officer is responding.

An effective response by the police and criminal justice system must not only respond to the immediate incident of violence; it must also disrupt the ongoing pattern of abuse – for example, by providing ongoing protection for the victim and an opportunity for the perpetrator to change his beliefs and behaviors through a batterer’s rehabilitation program.

**Resistive Violence** includes both legal and illegal use of force, which is used by victims to control the perpetrator's use of coercive and controlling tactics, or in reaction to other men's violence against them as women.

Most victims of coercive controlling violence and abuse use many other tactics to try to protect themselves and to resist oppression before resorting to violence. Victims/survivors will often appeal to family and friends, try to negotiate with their perpetrator, appease their perpetrator, or separate from them before resorting to this type of IPV.



**When both partners have used violence during an incident, police officers should be directed to:**

- Determine whether one party acted in self-defense, and
- Question the parties about any history of coercive controlling violence and other tactics in order to understand the context of the violence.

If a criminal justice system applies the same consequences to victims/survivors who use resistive violence as it does to perpetrators of coercive controlling violence, it will fail to stop the ongoing abuse, and discourage those most at risk of harm from reporting the abuse.

Conversely, police officers who are able to identify when a victim/survivor is using resistive violence can connect her with resources such as women's organizations that provide support and services. Some communities have created alternative sentencing programs for women, which allow victims/survivors to receive services and

attend specialized classes in lieu of serving a jail sentence for some acts of resistive violence.<sup>20</sup>

**Violence Unrelated to Coercive Control** is used by one intimate partner against the other and is neither an ongoing attempt to exert coercive control, nor a response to coercive control. It encompasses all other acts of domestic violence, and includes:

- **situational violence**, in which one or both parties uses violence, but it is not part of an on-going pattern of coercion and intimidation.
- **pathological violence**, in which ending, or controlling the pathology would end the violence (mental illness, drug and alcohol addiction with no pattern of coercion and entrapment of the partner, brain damage).
- **anomie**, violence associated with a breakdown in social order. Examples include the increase in rape and abuse of women by their partners in desperate social conditions, such as those experienced during war, natural disasters and in refugee camps.

Violence is almost always an attempt to control someone, but it is not always an attempt to establish a relationship of control or domination. Sometimes an act of violence is used to control a very specific set of circumstances (a partner's drinking, refusal to contribute to the family, unsatisfactory parenting).

Each of these types of violence – though rare in comparison to coercive controlling violence – require a different response. For example, pathological violence caused by a drug or alcohol addiction may be resolved by a treatment program, if the perpetrator is not using ongoing tactics of domination. Police should be directed to gather information about any history of coercive controlling behavior, as well as any history of drug or alcohol abuse in order to determine the root cause of the violence.

<sup>20</sup> For example, in Duluth, Minnesota, the CCR created a different approach to women's use of resistive violence. Women can attend a class which uses a curriculum especially designed to address women's use of violence in resistance to coercive controlling violence. See Pence, Connelly, and Scaia, 'Turning Points: A Nonviolence Curriculum for Women.'

### BOX 3

#### Example of Change in Administrative Practice: Georgia

A common administrative practice is the creation of a risk assessment tool for police officers to use. In Georgia, Global Rights for Women worked with police officers to create a new risk assessment to help all officers identify risk factors and evidence of coercive controlling violence in IPV cases. Victims/survivors were engaged through focus groups to give input on the dynamics of IPV in the local community. Police and prosecutors were interviewed to understand the gaps in the current administrative practice, and to craft a new risk assessment that would improve police officers' communication of essential risk information to prosecutors. The result was a risk assessment that reflects women's lived experiences with IPV in Georgia, that centralizes victim/survivor safety, and that aids police and prosecutors in holding perpetrators accountable.

### 3) Rules and regulations

Rules and regulations include the laws, administrative regulations, policies, protocols and agency directives that criminal justice agencies are required to follow as they work to prevent, investigate, and respond to VAWG. Rules and regulations must be analyzed to determine whether they promote gender-responsive policing.

Every rule, regulation, policy or protocol has a purpose. Gender-responsive rules and regulations aim to achieve victims' safety and to hold perpetrators accountable for the violence. Upon close examination, some policies may aim to increase an agency's efficiency, but do little to protect victims/survivors or hold perpetrators accountable and may actually undermine these goals.

For example, globally, many communities have organized to change a policy that was resulting in the arrest of many women who were victims of coercive controlling violence. When laws or policies require an arrest at the scene of an assault, victims are often arrested. Research shows that many women who are arrested act in self-defense, and even those who used resistive violence are not the predominant aggressors. New policies can be put in place requiring officers to make a 'self-defense determination,' and to avoid arresting anyone acting in self-defense. Policies can also direct officers on how to determine the predominant aggressor in a domestic violence incident, and direct them to arrest that person only.

Some policies may reinforce the power dynamic between the victim/survivor and perpetrator or place

accountability for the violence on the victim/survivor. For example, many countries' laws do not allow police or the courts to issue protection orders barring the perpetrator from contacting the victim/survivor

Such laws and policies are not gender-responsive, because they require the victim/survivor to choose between a stable home (for herself and her children) and safety from violence. A gender-responsive policy directs police to respond to violence in a way that shifts accountability to the state (for restraining the perpetrator's violence) and to the perpetrator (to change his behavior).

Middle managers with operational command responsibility may see themselves as having limited influence over criminal and civil laws on VAWG, or even over the policies of their own criminal justice agencies.

#### Rules and Regulations: Key Messages

- Rules and regulations can be created or changed to support gender-responsive policing
- Rules and regulations should centralize victim/survivor safety and offender accountability by consulting with victims/survivor about their lived experience of violence. Victim/survivor consultations should also be included in the creation or amendments of rules/regulations
- Middle managers are uniquely positioned to coordinate with others in the criminal justice system to evaluate the effectiveness of existing rules and regulations



However, middle managers are in a unique position to understand the practical implications of such rules and regulations in policing. Further, they are uniquely positioned to coordinate with other practitioners (including police, probation officers and victim/survivor advocates) in analyzing the effectiveness of rules and regulations in preventing and responding to VAWG. Decision makers can and should include middle managers in policy making.

#### 4) Administrative Practices

Administrative practices include all of the methods that an organization uses to standardize how police carry out its policies, laws, regulations, and mandates. Most administrative processes involve the use of texts, such as screening forms, case documentation forms, matrices, guidelines, report writing formats, routing instructions and protocols, and other examples of what practitioners refer to as 'paperwork.' Rules and regulations are mandates; administrative processes are instructions for police on how to carry out those mandates.

Along with mechanical instructions on case management, administrative processes carry conceptual grounding that either centralizes or marginalizes women's and girls' actual experiences and needs for safety. A police report form, a risk assessment questionnaire, and an evidence collection checklist are examples of administrative practices that prescribe ways of thinking about and acting upon cases.<sup>21</sup>

Administrative practices that align with gender-responsive theories of policing will influence case processing well beyond a victim's initial call for help. The information that police gather may be used by prosecutors, probation officers, child protection workers, judges, and others to make critical decisions regarding the safety of women and their children. The creation of forms, computer screens, assessments and checklists that account for power and control and the dominance of women and girls will standardize gender-responsive policing in VAWG cases.

<sup>21</sup> Risk assessment is also discussed in Chapter 6: 'Safety and Protection' of this Handbook.

#### Administrative Practices: Key Messages

- Administrative practices prescribe ways of thinking and acting on cases
- Administrative practices – such as police report forms – have a major influence on victim/survivor safety and offender accountability because the information captured is used throughout the course of case processing
- Review and revise administrative practices to ensure that they centralize victim/survivor safety and offender accountability

#### 5) Resources

Resources include the ways that a community, agency or police organization allocates and ensures the quality of funding, materials, processes, and personnel needed to address a problem - in our case, the problem of VAWG. Resources include everything necessary to accomplish the following:

- Workers do their jobs without compromising victim/survivor safety or offender accountability. This includes size of caseloads, technology, adequate supervision, and support services;
- Victims/survivors of abuse have access to safer situations, through such means as medical care, housing, skilled counseling, financial help, and adequate legal representation;
- Intervening systems hold offenders accountable. This includes adequate jail space, ease of access to information about the perpetrator's criminal history, adequate personnel to supervise perpetrators who are released from jail pending criminal charges, high-quality rehabilitation services, and practitioners who are well prepared to work with perpetrators of diverse economic, ethnic, and religious backgrounds.

Frequently, police officers do not have sufficient time to devote to investigating VAWG. If officers do not have time to gather relevant information from victims/survivors regarding the context and severity of the violence, they





are not capable of protecting the victim/survivor or compiling the evidence necessary for a successful criminal case by a prosecutor. Particular investigative techniques are also necessary in sexual assault cases where officers may need to interview victims/survivors when they are able to provide more detail or clinical evidence is needed, such as the evidence gathered in 'rape kits.'<sup>22</sup>

Secondary or vicarious trauma experienced by police officers is another resource concern that is slowly gathering attention around the world. Exposure to the trauma of others or the direct experience of life-threatening situations can cause lasting impacts on police officers. Police departments can allocate resources to support officers who have experienced trauma and ensure that working conditions minimize, rather than exacerbate, police officers' experiences of trauma.<sup>23</sup>

Many police organizations around the world are operating with severely limited and inadequate resources. Lack of resources must be addressed in order for police to successfully ensure victim/survivor safety and offender accountability. For example, a police agency in Eastern Europe has acknowledged that their jail and prison facilities have limited resources. Because of this, the courts do not impose jail sentences.

<sup>22</sup> See RAINN, at: <https://www.rainn.org/articles/rape-kit>

<sup>23</sup> See, e.g., Office for Victims of Crime, 'The Vicarious Trauma Toolkit,' at: [https://vtt.ovc.ojp.gov/tools-for-law-enforcement/management-and-supervision?fbclid=IwAR3zqSintkuMTP\\_icollYpdmnHymwgSyzqKLYwy6XTo\\_SFdR-LF1Y-sVB\\_5](https://vtt.ovc.ojp.gov/tools-for-law-enforcement/management-and-supervision?fbclid=IwAR3zqSintkuMTP_icollYpdmnHymwgSyzqKLYwy6XTo_SFdR-LF1Y-sVB_5)

Where lack of resources presents a serious challenges, middle managers must carefully evaluate which resources make the largest impact on achieving victim/survivor safety and offender accountability. Both victim/survivor focus groups and interviews with front-line police can provide valuable insight for prioritizing the use of resources.

#### Resources: Key Messages

- Adequate resources are critical to protect victims and hold offenders accountable
- Resources include staff time, technology, supervision, support for police, support for victims/survivors, and mechanisms to hold offenders accountable
- Victim/survivor focus groups and interviews with front line police can provide invaluable insight into resource gaps

## 6) Linkages

Linkages (sometimes described as coordination) are all the ways that the police are linked to previous, subsequent, and parallel interveners and service providers in cases of VAWG. Every case of VAWG can involve several different institutions within a community, including the criminal justice system. 'Linkages' refers to how institutions are connected to the people whose cases they process; how practitioners connect to other workers within the system; how information is collected and shared; and how problems are resolved.

For example, strong linkages between emergency telephone operators, police, and prosecutors can improve the system's ability to keep women and girls safe and hold offenders accountable. In many communities, emergency telephone operators are the first contact for victims of violence. The policies directing such operators must be crafted to provide police with relevant information when they respond to a VAWG case. For example, where feasible, policies can direct operators to search records online to determine whether there have

been previous calls involving the same perpetrator and victim/survivor, and to communicate this information to the responding police officers so they can respond with a higher level of caution.

Similarly, middle managers must communicate with prosecutors to determine what information prosecutors need police to gather to support criminal charges or other measures to hold the perpetrator accountable. Prosecutors can provide valuable guidance on the admissibility of evidence in court, and on their capacity to use information gathered by the police in particular formats. Police and prosecutor policies can be crafted to align with one another, in order to ensure timely and effective processing of cases, focused on victim/survivor safety and perpetrator accountability.<sup>24</sup>

Some communities have improved linkages by creating multi-disciplinary teams made up of representatives from the police, prosecutor's office, probation, women's advocacy organizations, and other agencies.

For example, in Duluth, Minnesota, USA, the multi-disciplinary Domestic Violence Response Team reviews every domestic violence/IPV case investigated by police to jointly determine strategies on each individual case and to identify needed changes to policies and practices that hinder victim/survivor safety and offender accountability.

Middle managers in police departments can play an essential role on such teams, given their proximity to day-to-day police operations and their knowledge of the policies guiding police practices. For example, because middle managers often have greater access to leadership in the prosecutor's office than front line police do, they can continually work to improve linkages.

Middle managers should work to improve methods of linking criminal justice system practitioners, paying attention to:

- How information is routed and shared;

<sup>24</sup> See Chapters 8: 'Coordination Among Justice Agencies' and 12: 'Justice Continuum' in this Handbook for more information on coordination between police and prosecutors.



- How the information shared communicates particular concepts or theories about the case;
- Whether regular meetings between police and other criminal justice organizations will improve coordination;
- What information other criminal justice organizations need to effectively move cases forward to achieve victim/survivor safety and offender accountability;
- How police policies and practices can be improved to strengthen linkages;
- How practitioners in other organizations (such as prosecutors) are linked to the victim/survivor and perpetrator; in other words, does the case file accurately represent people involved in the case, assuming some practitioners will never meet them?
- Whether the unique needs of victims/survivors are being met. If not, new linkages may need to be created.

One police organization in Australia worked tirelessly to collect large amounts of context and risk informa-

Some communities have improved linkages by creating multi-disciplinary teams made up of representatives from the police, prosecutor's office, probation, women's advocacy organizations, and other agencies.



tion from the victim/survivor to be used by the court in making decisions. The police began to notice that the court was not using the information provided to them. When they inquired as to why, they were told by the court that the information provided to them was too extensive and not organized in a way that was helpful. This linkage could only be improved by communication between the police and court about what information should be gathered and how the information should be presented to the court.

#### Linkages: Key Messages

- Linkages are the ways that police are coordinated with other service providers and criminal justice system practitioners
- To improve linkages, a police organization must communicate with other practitioners about what information they need to further the goals of victim/survivor safety and offender accountability
- New linkages may need to be created to provide victims/survivors with the services they need

## 7) Accountability

Accountability is one of the most critical components of the 8 Methods analysis for police organizations. For middle managers, the constant focal point is the gap between what people in the community experience and need, and what the organization provides. At the center of the work of a middle manager is the effort to see the gap from a victim's/survivor's point of view, and to see how the gap is produced by case management practices. In locating how a problem is produced by institutional practices, middle managers simultaneously discover how to solve it. Recommendations then link directly to the creation of new standardizing practices, such as new rules, policies, procedures, forms, and training.

Accountability holds specific meanings in relationship to the 8 Methods. It includes the ways that institutional practices are organized to accomplish the following:

- Hold perpetrators accountable for the harm they have done, as well as the harm they are likely to cause without effective intervention;
- Hold police accountable to the victim/survivor;
- Hold police accountable to other service providers in the system.

Recently, a police organization conducted an assessment of their domestic violence cases. When they applied the 8 Methods, they found that the police organization had a strong mission, a sufficient policy to address domestic violence, proper resources, and best practice administrative forms. However, they lacked proper accountability and supervision. Because of this, the police wrote a report or made an arrest in less than 20% of all domestic violence cases.<sup>25</sup>

Accountability within a police organization requires specific, known consequences for police who do not follow through with expected policy, practice, or protocol. For example, if policy requires that a police officer ask certain questions of a victim/survivor, and he/she fails to do so, a the managing or supervising officer could hold the officer accountable by requiring him or her to return to the victim/survivor to complete the required form, or could impose disciplinary measures. Accountability measures should be clearly identified in a department's policies.

A promising accountability measure by the Police Commission in British Columbia, Canada, was the development of an Unbiased Policing Policy after community engagement around biased treatment of Indigenous/First Nations people.<sup>26</sup> Similarly, policies focused on prohibiting gender bias by police could be effective if paired with accountability measures.

<sup>25</sup> Minneapolis Police Conduct Oversight Commission, 'Domestic Violence Response Research and Study,' 2018, at: <http://www.ci.minneapolis.mn.us/www/groups/public/@civilrights/documents/webcontent/wcm5p-211936.pdf> The report included various types of cases categorized as 'domestic violence' under Minnesota, USA law.

<sup>26</sup> Provincial Policing Standards, Section 6.2.1, British Columbia, at: <https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/police/standards/6-2-1-police-stops.pdf>

### Accountability: Key Messages

- Accountability is critical to successful institutional change. If each other 7 methods are improved, but police are not held accountable to the new standards, outcomes for victims/survivor will not improve
- Middle managers should communicate expectations and use specific measures, such as supervision and discipline, to hold police accountable
- The police organization as a whole should strive to be accountable to victims/survivors and to other criminal justice system practitioners, and should hold the perpetrator accountable

## 8) Education and Training

Once any new theories, policies, administrative forms or procedures, resources, or other changes have been adopted by a police organization, middle managers should train the police officers on implementation of the changes. For example, after a new police questionnaire was developed in Georgia, police officers were trained on the purpose of the questionnaire and how to use it.

Traditionally, trainings have focused on changing the mindset of police officers charged with enforcing laws on VAWG. However, as discussed previously, training on concepts alone will not result in last change within a police department. Officers must understand that any new changes affect their *function* within the organization and must be given practical training on implementation of the changes. Officers should also receive training on any accountability measures that the department will use to ensure the new policies, practices, or resources are effectively implemented.

Police should also receive education and training on the following:

- The ways an organization organizes police to understand their jobs and the social phenomena related to

their work, such as the abuse of women in marriages and intimate relationships;

- Formal ways that police organizations train their workers to think about and act on cases;
- Informal ways that responding officers learn their jobs through experience and training by more seasoned workers;
- Exposure to different concepts, theories, and conceptual practices;
- Ongoing skill building that enables workers to effectively intervene in VAWG cases involving diverse populations.

### Education and Training: Key Messages

- Police officers should be given education and training on any new policies, administrative practices, resources, or linkages that are implemented; how the changes relate to their function as police; and how police will be held accountable for implementing the change
- Education and training should cover the purpose of the institutional change, and how to implement the change

## CONCLUSION

Because gender bias is deeply entrenched in institutions, implementation of gender-responsive policing requires institutional analysis and change. The Eight Methods provide middle managers with a framework for analyzing gaps in a police organization's response to VAWG and for creating institutional change. Engaging victims/survivors – particularly those who experience intersectional forms of oppression – is critical to understanding the lived experience of women and girls and the gaps in the services a police organization already provides. Coordination with other criminal justice agencies is also critical to ensuring that any changes to police practice will serve to further victim/survivor safety and perpetrator accountability throughout the processing of VAWG cases. In addition, middle managers must educate police on any changes to their function within the organization and must communicate and implement strong accountability measures to ensure that institutional change is accomplished. Institutional change can improve the response of *all* police, making communities safer for women and girls.

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## THE JUSTICE CONTINUUM

*“It is deeply wrong that the vast majority of perpetrators of violence against women and girls face no consequences. Only a minority of cases are ever reported to the police; an even smaller percentage result in charges, and in only a fraction of those cases is there a conviction. Police and judicial institutions must take reports seriously, and prioritize the safety and wellbeing of survivors, for example by making more female officers available for women reporting violence.”*

—Phumzile Mlambo-Ngcuka, United Nations Under-Secretary-General and UN Women Executive Director, on the occasion of the International Day for the Elimination of Violence against Women (2018)

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# CHAPTER GOALS:

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**Police are more effective as an essential service provider when they better understand their role within justice and security sector organizations in addressing violence against women and girls (VAWG).**

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## Key Messages and Learning Points

- The Justice Continuum details the relevant justice and security sector agencies who interact with victims/survivors to address VAWG;
- There is a need to respect, protect, promote and fulfil women's right to non-discrimination and to the enjoyment of equality with men when dealing with cases involving VAWG;
- The justice process by its very nature is complex, and within different jurisdictions the roles of police and prosecutors can be very different;
- A victim/survivor-centred and intersectional lens is required to effectively investigate VAWG;
- The law in your jurisdiction is a key building block to enable investigations of VAWG. Not all jurisdictions will have laws to address specific forms of VAWG. You should therefore identify the emerging problems areas and share best practice with your team/unit leaders;
- Rape investigations pose a challenge for police investigators;
- Working with prosecutors, the judiciary, the probation services (in whatever form they exist) and non-government organizations when required delivers better outcomes for victims/survivors;
- Community-driven solutions can deliver effective change in addressing VAWG.



# INTRODUCTION

Police leadership need to be aware of the key role they play within the justice system, which is made up of distinct parts and agencies. All the justice and security sector organizations, including the police service, undertake their respective roles to enable just outcomes for those on their journey within the Justice Continuum (see figure 1<sup>1</sup>).

Photo courtesy of UN Women

Figure 2 details the relevant justice and security sector agencies who interact with victims/survivors, and work with the civil justice system. Each justice agency and the judiciary have distinct responsibilities, yet need to work together to address violence against women and girls. There are distinct challenges for the police during the pre-trial, trial and post-trial processes.

The victim's/survivor's interaction with the national legal framework or national justice system encompasses the justice process, which typically starts from her first disclosure to police. It continues through the engagement of legal representation in court, her journey through the criminal courts and family courts, and exposure to the judiciary. Where there is a conviction, it ends with the perpetrator receiving a penalty at

court e.g. a term of imprisonment or a non-custodial sentence such as a fine or probation with community service. Together, the justice system and justice process help form the **justice continuum** which recognizes the need to ensure that the rights of all those affected by the justice system are respected, protected and fulfilled at every stage of the justice process chain.

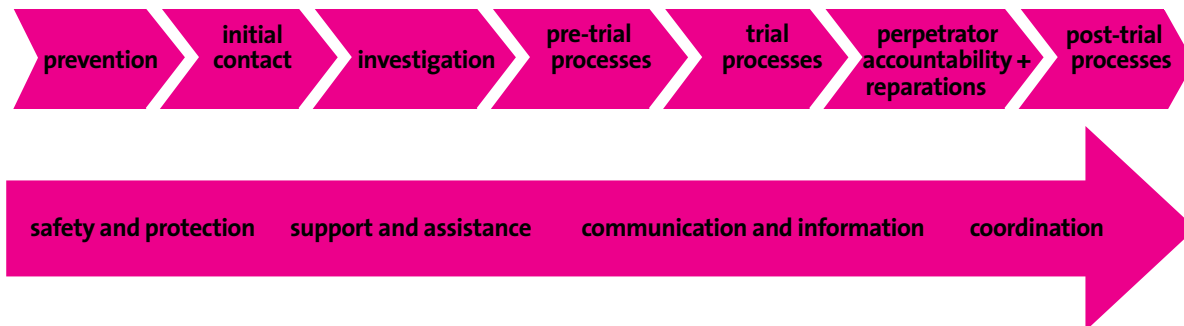
In criminal courts, the State files a case against a perpetrator for committing a crime, and in family courts, cases relating to the breakdown of familial and domestic relationships, such as divorce and child protection, are resolved.

For many victims/survivors, the eventual release of the perpetrator – particularly those perpetrators who have committed VAWG related crimes – is worrying and it may even force the victim/survivor to change their behaviour and result in extreme anxiety, e.g., taking children out of school to ensure personal safety, or stopping employment to ensure children arrive safe from school. The procedures to keep victims/survivors informed of the perpetrator's release are key for their ongoing pro-

<sup>1</sup> The ESP defines the Justice continuum as extending from a victim/survivor's entry into the system until the matter is concluded. A woman's journey will vary, depending on her needs. She may pursue a variety of justice options, ranging from reporting or making a complaint which initiates a criminal investigation and prosecution or seeking protection, and/or pursuing civil claims including divorce and child custody actions and/or compensation for personal or other damages, including from State administrative schemes, concurrently or over time.

Figure 1:

Justice Continuum



tection. (see Chapter 6: ‘Safety and Protection’)

The family courts are within the justice system and the police service may be involved in obtaining protection measures to protect women and their children from family violence perpetrated by the woman’s intimate male partner or other family members in the home. This means that the police service plays a key role in family courts and criminal courts.



Every woman’s and girl’s journey will be different and will depend on her individual needs.

Notwithstanding the different roles the police play within the justice system, police leadership need to understand the overarching principles that govern their work, regardless of how it is done. There is a need to respect, protect, promote and fulfil women’s right to non-discrimination and to the enjoyment of equality with men, as detailed in General Recommendation No. 28 on the Core Obligations of States Parties under Article 2 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).<sup>2</sup>

Where the long-term effects of discrimination have seriously disadvantaged women and girls, this may require measures that give women not just formally equal treatment to men, but preferential treatment, in order to create actual equality and equity for women. The definition and appropriate application of these

2 General Recommendation No. 28 on the Core Obligations of States Parties under Article 2 of the Convention on the Elimination of All Forms of Discrimination against Women (2010). UN Doc CEDAW/C/2010/47/GC.2, at: <https://www2.ohchr.org/english/bodies/cedaw/docs/CEDAW-C-2010-47-GC2.pdf>

measures is described in Article 4 of the Convention, and further elaborated on in the CEDAW Committee’s General Recommendation No. 25.<sup>3</sup>

Confidence in the justice system and the justice process is therefore important as it encourages victims/survivors to come forward and report crimes against them.

Police leadership need to understand that the justice process by its very nature is complex, and within different jurisdictions the roles can be very different. For example, in Turkey, prosecutors direct the investigations of the police,<sup>4</sup> while in the UK the police investigate crime and the Crown Prosecution Service (‘CPS’) decide the charges in complex cases, particularly those involving violence against women and girls (‘VAWG’)<sup>5</sup>.

Police leadership need to develop a wider understanding of the justice process. While the victim/survivor is travelling through this journey, the law, societal norms and government policy determine how the victim’s/survivor’s journey will progress. The support of civil society

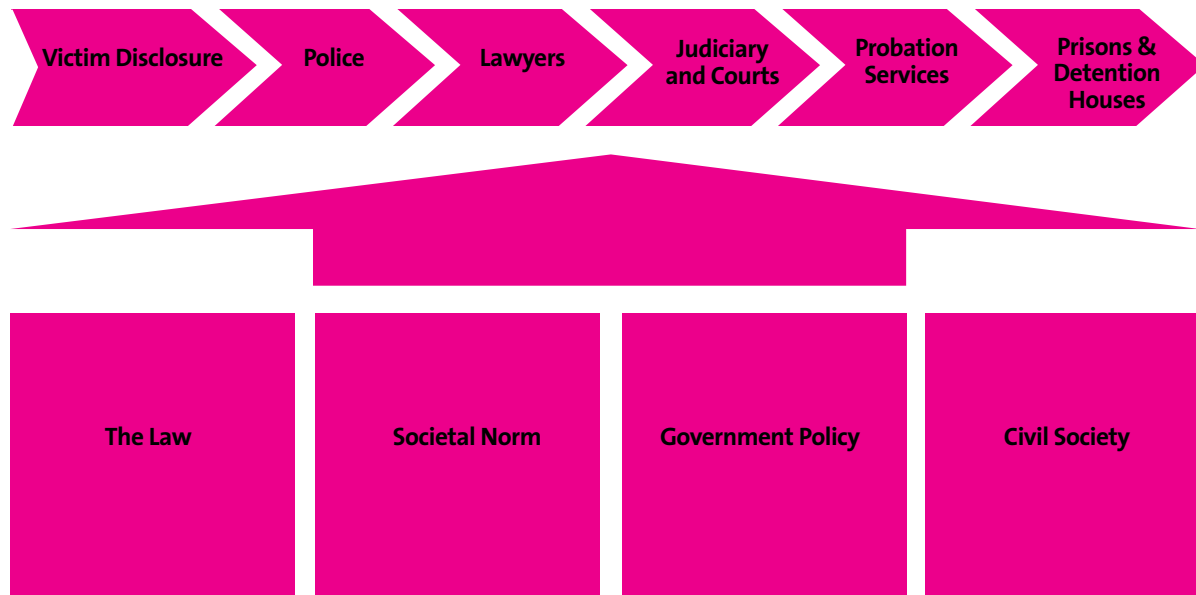
3 General recommendation No. 25, on Article 4, Paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women, on Temporary Special Measures. OHCHR <https://www.un.org/womenwatch/daw/cedaw/recommendations/General%20recommendation%2025%20%28English%29.pdf>

4 Under Article 161/1 of the Criminal Procedure Law (Law No 5271), the public prosecutor can conduct all types of investigations, directly or through judicial police officers. The public prosecutor will investigate the matter to decide whether it is necessary to initiate a criminal case, and if the evidence obtained during the investigation causes sufficient suspicion regarding the commission of the offence, will issue an indictment (*Article 160/1*). However, if the evidence is insufficient, the public prosecutor will not prosecute (*Article 170/2*)

5 The CPS prosecutes criminal cases that have been investigated by the police and other investigative organizations in England and Wales. The CPS is independent, and we make our decisions independently of the police and government. About the CPS. The Crown Prosecution Service, at: <https://www.cps.gov.uk/about-cps>

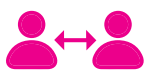
Figure 2:

Sarkaria Justice Participants Model: Key Participants in the Justice System



organizations is also key for victims/survivors. She may pursue a variety of justice options, ranging from reporting or making a complaint, which initiates a criminal investigation and prosecution or seeking protection, and/or pursuing civil claims, including divorce and child custody actions and/or compensation for personal or other damages, including from State administrative schemes, concurrently or over time.

The key participants in the justice system are outlined in the *Sarkaria Justice Participants Model*, together with the drivers which can bring about change at any stage.



## PEER TO PEER GUIDANCE

Police leadership should be aware that access to justice is a human right that provides a means of achieving other rights when investigating VAWG. Any barriers to justice including legal, institutional, socio-economic and cultural can prevent the victim/survivor from achieving the just outcomes required.

You will need to ensure that your staff are aware of the links between the access to justice process and the implications for the police at each step. For example, prosecutors and judges may use a gender-sensitive approach which:

- Explicitly acknowledges the differences in the experiences of women and men, including experiences of rights violations but also interactions with the justice system;
- Recognizes how women's and men's needs differ and intersect, in terms of recourse and remedies; and
- Understands the pervasive nature of gender stereotypes and their intersecting factors, even those of which we are all unconscious.<sup>6</sup>

This approach can be adopted by your staff to provide a gender-sensitive approach to interactions with victims/survivors and other justice system agencies.

<sup>6</sup> Training Manual for Judges and Prosecutors on Ensuring Women's Access to Justice (European Union and Council of Europe, 2017), at: [https://www.ohchr.org/Documents/Issues/Women/WRGS/TrainingManualAccessJustice\\_EN.pdf](https://www.ohchr.org/Documents/Issues/Women/WRGS/TrainingManualAccessJustice_EN.pdf)

**“The body of law, made by men, for men and amassed down through history on their behalf, codifies masculine bias and systematically discriminates against women by ignoring the woman’s point of view. Today the law is largely enforced, interpreted and administered by men, so it still works in the interests of men as a group. Women too accept the law’s male bias as objective justice - when women jurors, lawyers, judges etc uphold the same male standard. And whether that male standard constitutes sex discrimination or the innocent side effect of a shared male point of view, the result for women is the same: they are deprived at every step of equal protection under the law.”**

*Source: Jones (1980) as cited in The Justice, Law and Order Sector Programme, Government of Uganda ‘Study on Gender and Access to Justice’ in Guidance note for UNODC staff Gender mainstreaming in the work of UNODC (2013).*

Your staff will need to understand that their role (and that of other justice and security sector agencies) is to ensure that victims/survivors are referred to and receive the support that they require before, during and after the justice process.



Gender sensitivity is awareness of and respect for the needs, interests, and sensibilities of women as women and men as men.

There are several deficiencies in criminal laws on VAWG across the globe, which prevent law enforcement from offering services to women and girls subject to ‘family violence’ and making it impossible for victims/survivors to seek the support they need. It is important to note that the law itself is codified and often still reflects male bias and systematically discriminates against women and girls.

Equally important to understanding how a law itself might codify male bias and systematically discriminate against women and girls is the ability to identify the intersecting and overlapping factors that further marginalize a victim/survivor of VAWG from her access to justice. For example, individuals and groups can be marginalized on the basis of their gender, ethnicity, sexual orientation, national origin and/or disability and this can have a direct impact on their access to safety and justice.

Applying an intersectional lens when applying the laws relevant for policing, in particular anti-discrimination law, and when responding to VAWG, will help officers identify how women’s and girls’ experiences of being subjected

to inequality do not fit the dominant model and what this means for their protection and safety, among other essential services to which they are entitled.

Applying an intersectional lens will not only point to the repressive or coercive functions of top-down power. It will also permit officers to better understand how hierarchical power relations are exacerbated when laws fail to recognise the subject’s full identity, position, or the complexity or messiness of her experiences.<sup>7</sup>

A victim/survivor-centred and intersectional approach is therefore required. **See Chapter 2: ‘Making a Difference as a Manager and Team Leader.’**

## Victims/Survivors

Understanding a victim’s/survivor’s need is essential for your staff to perform their role effectively. A victim’s/survivor’s journey can result in unequal treatment due to the multiple links and connections where discrimination can take place due to power systems – racism, patriarchy, class oppression, sexual discrimination, age, sexual orientation, disability and various other systems of discrimination. The key message for your staff is that victims/survivors have individual experiences deriving from different types of identity.<sup>8</sup>

7 Emily Grabham with Didi Herman, Davina Cooper and Jane Krihnadas “Introduction” in *Intersectionality and Beyond: Law, power and the politics of location*, Edited by Emily Grabham, Davina Cooper, Jane Krishnadas and Didi Herman (2009: Routledge-Cavendish).

8 Training Manual for Judges and Prosecutors on Ensuring Women’s Access to Justice (2017). European Union and Council of Europe [https://www.ohchr.org/Documents/Issues/Women/WRGS/TrainingManualAccessJustice\\_EN.pdf](https://www.ohchr.org/Documents/Issues/Women/WRGS/TrainingManualAccessJustice_EN.pdf)





“Every woman’s and girl’s journey will be different and will depend on her individual needs.”

Police leadership who would like to know more about the challenges for women survivors of violence along the justice process should read Module 3 of *A Practitioner’s Toolkit on Women’s Access to Justice Programming* (UN Women et al.)<sup>9</sup> on Ending Violence Against Women and Girls. This Toolkit sets out practical guidance on how

such challenges can be addressed across justice system to end VAWG. Whilst it is designed primarily for staff of the United Nations system, the toolkit provides a menu of options for responding to current problems relating to women’s access to justice and the need for technical assistance in this area.

The following summary below provides a helpful starting point for police leadership in the analysis of the justice process and the police investigative responsibilities in VAWG.

#### Box 1

#### Challenges for women survivors of violence along the Justice Process<sup>10</sup>

##### Prevention

- Not all forms of violence against women may be criminalized (e.g., marital rape).

##### Early detection and reporting

- The onus is often on the victim/survivor to file charges, make a formal complaint or specifically request prosecution, either in law or practice;
- Prevalent gender bias and stereotypes by law enforcement personnel results in non-reporting of SGBV against women.

##### Investigation

- Statutes of limitation or other legal prescriptions bar victims/survivors from pressing charges after a certain period of time;
- Victims/survivors are often required to wait long hours at police stations. They are also interrogated numerous times by male police officers, examined by male forensic officers, treated disrespectfully and deprived of privacy when being interrogated and providing statements;
- Circumstantial evidence is often inadmissible, making the victim/survivor the sole source of evidence;
- Evidentiary rules frequently treat physical evidence as essential to proceeding with a criminal charge, which is challenging in such cases where there is delayed reporting, or the violence involved is psychological, emotional or economic in nature;
- There is often no access to immediate, urgent or long-term protection measures, as well as risk assessments or safety plans for victims/ survivors;
- Victims/survivors are regularly required to testify several times and often in the presence of the accused;
- The police may request payment for transportation and fuel (gas/petrol) to investigate the crime;

<sup>9</sup> ‘A Practitioner’s Toolkit on Women’s Access to Justice Programming’ (UN Women, UNODC, OHCHR, UNDP, 2018), Module 3 on Ending Violence Against Women and Girls, at: <https://www.un-women.org/-/media/headquarters/attachments/sections/library/publications/2018/wazj-complete-toolkit-en.pdf?la=en&vs=2654>

<sup>10</sup> Ibid.

- In many countries, victims/survivors are given a set of forms by the police to submit to health services for medical examination (as part of the process of gathering evidence) as well as for purposes of prophylaxis care. Sometimes, such forms are not user-friendly for medical examiners and may not yield the required information that is needed for evidence purposes.

#### **Pretrial**

- Most victims/survivors are unfamiliar with the criminal justice process, do not have access to legal aid services and are therefore uninformed of what is expected of them;
- Criminal procedure and court administration generally do not allow for the particular vulnerability of women survivors to be taken into consideration, and as such, their specific needs are often not accommodated.

#### **Trial and sentencing**

- Judicial practice or existing procedural requirements often lead to decisions that are not victim/survivor-friendly, which results in alienating victims/survivors from the process and leading them to withdraw the case or give up;
- Evidentiary rules may allow cross-examination on sexual or personal history, require corroboration or allow for adverse inference resulting from delayed reporting.

#### **Corrections**

- Victims/survivors are not informed of the release of the offender, even when both survivor and offender are from the same community.

## **DEALING WITH CHALLENGES IN RESPONDING TO VAWG STARTS WITH IDENTIFYING THE GAPS IN YOUR TEAM'S PERFORMANCE**

### **The role of the law in VAWG cases and the challenges with enforcing the law**

Police leadership should be aware that the right building blocks need to be in place for effective delivery of police investigations in VAWG cases including comprehensive legislation and frameworks, and gender-responsive policies and frameworks as detailed in the *ESP Module 6: Implementation Guide*. Institutional structural barriers may need to be addressed at a national level by the heads of the police service to support an enabling environment: laws, policies, budgets, capable service providers, informed service demanders and quality controls.<sup>11</sup>

<sup>11</sup> Module 6 Implementation Guide Essential services package for women and girls subject to violence. United Nations Joint Global Programme on Essential Services for Women and Girls Subject to Violence. 2015

The law governs how you police not local custom.



You as police leadership and your staff need to understand:

- The role of law in society, and in particular in investigating VAWG;
- That the law is an essential building block for police investigation, as it provides the framework for investigation, charge and ultimately the safety measures for victims/survivors;
- That laws are rules that may have developed out of societal custom over the centuries, or are rules set by law and accepted as binding.

### **The role of the law**

The law in every society includes norms that govern the role of the police who are responsible for policing in accordance with it. Communities in turn may have

social customs which determine behaviours that in some instances may run counter to the rules set by law. Police leadership should remind their staff that it is the law that determines their police practice.

#### Box 2

“Criminal laws in some countries reflect existing patterns and social customs of inequality between men and women. For example, some laws assign a lower value or credibility to testimony provided by women victims or witnesses than to testimony provided by their male counterparts. Another example are laws that allow perpetrators of VAWG to escape criminal responsibility by invoking “honour,” “provocation,” marital rape exemption clauses or by marrying the victim.” These laws still exist or have until recently in many other parts of the world, including Europe and Northern America.

Other countries such as Armenia have taken steps to implement amendments to their criminal code to address VAWG sending a clear message to citizens regarding the unacceptability of domestic violence in Armenia.<sup>12</sup>

#### Box 3

Armenia is one of numerous countries that recently (2017) implemented amendments to their criminal code to specifically cover violence against women.<sup>13</sup> The Law on Prevention of Violence within the Family, Protection of Victims of Violence within the Family and Restoration of Peace in the Family seeks to establish legal mechanisms for preventing violence within the family, ensuring the safety and protection of victims of violence within the family, and guaranteeing their rights and legitimate interests. Specifically, the Law defines domestic violence as acts of physical, sexual, psychological and economic violence and negligence. Furthermore, it prescribes measures for protecting victims of domestic violence, including warning the perpetrator and deciding on emergency interventions.

<sup>12</sup> Box 3 Armenia, Criminal Code, chap. 20, arts. 165–174.

<sup>13</sup> Ibid.

## Lack of clarity in the law relating to VAWG offences

There may be offences of VAWG which pose a problem during investigation, particularly where the law is unclear. This prevents effective investigation and prosecution of alleged perpetrators. Police leadership should be aware that this presents a challenge for their staff and can prevent the police service from protecting victims/survivors of VAWG.

Police leadership should develop an understanding of the legal framework for VAWG operating in their jurisdiction and be aware of the areas where the law is unclear. This will enable police leadership to provide feedback to their senior or executive managers on the problems which may influence future legislative change.

Rape is one such crime.

#### Box 4

##### Rape – an example

Rape is unlawful sexual activity typically involving sexual intercourse or other forms of invasive action done against a person’s will. Rape is a worldwide problem.

While many countries have laws against the act of sexual assault and violence, many of them are insufficient, inconsistent, and not systematically enforced. 35 % of women worldwide have experienced either physical and/or sexual intimate partner violence or sexual violence by a non-partner (not including sexual harassment) at some point in their lives. However, some national studies show that up to 70 % of women have experienced physical and/or sexual violence from an intimate partner in their lifetime.<sup>14</sup>

Evidence shows that women who have experienced physical or sexual intimate partner violence report higher rates of depression, having

<sup>14</sup> World Health Organization, Department of Reproductive Health and Research, London School of Hygiene and Tropical Medicine, South African Medical Research Council (2013) at: [Global and regional estimates of violence against women: prevalence and health effects of intimate partner violence and non-partner sexual violence](#)

an abortion and acquiring HIV, compared to women who have not.<sup>15</sup>

Women ages 16-19 are four times more likely to be victims/survivors of rape or sexual assault and female college students ages 18-24 are three times more likely to experience sexual assault. Transgender people and those with disabilities are twice as likely to be victims of sexual assault or rape. In the U.S., 70 % of rape is committed by someone the victim knows.<sup>16</sup>

## The challenge of rape investigation

Police leadership should ensure that a gender-sensitive approach to understanding the legal framework on rape and investigating this crime is followed by their staff in times of peace and in conflict. Rape is a form of gender-based violence discussed earlier in this Handbook. It is a human rights violation and form of torture as detailed in international instruments. Also see Chapter 5: 'Investigations.'

### Box 5

In November 2019, The UN Office of the High Commissioner of Human Rights (UN OHCHR) announced that urgent action must be taken by States, but also by non-State actors, as well as international organisations and independent monitoring mechanisms, civil society organisations and women's rights movements to prevent and combat rape and sexual violence, to challenge the gender stereotypes and the negative attitudes and behaviours that underlie and perpetuate violence and support and provide redress to women who are willing to speak up.

The *Platform of 7 independent UN and regional expert mechanisms on violence against women and women's rights* jointly called upon all States

and relevant stakeholders worldwide to act against rape as a form of gender-based violence and a human rights violation, and, to ensure that the definition of rape is based on the absence of consent, in line with international standards. More efforts must also be made to ensure prosecution of rape in times of peace and in conflict.<sup>17</sup>

Your staff need to be aware that the persistence of widespread and systematic rape and other forms of sexual VAWG, even in countries that have announced zero tolerance on VAWG, shows that sexual violence is deeply entrenched in our still predominantly patriarchal societies.

Your staff should understand that:

- Power and control continue to create a social environment where such violence is normalized, and gender-based stereotypes on the role of women in society undermine and devalue women; and
- These factors contribute to the unacceptable tolerance of rape, including within criminal justice systems, often resulting in impunity for alleged perpetrators.

You may be from a country where the criminal justice system adopts a force-based definition of rape which may require evidence that the alleged perpetrator used coercion and that the victim/survivor failed to fight back. As such, the burden is placed on the woman to prove that she resisted. If unable to do so, the alleged perpetrator would walk free while the victim/survivor is left stigmatized. Please see Chapter 9: 'Communications.'

Find out the definition of rape in your country and what evidence you need to gather to prove the offence to strengthen your investigation of rape cases.



<sup>15</sup> Ibid.

<sup>16</sup> Rape Statistics By Country 2020. World Population Review, see: <http://worldpopulationreview.com/countries/rape-statistics-by-country/>

<sup>17</sup> International Day on the Elimination of Violence against Women. 25 November 2019: Absence of consent must become the global standard for definition of rape (2019). OHCHR <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25340&LangID=E>

In your country, campaigns such as #MeToo, #TimesUp, #Niunamenos, #NotOneMore, and others, the voices of rape survivors, both in times of war and in peace, may have highlighted rape and other offences. Police leadership should take steps to find out whether such a campaign is active in their country, and if so, which offences are of concern. This will enable you to identify the offences which will be the subject of national attention.


### How can the justice and security sector agencies work together to make a difference?

Police leadership should be aware that the justice and security sector agencies, supported by the law, and other support services for women and girls can work together to close the gap between provisions set out under international and national laws on rape and sexual violence.

In your role as police leadership, you may not be able to influence your country's national approach but you can take steps at a local level to make a real difference for victims/survivors of VAWG. Police leadership should:

- Develop an understanding of the limitations, for example, of not having comprehensive gender-based violence legislation, including rape legislation or penal codes which do not include marital rape in your country. This can pose a challenge for your staff when they engage with victims/survivors of marital rape;
- Be able to give guidance to their staff about what they need to do when confronted with women who have been raped by husbands/partners when the law does not protect them in such situations;
- Ensure your staff know whether there are local support organizations for women that provide much-needed support for the victim/survivor.

The UNHCHR has suggested an approach in such cases and the key area applying to police leadership is that specialist support services (where available) should be provided, including trauma support and access to health services. These can make a real difference to



A gender-sensitive approach to victims/survivors is a key step in building confidence in the justice system when addressing cases of VAWG.

victims/survivors.<sup>18</sup> Police leadership should identify the trauma support services in their area and consider where referral for specialist health services is required to support victims/survivors to provide critical wellbeing and emotional support.

### The role of Government in setting the policy and legislative framework

Effective investigation and prosecution of VAWG requires the support of the State. There are actions, however, that can be taken at a local level by police leadership that can make a real difference.

Police leadership should identify how and where they can contribute to the development of government policy and legislative frameworks relating to VAWG by identifying the emerging problems areas and sharing best practice with their team/unit leaders.

Police leadership should:

- Take a gender-sensitive approach when interacting with victims/survivors to ensure that their first contact with the police service builds confidence, and encourages victims/survivors to come forward to report crimes;
- Focus police attention on crimes involving VAWG.

Police leadership should note that the failure to deal with initial reports of familial violence may result in ultimate death for the woman involved. Gender-related killing of women and girls (also known as 'femicide') is one such crime that can take place.

### Gender-related killing of women and girls

Police leadership should note the high prevalence of gender-related killing of women and girls interna-

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<sup>18</sup> Ibid.

tionally and should identify whether any local data is collected in their country/region.

Of the 87,000 women who were intentionally killed in 2017 globally, more than half (50,000 - 58%) were killed by intimate partners or family members, meaning that 137 women across the world are killed by a member of their own family every day. More than a third (30,000) of the women intentionally killed in 2017 were killed by their current or former intimate partner.<sup>19</sup>

Police leadership should note that laws have been introduced in some countries to support the work of the police in tackling and responding to VAWG.

#### Box 6

Some countries have introduced specific provisions criminalizing gender-related killing of women and girls under the labels of “femicide” or “feminicide” (most countries in Latin America). Other countries have introduced gender-related aggravating factors for homicide and other offences. Aggravating factors may include specific motives (such as bias, hate and discrimination in relation to a person’s sex, as in Belgium, Canada and Spain, or motive of honour and custom, as in Turkey) and factual circumstances (such as pregnancy, as in the Russian Federation and Turkey, or being the spouse of the victim, as in Belgium, Spain and Turkey).<sup>20</sup>

Police leadership need to guide their staff to ensure that in cases of VAWG that:

- Restraining orders are recommended and obtained from the courts when reports of IPV are made to ensure that gender-related killing of women and girls does not take place;
- Information regarding the granting of restraining orders is shared with police staff across their geographical area to protect the victim/survivor and prevent the commission of further offences;

<sup>19</sup> Global Study on Homicide (UNODC, 2019), p.10.

<sup>20</sup> UNODC/CCPCJ/EG.8/2014/CRP1, “National measures taken to prevent, investigate, prosecute and punish gender-related killings of women and girls”, para. 12.

- That the existence of a restraining order is provided to prosecutors and judges who may be leading investigations involving the same perpetrator for IPV offences.

These are key measures that can assist in preventing deaths following a history of intimate partner violence (‘IPV’).<sup>21</sup>

Police leadership may wish to check whether electronic monitoring systems for offenders can be used or other forms monitoring such as reporting to the police. For example, data collection could be used as a tool to improve the performance of your staff, and a way to change their behaviour in tackling such offences. Any approach needs to be gender sensitive.

Internationally, States have begun introducing specific laws to tackle gender-related killing of women and girls. France, for example, has recently introduced measures to tackle this form of offending.

#### Box 7

In France, the Government has directed the Police to take specific measures when investigating and addressing cases of VAWG. Emergency measures announced in September 2019 include:

- Seizing firearms from people suspected of domestic violence and prioritizing police training so they won’t brush off women’s complaints as a private affair;
- Increasing efforts in schools to raise awareness of GBV;
- Opening a round-the-clock domestic violence hotline;

<sup>21</sup> For the purposes of the Handbook, the authors prefer the term ‘intimate partner violence’ or ‘IPV’ rather than ‘domestic violence’ and, as a result, will prioritize the term ‘IPV’ unless the term ‘domestic violence’ is used in the original source. Domestic violence is a broad term involving different social and psychological dynamics and power differentials and covers various forms, such as child abuse, elderly abuse and interpersonal or partner abuse. On the other hand, IPV disproportionately victimizes women more than men, whilst men are overrepresented as perpetrators. It is also strongly related to socially determined power differentials between men and women. See: Council of Europe, Committee of Ministers, 1037 Meeting, 8 October 2008 European Committee on Crime Problems Feasibility study for a convention against domestic violence.



- Hiring more specialized social workers in police stations;
- Increasing treatment of violent partners to avoid repeat offences;
- Changing the law to recognize that victims of abuse can be under the psychological control of their abusers, unable to act independently;
- Working with doctors to ease confidentiality restrictions in cases where there is an “immediate danger” of renewed violence against the victim, enabling practitioners to flag cases to the legal authorities without a patient’s consent. Currently, doctors can only do so when a patient is a minor or is “vulnerable,” a broad term that can refer to a disabled person, or when a person’s life is at imminent risk.

France has the highest rates in Europe of domestic violence, in part because of poor police response to reports of abuse. Many of the women killed in 2019 had previously sought help from police, and in 2018, 121 women were killed by current or former partners. Every year in France, an estimated 219,000 women aged 18 to 75 are the targets of physical or sexual violence by current or former partners, but Government statistics show that only 20 % file official complaints.<sup>22</sup>

Police leadership will find the example of the death of Julie Douib in France helpful. The case highlights the importance of police taking reports of violence and possession of firearms seriously. After Julie Douib was forced to give up custody of their two children for the weekend by her partner, she told the police that he had a license for a gun and that she was afraid he would shoot her. “Madame, I am sorry,” the officer replied, according to Ms. Douib’s father, “but his license cannot be taken away unless he points the gun at you.” He did so 48 hours later, and fired twice, hitting Ms. Douib, 34,

22 Les Chiffres de Référence sur les Violences Faites aux Femmes (2019). Secrétariat d’Etat chargé de l’égalité entre les femmes et les hommes et de la lutte contre les discriminations, at : <https://www.egalite-femmes-hommes.gouv.fr/le-secretariat-d-etat/>

in her chest and arms. “He killed me,” she said with her last breath, said Maryse Santini, the downstairs neighbour who found her.<sup>23</sup>

Police leadership should note that the French proposed approach demonstrates that Government policy regarding VAWG should be strengthened by anchoring prevention and response in national plans.

Police leadership should:

- Research whether your country has national plans in relation to VAWG to understand the wider framework you are working within. The plans may also detail the role of the justice and security sector agencies and civil society to respond to and prevent VAWG in the country;
- By having a greater understanding of national plans, including the role of justice and security sector agencies and civil society organizations, direct your front-line officers to ensure your risk assessment are considering past cases of domestic abuse involving the same perpetrator;
- Learn from local cases of gender-related killing of women and girls where effective risk assessments have not been conducted.

## DEFINITION AND FRAMEWORKS

The ESP Module 5 on Coordination and Governance of Coordination outlines the importance of a coordinated response for victims/survivors, resulting in increased safety, by placing them at the centre of any intervention or institutional response.<sup>24</sup>

23 Fourquet, L. (2019), ‘As Deaths Mount, France Tries to Get Serious About Domestic Violence’ for the *New York Times*, at: <https://www.nytimes.com/2019/09/03/world/europe/france-domestic-violence.html>

24 Essential Services Package for Women and Girls Subject to Violence : Core Elements and Quality Guidelines (United Nations Joint Global Programme on Essential Services for Women and Girls Subject to Violence, 2015), at: <https://www.unwomen.org/en/digital-library/publications/2015/12/essential-services-package-for-women-and-girls-subject-to-violence>

Police leadership should be aware that a coordinated response gives victims/survivors access to informed and skilled practitioners who share knowledge in a dedicated, supportive environment. A coordinated response can recognize victims'/survivors' multiple needs, which can be met through co-locating services and referral networks. For example, in some police forces, women-specific organizations are available to provide women with the support that they need, such as drug rehabilitation, housing or in cases of domestic abuse.



According to the WHO, Female Genital Mutilation/Cutting comprises all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons.

Police leadership should ensure that their staff:

- Understand the police roles and responsibilities when tackling VAWG;
- Understand that compliance with minimum standards by justice partner agencies can deliver more consistent responses;
- Understand that clarity about roles and responsibilities means that each justice agency can excel in its area of expertise, and each professional's work is complemented by that of other agencies and professionals.

Coordination with other sectors improves the ability of the criminal justice system to hold perpetrators accountable for all forms of violence, including those that may be defined by a perpetrator as 'tradition.' Such an example is Female Genital Mutilation/Cutting or FGM/C.

The first step for police leadership is to ensure that their staff understand what Female Genital Mutilation/Cutting is, its impact and the prevalence in the communities that they police. It is only then that shared protocols to ensure clear and transparent communication and accountability mechanisms between justice and security sector agencies can be drafted (see Chapter 5: 'Investigations' which refers to FGM/C). Internation-

ally we are still learning about the contexts in which Female Genital Mutilation/Cutting (FGM/C) is carried out. In the UK, the Protocol on the handling of FGM/C offences between the National Police Chiefs' Council and the Crown Prosecution Service has been designed to improve the ways of working between the police and prosecutors, to improve investigation and increase prosecution of such offences.<sup>25</sup>

Campbell et al. provide more information on identifying the best approaches towards ending and prosecuting against to harmful practices including female genital mutilation/cutting, forced marriage, so-called 'honour' killings and abuse, breast ironing, witchcraft and faith-based abuse can be found in *Harmful Traditional*



*Practices: Prevention, Protection, and Policing* (2020). This publication seeks to enhance understanding by providing a unique insight into the victim's/survivor's perspective, which can only strengthen police officer knowledge and confidence in tackling these crimes.<sup>26</sup>

Police leadership should note that definitions can also be subject to debate and differing views. The term 'honour based' violence in the UK, for example, has been contested by some commentators because it targets specific communities disproportionately, resulting in increased surveillance and policing of those communities. This links communities to agendas that are not related to an effective VAWG response - they rely on stereotyping and other discriminatory categorizations targeting individuals and communities, and separate laws are applied to address the problems with specific punitive measures that are disproportionately applied and that do not align with other VAWG-related laws.<sup>27</sup>

<sup>25</sup> Protocol on the handling of Female Genital Mutilation ('FGM') offences between the National Police Chiefs' Council and the Crown Prosecution Service (2016). National Police Chief's Council. <https://www.cps.gov.uk/sites/default/files/documents/publications/FGM-Protocol-june-2016.docx>

<sup>26</sup> Harmful Traditional Practices: Prevention, Protection, and Policing (2020). Campbell, G., Roberts, K.A., Sarkaria, N. Palgrave Macmillan.

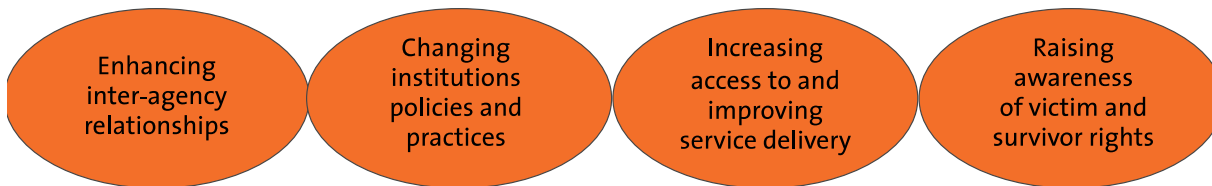
<sup>27</sup> See 'From the Margin to the Centre: Addressing Violence Against Women and Girls Alternative Bill' (Imkaan, October 2018), see: [https://829ef90d-0745-49b2-b404-cbea85f15fda.filesusr.com/ugd/2f475d\\_91a5eb3394374f24892ca1e1ebf6ea2e.pdf](https://829ef90d-0745-49b2-b404-cbea85f15fda.filesusr.com/ugd/2f475d_91a5eb3394374f24892ca1e1ebf6ea2e.pdf)

Police leadership will be guided by Module 5 of the ESP which details the common components of a coordinated response. It is operational managers who will have responsibility for working with their superiors to develop such responses.<sup>28</sup> An extract is provided in the diagram below:

**Figure 3:**

**Common Components of a Coordinated Response**

**COMMON COMPONENTS OF A COORDINATED RESPONSE**



<p><b>Coordinated responses usually involve a combination of the following</b></p>	<p><b>Partnerships among sectors and agencies are often enhanced through the following means</b></p>
<ul style="list-style-type: none"> <li>• A framework for multi-sectoral collaboration between agencies</li> <li>• A coordinating committee or body to monitor progress and develop policy</li> <li>• Mechanisms to manage, work with, and sanction offenders</li> <li>• Services for survivors, such as health, shelter and advocacy support, including integration of civil protection remedies with the criminal justice process</li> </ul>	<ul style="list-style-type: none"> <li>• Regular face-to-face meetings</li> <li>• Shared policies and protocols developed by key agencies</li> <li>• Joint planning of activities and interventions</li> <li>• Joint training of staff in partner organisations/sectors</li> <li>• Sharing information about survivors and perpetrators, while respecting privacy and ensuring safety</li> <li>• Ongoing data collection to monitor case progress and outcomes, and identify good and poor practice</li> </ul>
<p><b>Coordinated multi- disciplinary responses require</b></p>	<p><b>The body responsible for coordination may be</b></p>
<ul style="list-style-type: none"> <li>• Active participation by a range of stakeholders</li> <li>• Agreement about the most effective way to respond to violence against women</li> <li>• Collaboration, communication and information sharing among agencies</li> </ul>	<ul style="list-style-type: none"> <li>• An independent body or specialist agency whose role is coordinating key sectors</li> <li>• A coalition of agencies who meet regularly, also known as a council, committee or task force</li> <li>• A high-level body, including ministers and/or executives of key institutions</li> </ul>

**The Justice System agencies**

Your staff need to understand that the investigation itself represents the entry point to the justice system. A comprehensive and gender-sensitive investigation is vital for ensuring accountability for VAWG to eliminate impunity and provide protection to victims/survivors.

In fact, a gender-sensitive investigation should be a critical element for gender-responsive action by the criminal justice system. This means ensuring that the laws, criminal justice institutions, criminal justice processes and the criminal justice outcomes do not discriminate against anyone on the basis of gender. It necessitates taking a gender perspective on the criminal law itself, as well as an assessment of access and obstacles to the criminal justice procedures available for women and men and adopting gender-sensitive strategies for

<sup>28</sup> Module 5: Coordination and Governance of Coordination, *Essential services Package*

protecting victims/survivors and promoting access to criminal justice.<sup>29</sup>

Gender-responsive criminal justice means not only understanding the interrelationship between gender and crime and how women and men are impacted differently by crime and violence. It also requires targeted action to meet the specific needs of women or men in the criminal justice system, as well as addressing the causes of gender inequality that the system generates or perpetuates.<sup>30</sup> Global studies generally find that males are more often the victims of homicides and assaults, apart from sexual assault, of which women are most often the victims.<sup>31</sup>

However, women are more likely to be subjected to violence and abuse inside the private domestic sphere, perpetrated by someone they know, and often by their own partner. The perpetrators of violence, whether it is violence against men or against women, are predominately male. A gender-responsive criminal justice system is one that gives women confidence to report violence and, once they do report, provides an effective response to reduce risks of further harm. A gender-responsive criminal justice system also provides an effective remedy, as well support and treatment with dignity throughout the criminal justice chain.

## 1. Prosecutors

Depending on the national legal framework or justice system, prosecutors will play a key role in deciding the focus of legal proceedings on behalf of the state against an alleged perpetrator of VAWG.

Police leadership should note that:


<sup>29</sup> Skinnider, Eileen, 'Towards Gender-Responsive Criminal Justice: Good practices from Southeast Asia in responding to violence against women' (2018: Thailand Institute of Justice).

<sup>30</sup> "Gender Responsive Assessment Scale: Criteria for Assessing Programmes and Policies" in Gender Mainstreaming for Health Managers: a Practical Approach / WHO Gender Analysis Tools. Facilitators' guide. Participant's notes (WHO, 2011), at: [https://www.who.int/gender-equity-rights/knowledge/health\\_managers\\_guide/en/](https://www.who.int/gender-equity-rights/knowledge/health_managers_guide/en/)

<sup>31</sup> Global Study on Homicide' 2013; Women and the Criminal Justice System (UNODC, 2011). Mahony, T.H., Jacob, J., and Hobson, H. for the Government of Canada.

- They will need to build strong working relationships with the prosecutor to deliver effective prosecutions and outcomes for victims/survivors of VAWG;
- To better understand the role of the prosecutor in their justice system, they can develop, for example, joint awareness-raising sessions to build effective working relationships between police and prosecutors.<sup>32</sup>

Irrespective of the legal system that is in place, you should be aware that prosecutors perform an active role in scrutinizing the lawfulness and propriety of investigations and the gathering of evidence, and in monitoring the observance of human rights by investigators, at least in deciding if a prosecution should commence or continue.



In some countries, prosecutors investigate and prosecute cases and, in others, the police carry out the investigation role before handing the case to the prosecutor to prosecute.

Police leadership should ensure that their staff understand VAWG and receive required training on VAWG. They will work closely with prosecutors and will therefore need to know what prosecutors do in their country.

For example, in countries where prosecutors supervise police investigations, they should ensure that police have:

- Used proper investigative and search techniques so that evidence is admissible in court;
- Conducted detailed, private and respectful interviews of victims/survivors and witnesses;
- Made sure that where possible, female officers were made available if the victim/survivor so chooses;
- Fully completed a police report on the incident;

<sup>32</sup> Effective responses in cases involving VAWG :The role of the prosecutor in the Handbook on Effective Prosecution Responses to Violence against Women and Girls', Criminal Justice Handbook Series (UNODC, 2014) at: <https://www.unwomen.org/en/digital-library/publications/2014/12/handbook-effective-prosecution-of-vaw>



National Penitentiary Haiti. Photo courtesy of MINUSTAH Photo/Victoria Hazou

- Conducted follow-up interviews for additional information and evidence;
  - Understood the relevant laws on violence against women (including the elements of the crime and special criminal procedures applicable to these offences); and
  - Understood and applied the concept of self-defence and predominant aggressor policies, where relevant.
- That any training needs regarding the understanding of VAWG offences are addressed;
  - Prosecutors play an important role in the investigation of VAWG as they can determine whether all necessary and reasonable inquiries have been made before taking a decision to prosecute or not or before taking other decisions that may affect the course of justice.<sup>33</sup>

Police leadership should understand the key role that they play in supervising VAWG investigations is to ensure that:

- The correct information is submitted to prosecutors as soon as it is available;
- Their staff understand any locally agreed standards for file submission to prosecutors;
- Their staff are aware of the standards you have set for quality;

In jurisdictions where the prosecutors and investigators have independent roles, with the investigators being responsible for conducting the investigation independently, there are usually measures in place to ensure cooperation between the investigator and the prosecutor. In these justice systems, prosecutors do not instruct the investigators but rather they can advise them based on the investigators' results of the investigation and the prosecutors' objective review of those results, based on the law and guidelines.

<sup>33</sup> Ibid.



Police leadership in such jurisdictions might seek advice from prosecutors when they face evidentiary difficulties. Or, in other situations, the prosecutor might receive the police report or advice file for consultation because of a 'weak' case or a comment with the investigator's opinion that there is no prospect of a conviction.<sup>34</sup> Police leadership need to ensure that their staff do not express opinions regarding the strength of a case based on their personal views, and evidential difficulties should be highlighted and assessed against the applicable law.

In other jurisdictions, prosecutors play a more active role in investigations and may participate in, conduct, direct or supervise investigations. Some States allow the prosecutor to give appropriate instructions and advice to the police to implement crime policy priorities, allocate cases and resources, prioritize cases and apply investigative methods.

In some jurisdictions, prosecutors are contacted after the initial contact of the victim/survivor by the police and might respond to the examination site so that they become familiar with the case and help guide the investigation. In such jurisdictions, police leadership should ensure that their staff support the role of the prosecutor to gather evidence and provide the victims/survivors with the help that they need to remain in the criminal justice system.

In general, police leadership should ensure that:

- Their staff build strong cases, or support prosecutors to do so;<sup>35</sup>
- Cooperation between the police and prosecutors takes place to address offences of VAWG;
- Their staff do not discredit a victim/survivor and focus instead on building a case against the alleged perpetrator;
- A working relationship is established with their counterparts in the prosecutor's office.

<sup>34</sup> Ibid.

<sup>35</sup> For more information on best practices and minimum standards for building stronger cases in VAWG, see 'Model Response to Sexual Violence for Prosecutors (RSVP Model): An Invitation to Lead', (AEquitas, the Justice Management Institute (JMI), and the Urban Institute, 2016), at: <https://aequitasresource.org/wp-content/uploads/2020/01/RSVP-Vol.-I-1.8.20.pdf>

Focus on building your case and ensure that you do not discredit the victim/survivor.



Studies have shown that in certain types of VAWG cases (i.e. sexual assault) there is little evidence of attempts to build cases. Rather there is evidence of poor investigation, gender bias<sup>36</sup> and misunderstanding of the law. Strong cooperation between police and prosecutors is essential in these cases to ensure that the efforts by police are focused on building a case rather than discrediting the victim/survivor.<sup>37</sup>

#### Box 8

In June 2017, UNODC delivered joint training for police and prosecutors in Namibia on gender-based violence to highlight the joint work and collaboration required to achieve successful outcomes for victims/survivors. Attendees developed a better understanding of the roles and responsibilities of the respective agencies and, as a result, their joint working relationship was enhanced.

#### Box 9

In Finland, police and prosecutors have received training for technical or tactical investigation concerning homicide or other violent crimes. The Angolan Police (General Command of the National Police) has carried out awareness-raising efforts to provide police officers with the knowledge and skills required in situations of domestic and gender-based violence.

Police leadership should provide their staff with clear guidance:

- On tackling cases of domestic abuse, for example, to ensure that the victim's/survivor's first interaction

<sup>36</sup> 'The Trial of Rape. Understanding the Criminal Justice System Response to Sexual Violence in Thailand and Viet Nam' (UN Women, UNDP and UNODC, 2017), at: [https://www2.unwomen.org/-/media/field%20office%20easia/docs/publications/2019/08/ap-trial-of-rape\\_26aug2019\\_lowres-compressed.pdf?la=en&vs=1916](https://www2.unwomen.org/-/media/field%20office%20easia/docs/publications/2019/08/ap-trial-of-rape_26aug2019_lowres-compressed.pdf?la=en&vs=1916)

<sup>37</sup> Ibid.



## Box 10

### Good Practice in Thailand: Ongoing training of Royal Thai Police, prosecutors and court personnel in partnership with UN Women

The new Gender Equality Law ('GEL') was officially announced on 8 March 2015, which guarantees individuals against direct and indirect discrimination on the basis of sex or sexuality. The law stipulates that policies, rules, regulations, orders, measures, projects or practices of public, private organizations or individuals that are gender discriminatory are not allowed, except for the purpose of eliminating barriers for equal enjoyment of rights and liberties, religious principles and national security.

The GEL also establishes a Committee for the Promotion of Gender Equality, which is mandated to improve social and cultural patterns of behaviors, in order to eliminate discriminatory gender biases and practices, as well as gender-based violence, with an aim to eliminate barriers to different rights.

The Royal Thai Police, in partnership with UN Women, the Department of Women's Affairs and Family Development, and Friends of Women Foundation, has also been expanding the training of police inquiry officers on the protection of women victims/survivors of violence, domestic violence and trafficking to include 900 core police inquiry officers in all regions of Thailand.

Based on the lessons learnt from these and previous trainings in recent years, special training modules are being developed to be institutionalized in the Royal Thai Police. As a direct result of this study, the Thailand Institute of Justice has allocated additional funding to expand the research and develop a toolbox and public campaign to inform both victims/survivors and duty bearers of their rights and obligations, as well as relevant laws, and where support could be sought in the criminal justice system and national and local support services.

Source: 'The Trial of Rape. Understanding the Criminal Justice System Response to Sexual Violence in Thailand and Viet Nam' (UN Women, UNDP and UNODC, 2017).

with the justice and security sector agencies encourages her to continue with her case if charged;

- On cataloguing and maintaining emergency call tapes of IPV as they may contain possible excited utterance evidence. This is because most calls for police assistance are made by the victim/survivor;
- Regarding any information sharing protocols in place between the criminal courts and family court;
- On providing prosecutors with details of any civil protection orders that the police service has obtained on behalf of victims/survivors to strengthen prosecutions for VAWG. There are countries where prosecutors may review civil files as they can help them in assessing the victim's/survivor's risk and assist when deciding the correct charges and sentences.

It may be appropriate for prosecutors to brief local investigation teams on their local practices and training should be considered.<sup>38</sup>

## 2. The Judiciary<sup>39</sup>

The judiciary or judicial system is the system of courts that administer justice in the name of the sovereign or state.

### Protective orders

Depending on the jurisdiction, courts may have the power to issue protection orders or to review and extend

<sup>38</sup> Training Manual for Judges and Prosecutors on Ensuring Women's Access to Justice. Partnership for Good Governance. European Union, at: [https://www.ohchr.org/Documents/Issues/Women/WRGS/TrainingManualAccessJustice\\_EN.pdf](https://www.ohchr.org/Documents/Issues/Women/WRGS/TrainingManualAccessJustice_EN.pdf)

<sup>39</sup> Ibid.

or revoke police-issued barring orders against alleged perpetrators of IPV.<sup>40</sup> Typically, the judge presides over a hearing at which time the victim/survivor and alleged perpetrators present evidence. The judge's determination on whether a victim/survivor requires protective measures is critical, not only for the safety of the victim/survivor and other family members, but also in creating the best possible conditions for the case going forward and resulting in a conviction. Protective order hearings are an important first opportunity for the judge to set an appropriate tone and demonstrate that the State exercises care to avoid harm to possible victims/survivors in cases of IPV.



Secondary victimization occurs not as a direct result of a criminal act but rather the inadequate response of the police and other competent institutions and individuals to the victim/survivor.

Police leadership should make sure that their staff understand:

- The key role that their staff play in preventing VAWG where there are cultural and societal barriers in communities that practice harmful practices which prevent victims/survivors from coming forward to report an offence;
- The protection orders that are available in their country for offences of VAWG and the measures they are required to take to effectively enforce them;
- The role of the civil courts in preventing VAWG;
- The need to continue building the confidence of the communities that they police.

In some jurisdictions, protective measures for some offences obtained from the family courts can exceed criminal prosecutions. For example, in the UK, the

<sup>40</sup> For example in Austria. See: Victims' Rights to Support and Protection from Violence (2013). Legislation for the Protection from Violence in Austria (2019). Domestic Abuse Intervention Centre and the Association of Austrian Autonomous Women's Shelters. <https://www.interventionsstelle-wien.at/download/?id=692>

number of FGM protection orders increases the one successful prosecution that has taken place.

Police leadership should ensure that their staff are aware of the need to work with social care, health and education authorities.

#### Box 11

Commentators have highlighted the need for the police service, social care and the court in the UK to work together to protect victims/survivors where there is a lack of identification by justice professionals of those victims/survivors living with the consequences of FGM. There can also be a lack of trust regarding how the police respond to reports of FGM by health, education and social care professionals.<sup>41</sup>

Criminal Process Judges can exercise discretion during the preliminary stages of a criminal process to take steps to protect victims'/witnesses' rights and dignity and to ensure that they do not experience secondary victimisation, for example, by excluding the public from hearings if the case concerns sexual violence and requires confidentiality (preliminary investigatory phase, protective order hearings, bail hearings, etc.).<sup>42</sup>

Both prosecutors and judges can take steps from the initiation of a criminal complaint concerning VAWG to ensure that there are no delays in the investigation and evidence-collection stages (especially concerning the collection and testing of forensic evidence) that would jeopardize the prosecution and adjudication.

It is a general good practice to use expedited proceedings (such as fast-tracking and specialized courts) in cases of VAWG. Judges can only do this if they are provided with the relevant information by the police, particularly any risk assessment to ensure that the victim/survivor continue to support a prosecution.

<sup>41</sup> 'The Tip of the Iceberg', Sarkaria, N. and Campbell, G. for Counsel Magazine <https://www.counselmagazine.co.uk/articles/tip-of-the-iceberg-the-family-court-ready-surge-activity-fgm>

<sup>42</sup> Compilation of good practices to reduce existing obstacles and facilitate women's access to justice, (Council of Europe Gender Equality Commission, Strasbourg, 2015) pp. 24-26.



You should check whether the alleged perpetrator is subject to any current non-custodial measures e.g. community service order, probation.

Police leadership should ensure that their staff:

- Know about the purpose of expedited proceeding; and
- How the police can support prosecutors and judges to conduct such proceedings.

### 3. The Role of Probation

Police leadership should understand the role that the Probation Service plays in the justice process, in jurisdictions where such a service exists. The Probation Service is typically mandated to implement non-custodial measures, defined by law and imposed on an offender.<sup>43</sup> Such measures may include alternatives to detention before and during trial or to a sentence of imprisonment, as well as early release from prison. They typically involve supervision, guidance and assistance aiming at the social inclusion of an offender, as well as at contributing to community safety.

Police leadership should be aware that they will play a key role when arresting/charging a perpetrator of VAWG, to check whether he is the subject of a non-custodial measure, for example on parole, if recently released from prison.

Police leadership should review and be familiar with the UN Standard Minimum Rules for Non-Custodial Measures (the 'Tokyo Rules'), which provide detailed guidance on the different types of measures that may be applied at different procedural stages, depending on each jurisdiction. For example, it lists twelve measures which judicial authorities may be able to impose as part of a sentence.<sup>44</sup> These are:

<sup>43</sup> HM Inspectorate of Probation Academic Insights 2019/02 European Probation Rules Rob Canton at: <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2019/03/Academic-Insights-Canton-Jan-19-final.pdf>

<sup>44</sup> United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules), adopted by General Assembly resolution 45/110 of 14 December 1990, at: <https://www.penalreform.org/priorities/alternatives-toimprisonment/international-standards/>

- Verbal sanctions, such as admonition, reprimand and warning;
  - Conditional discharge;
  - Status penalties;
  - Economic sanctions and monetary penalties, such as fines and day-fines;
  - Confiscation or an expropriation order;
  - Restitution to the victim/survivor or a compensation order;
  - Suspended or deferred sentence;
  - Probation and judicial supervision;
  - A community service order;
  - Referral to an attendance centre;
  - House arrest;
  - Any other mode of non-institutional treatment.

Electronic monitoring is typically not a mode of treatment but a means to supervise the implementation of probation non-custodial sentencing options, such as suspended prison sentences.

Police leadership should also review and be familiar with the Updated Model Strategies and Practical Measures, which require that:

- Decisions on the arrest, detention and terms of any form of release of the perpetrator take into account the need for the safety of the victim/survivor and others;
- Safety risks, including the vulnerability of victims/survivors, are taken into account in decisions concerning non-custodial or quasi-custodial sentences, the granting of bail, conditional release, parole or probation, especially when dealing with repeat and dangerous offenders;
- Victims/survivors of violence have the right to be notified of the offender's release from detention or imprisonment.

## Box 12

### UK Best Practice<sup>45</sup>

HM Government and the England and Welsh Judicial System, CPS and law enforcement agencies recognize the value of playing independent roles to protect women and girls experiencing violence and abuse. Over time, good practice has emerged to support and protect women while holding perpetrators to account in the Criminal and Civil Justice Systems, which is reliant on each body and agency playing its role in a qualitative way. This good practice includes:

(i) HM Government has developed a number of strategic guidance documents, which are intended to enhance the multi-agency approach to subject areas including Forced Marriage, Female Genital Mutilation/Cutting and Child Sexual Exploitation.

These documents provide front line practitioners with invaluable information about the 'Do's' and 'Don'ts' of what to do and the 'Signs' and 'Symptoms' to enable practitioners to identify victims.

(ii) The guidance is also complemented at a strategic level by police guidance introduced by the College of Policing and the National Police Chiefs' Council (NPCC). The College develops knowledge, standards of conduct, leadership and professionalism required by police officers, which is established through Authorized Professional Practice.

The NPCC has number of core functions including the co-ordination of national operations including defining, monitoring and testing force contributions to the Strategic Policing Requirement; the coordination of the national police response to national emergencies and the co-ordination of the mobilization of resources across force borders and internationally; the national operational implementation of standards and policy as set by the College of Policing and Government; and to work with the College of Policing to develop joint national approaches on criminal justice and performance.

The College of Policing has developed Authorized Professional Practice to provide leadership, direction and investigation standards in relation to the following VAWG subject areas:

- Domestic Abuse
- Forced Marriage (FM) and Honour-based Violence
- College of Policing FGM/C
- Child Sexual Exploitation
- Modern Slavery
- Stalking and Harassment
- Rape and Sexual Offences

In relation to rape, further guidance has developed on First Response to Rape, Challenging myths and stereotypes and Police Investigators tool kit for addressing the issue of consent.

To the complement the College of Policing's Authorized Professional Practice, the NPCC also developed a strategy regarding HBA, FM and FGM, which provides policy guidance to the 43 police force chief constables in England, Wales and Northern Ireland.

(iii) The Crown Prosecution Service has also provided a legal policy guidance to its prosecutors to consider in the prosecution of VAWG related crimes including:

- Domestic Abuse
- Child Sexual Abuse
- FGM/C Legal Guidance
- FM and HBV Legal Guidance

<sup>45</sup> England and Wales Chapter in Manual on the Law Relating to Violence against Women (2018), Sarkaria, N., and Campbell, G. European Lawyers Foundation. <https://elf-fae.eu/wp-content/uploads/2018/06/Manual-on-the-law-relating-to-violence-against-women.pdf>

Guidance relating to sex workers  
Talking and Harassment  
Human Trafficking, Smuggling and Slavery

This legal policy guidance is complemented with training. For example, the CPS has developed two new mandatory domestic abuse e-learning modules on evidence-led prosecutions and controlling or behaviour for all prosecutors. An aide memoire based on this e-learning has also been supplied to the police.

(iv) In England and Wales, there is a strong working relationship with the CPS, police forces, College of Policing and NPCC. This professional working relationship is particularly strong in relation to VAWG matters where there is a recognition that there must be a united approach to secure the trust and confidence of vulnerable victims/survivors as well as obtain to the best possible evidence to secure successful prosecutions. This later aspect was also fundamental to securing vulnerable victims'/survivors' access to justice, while further securing their trust and confidence.

(v) In order to achieve the above the CPS, NPCC and Police Forces have conducted invaluable joint training sessions and developed joint protocols particularly in the investigation and prosecution of Rape, HBA, FM and FGM/C.

### Box 13

Montenegro has introduced multi-agency efforts to reduce violence against women. In 2018, an 'Operational Team' was established to target poor links in the chain of institutions dealing with domestic violence cases. The team consists of 19 members from various agencies, including representatives of the Ministry of the Interior, the Police Directorate, the Ministry of Labour and Social Welfare, the Ministry of Health, the High Misdemeanour Court, the Supreme Court, the State Prosecutor's Office, the Council for Civilian Control of Police Operations, and representatives of five non-governmental organizations involved in the protection of victims/survivors of violence. The team acts as a coordinating body that aims to solve problems in the domestic violence chain by promoting relevant guidelines and initiatives.

## COORDINATED RESPONSES WITH OTHER ACTORS OF THE JUSTICE CONTINUUM

### Breaks in the Justice Process

Police leadership should be aware that, at a local level, there may be breaks in the justice process when women do not contact medical services or the police following an

incident of violence. It is therefore important for police leadership to develop an understanding and awareness of local issues through links with civil society and women's organizations, which will be discussed shortly.

For example, women from minoritized groups and women who are financially disadvantaged have cited fear of discrimination as a common reason for not contacting medical services or calling the police following an incident of violence. In a recent survey, women from Roma communities were particularly concerned that the authorities would not help due to the deeply held belief that violence is normal within Roma communities.<sup>46</sup>

### Box 14

#### OSCE-led survey on violence against women: Experiences of disadvantaged women (2019)

The survey clearly finds that some groups of women are at a greater risk of experiencing violence and that women from disadvantaged groups often face specific challenges. Many of the discriminatory factors impacting women are interrelated. Poverty, low education levels and early and forced marriage are major factors contributing to the likelihood of women and girls' exposure to violence and to its aggravated

<sup>46</sup> OSCE-led survey on violence against women: Experiences of disadvantaged women (OSCE, 2019), at: <https://www.osce.org/secretariat/430007?download=true>

physical and psychological impact. Belonging to a minority group, being disabled or being a refugee or displaced - all factors that are often linked to poverty and discrimination - also bring increased risks and differential experiences of violence.

Furthermore, underlying social norms and attitudes, which are more common among some disadvantaged groups and often perpetuated by poverty, contribute to gender inequality and violence against women. Norms and attitudes that subscribe to women's subservience, victim blaming and that view violence as a private matter are prominent among former refugees/displaced women, women with primary education or less and women who belong to ethnic/religious minorities. While such views do not necessarily correspond to a higher reported prevalence, violence is still common, and it is likely that social norms and attitudes are a contributing factor.

The pervasiveness of such norms may also contribute to a wider environment of gender inequality, tolerance of abuse and fear of speaking out across society. Women from disadvantaged groups face additional barriers to accessing support services. In some cases, these barriers exist due to fear of institutional discrimination at the hands of the services and authorities that should help women. The qualitative research has showed this to be especially true for women from certain ethnic-minority groups, including Roma women. Many disadvantaged women also say that they are unable to access services due to economic dependence. This highlights the need to ensure that a financial safety net is available for all women.<sup>47</sup>

Police leadership can help to rebuild the victim/survivor links with the justice process by:

- Providing information and services in minority languages;
- Checking whether there are established services (stationary or mobile) in rural and remote locations;

<sup>47</sup> Ibid.

### Box 15

#### General Interview Techniques for Persons with Disabilities

1. Address the victim/survivor with respect and dignity, as is the case for all persons;
2. Allow additional time to communicate and conduct the interview;
3. Use simple, concrete, and concise language;
4. Use open-ended questions, as opposed to close-ended questions to which you can reply with 'Yes' or 'No';
5. Avoid suggestive questions that imply specific responses;
6. Rephrase your questions if the victim/survivor does not understand you. Repeat the information if necessary;
7. Use pictures, symbols, body language, whatever possible, to facilitate the communication;
8. Make sure whether the victim/survivor understands you by asking the them to explain the information you provided;
9. Show support and encouragement. Be patient when conducting the interview.

Source: Investigation, Protection, and Support Measures for GBV Victims' Resource Book: Experience and Guidelines of the Korean Police (UNDP Seoul Policy Centre, 2019).

- Improving accessibility of information and services for women and girls with disabilities (see Box 15 General Interview Techniques for Persons with Disabilities);
- Ensuring that all services are provided free of charge and that additional costs for women from disadvantaged groups are minimized (costs related to transportation, childcare or doctor's fees, for example);
- Inform women and girls about available services through various media, both online and offline;
- Integrating the specific needs and challenges of women from disadvantaged groups into all training for the police and the judiciary on how to protect and support victims, apply a victim/survivor-centred approach and improve reporting systems;



- Work together with representatives of vulnerable or minoritized groups to raise awareness among the police and the judiciary of the specific needs of disadvantaged women, with an additional aim of countering stereotypes about these women.

## Working with Civil Society

Police leadership should work within the law and with justice and security sector agencies, health and social care to deliver just outcomes for victims/survivors of VAWG. Tailored support and assistance are required which takes full account of the interconnected experience of the women involved. Examples of tailored support include access to support teams who specialise in domestic abuse and can access women living in rural areas, due to their mobile nature.

### Box 16 (UNFPA January 2019)<sup>48</sup>

#### SLOVIANSK, Ukraine

UNFPA's mobile psychosocial support teams provide a wide range of assistance to survivors of gender-based violence. The team can help survivors of domestic abuse to move into a shelter and are crucial, aiding women who might otherwise be out of reach, particularly in rural areas. Each of UNFPA's mobile teams is composed of three specialists – a coordinator, a psychologist and a social worker – who visit families in need, with a focus on those affected by domestic violence. The mobile teams can monitor a family's situation, make repeat visits to their home, bring a survivor of violence to the centre for social services, or hand the case over to other state organizations or lawyers who can provide the needed assistance.

48 To tackle domestic violence, Ukraine looks to UNFPA's mobile assistance teams (UNFPA, 2019) at: <https://www.unfpa.org/news/tackle-domestic-violence-ukraine-looks-unfpa-mobile-assistance-teams>

### Box 17

**Women's City:** An Innovative Approach for VAWG Services and Response Created by the Secretariat of Social Inclusion (SIS) in El Salvador. Women's City is a unique model for empowering women by offering them with integrated services under one roof (Women's City Centers). Those services are provided by different public institutions (service providers) under the leadership of the SIS. The services in the Women's City Centers include:

- Prevention and response to violence against women
- Sexual and reproductive health services
- Support for establishing economic autonomy
- Group education to promote women's rights and prevent of VAWG; and
- Childcare for children under 12 years of age while women use services at the Center.

By combining several services in the same location, the model reduces the time and resources women expend in seeking widely dispersed public services. The Women's City approach provides a customized and coordinated package of VAWG response services targeted exclusively to each woman. The approach also allows for greater quality and delivery of services, as these follow a chain of service provision that is coordinated throughout the institution.

In addition to receiving response services (such as treatment for physical injuries, psychosocial support, etc.), women also participate in activities to gain economic independence, thus increasing their options for leaving situations of violence. The inter-institutional coordination among the service providers in the centers also increases opportunities for identifying and referring women affected by violence, by serving as an entry point for those seeking services not related to VAWG.<sup>49</sup>

49 'Good practice in designing a community-based approach to prevent domestic violence', Expert paper Expert Group Meeting Organized by UN Division for the Advancement of Women in collaboration with UNODC (17 to 20 May 2005 Vienna, Austria), prepared by Lori Michau Raising Voices Kampala, Uganda, at: <https://www.un.org/womenwatch/daw/egm/vaw-gp-2005/docs/experts/michau.community.pdf>

## Use of Data

Although police may be responsible for the initial decision to charge in some jurisdictions, the charges laid and the effective collection of supporting evidence, they are not solely responsible. For example, in some jurisdictions, such as Egypt, the prosecutor will direct the investigation and charging process. An increase in successful prosecutions would be an indicator (albeit a proxy measure) of police and prosecutors' effectiveness in relation to charging and evidence collection.

Local data can assist police leadership to identify specific crimes where the performance of their staff needs to improve. For example, in the UK local criminal justice boards collect local data regarding the arrest and charge of criminal offences. Now there is focus in the UK on improving the way rape offences are investigated and charged. The police service as a criminal justice agency is a member of the overarching national criminal justice board and the local criminal justice boards.

### Box 18

In the UK, the prosecuting authority produces an annual VAWG performance report which highlights the number of cases prosecuted and the outcomes received. This data collection has improved the identification, charging and prosecution of cybercrime offences involving VAWG.

## Indicators

Police leadership should develop an awareness of national indicators for the collation of information that they may be contributing to develop a picture of performance of justice and security sector agencies and outcomes for victims/survivors in the justice process. Indicators include, for example, victim/survivor non-attendance at court, the police not providing video evidence that is available resulting in a case being stopped by the judge or failing to obtain social media evidence that is available and preventing disclosure of unused material.

In the UK, the national criminal justice board sets the national priorities for the criminal justice system which are then cascaded to the local criminal justice boards for management and delivery.

**Also see Chapter 10: 'Institution Building' for more discussion on gender-sensitive data collection by police organizations.**

### **Embedding good practice of joint evidence gathering by the police and prosecutors into policy, procedure and, where appropriate, supporting legislation**

Police leadership should check whether there is existing local guidance on evidence gathering for police and prosecutors to increase the awareness and understanding of agency responsibilities, to promote a culture of effective collaboration to tackle VAWG and to ensure adherence to best practice. Where this does not exist, you may consider whether a local agreement to improve local practice will assist. Police leadership should consider working closely with prosecutors to improve how they work together.

In the UK, for example, following the recognition that police and prosecutors needed to work together to tackle domestic abuse, the police are required to provide a completed joint evidence checklist to the CPS in every domestic abuse case where charging advice or a charging decision is required.

### Box 19

#### **UK Example : The Joint Evidence Checklist<sup>50</sup>**

The checklist is designed to ensure that offences of domestic abuse are now treated seriously by police and prosecutors and works hand in hand with other measures to improve the prosecution of domestic abuse cases.

Prosecution rates in some areas have improved by almost 10% using techniques developed in pilot

<sup>50</sup> 'Evidence gathering - Joint Police-CPS Evidence Checklist' Domestic Abuse Guidelines for Prosecutors (2020). Crown Prosecution Service, at: [https://www.cps.gov.uk/sites/default/files/documents/publications/npcc\\_cps\\_joint\\_evidence\\_gathering\\_checklist\\_2015.docm](https://www.cps.gov.uk/sites/default/files/documents/publications/npcc_cps_joint_evidence_gathering_checklist_2015.docm)

projects over the past two years, including enabling witnesses to give evidence from behind screens.

The new prosecution measures have been developed in CPS pilot projects in London, Nottingham and Yorkshire since 2016. They include:

- Making sure victims/survivors can visit court before trial to familiarise themselves with surroundings;
- Allowing victims/survivors, as long as the courts permit, to give evidence from behind a screen;
- Providing separate courthouse entrances for victims and offenders where possible, as well as childcare facilities;
- Better support from an independent domestic abuse advisor (IDVA) to support victims.<sup>51</sup>

The Joint Evidence Checklist is a useful tool which police leadership can adapt to fit with their local working practices and contains a list of prompts in relation to evidence gathering for police, and guidance for prosecutors reviewing such cases. It can also be used as a tool to change any culture in relation to victim-blaming and focuses on the alleged perpetrator.

This is to ensure that: timely decisions are made; a charging checklist is completed for each complainant where more than one is involved; the overall allegation is considered through the assessment of all available evidence, including the role and behaviour of the alleged perpetrator. The safety of the complainant and any children or other dependants are also detailed as a primary consideration and victims/survivors are referred to specialist service support at the earliest possible opportunity.

## Community Driven Solutions

Police leadership should be aware that their staff engage with the communities that they are policing to assist the determination of community-driven solutions

<sup>51</sup> CPS to Extend Effective Domestic Violence Prosecution Scheme. Techniques Developed in Pilot Projects have Improved Conviction Rates (2018), Bowcott, O. for The Guardian, at: <https://www.theguardian.com/law/2018/dec/18/cps-to-extend-effective-domestic-violence-prosecution-scheme>

to address offending involving violence against women and girls. For example, by visiting religious places of worship police leadership can link with community leaders, including women leaders, to inform communities of what is unacceptable behaviour in the societies that they police, and communities can in turn inform the local policing approach.

Long-term success in the prevention of VAWG will increasingly depend on comprehensive approaches at all levels [of the Ecological Model] (Krug et al., 2002:16). Krug et al provide a helpful overview of the factors. The Ecological Model provides a holistic analysis of the various factors at play that contribute to a person's decision to use violence (Heise, 1998). The Ecological Model demonstrates that violent behaviour grows out of a complex interplay of individual, relational, communal and societal dynamics. It asserts that violence does not occur as a result of one factor in one of the four spheres of influence but is rather more complex with multiple factors within different spheres influencing a person's attitudes, behaviour and choices.

The key building block for community driven solutions is the need to mobilise communities. The guiding principles for mobilising communities include:

- **Prevention** In order to affect long-term, sustainable change, organizations need to adopt a proactive rather than a reactive stance. Primary prevention involves addressing the root causes of violence against women by introducing a gender-based analysis of why domestic violence occurs for example. This means recognizing women's status in society, the imbalance of power, and rigid gender roles as the root causes of domestic violence.
- **Holistic** Preventing domestic violence requires commitment from and engagement of the whole community. This means it is important for organizations to acknowledge the complex history, culture, and relationships that shape a community and individuals lives within it and include police or health care providers, etc. in order to generate sufficient momentum for change
- **A Process of Social Change** Changing community norms is a process, not a single event. Initiatives based on an

understanding of how individuals naturally go through a process of change can be more effective than haphazard messages thrust into the community. Thus, efforts to try to influence social change must be approached systematically. Organizations that attempt this work can become skilled facilitators of individual and collective change by working with, guiding, facilitating, and supporting the community along a journey of change

- **Repeated Exposure to Ideas** Community members need to be engaged with regular and mutually reinforcing messages from a variety of sources over a sustained period.
- **Human Rights Framework** A rights-based approach to preventing domestic violence is empowering to women and the community.
- **Community Ownership** Effective projects aimed at changing harmful beliefs and practices in a community must engage and be led by members of that community.<sup>52</sup>

Police leadership will note that community ownership and leadership can in turn drive change and influence societal responses to VAWG through enhancing understanding.

#### Box 20

In Bangladesh, a key study engaged with local communities on VAWG and some concrete suggestions for responding to VAWG were identified.<sup>53</sup> These suggestions may be broadly divided into the strengthening and modification of the existing structures and creating new structures.

This study shows that addressing VAWG remains challenging as patriarchal structures and ideology create a culture of silence around VAWG. The

<sup>52</sup> Good Practice in Designing a Community-based Approach to Prevent Domestic Violence Expert Paper: Expert Group Meeting Organized by UN Division for the Advancement of Women in Collaboration with UNODC, 17 to 20 May 2005 Vienna, Austria. Prepared by Lori Michau for Raising Voices. Kampala, Uganda, at: <https://www.un.org/womenwatch/daw/egm/vaw-gp-2005/docs/experts/michau.community.pdf>

<sup>53</sup> From Evidence to Policy: Addressing Gender-Based Violence against Women and Girls in Bangladesh (2013). A report Submitted to Department for International Development by: icddr, in collaboration with Population Council, at: [https://assets.publishing.service.gov.uk/media/57a08a16ed915d3cfd0005a4/VAWG\\_Bangladesh\\_Final\\_Report.pdf](https://assets.publishing.service.gov.uk/media/57a08a16ed915d3cfd0005a4/VAWG_Bangladesh_Final_Report.pdf)

situation is worsened due to lack of resources, power dynamics within the village and beyond favouring of the perpetrator(s), and corruption at all levels. The solutions offered by the community people embraced all the levels of the ecological framework (i.e., individual, couple, family, community, and society) and covered both prevention and response to VAWG.

The study participants provided insights and innovative suggestions for addressing VAWG. Informants emphasized the need for prevention work involving gender equality, equity and attitudinal change. While both men and women talked about community campaigns in general, women suggested as well targeting the potential perpetrators and men and boys as allies.

They felt that it is important to involve the local people, particularly boys and men, youth clubs, schools, mosques, NGOs, the government at the local and higher levels.

Women suggested multiple ways of infusing this change such as informal gatherings, meetings, workshops, seminars, sessions of NGO group members, skits, street plays, film shows and text messaging using mobile phones. While men talked about poverty reduction and particularly mentioned employment opportunities for men as a VAWG prevention strategy, the women recommended women's economic empowerment and empowerment in other dimensions for the prevention of VAWG.

The recommendations made by the women are in line with the recent review of 14 interventions in different developing countries showing that a combination of economic empowerment of adolescent girls with interventions for building self-efficacy and other skills reduces violence against adolescent girls.<sup>54</sup>

A few measures for restructuring and strengthening the system of informal and formal justice were suggested for addressing VAWG and re-

<sup>54</sup> A Review of the Evidence on Multi-sectoral Interventions to Reduce Violence against Adolescent Girls (2013) Blanc, A.K., Melnikas, A., Chau, M., and Stoner, M. Integrated Approaches to Improving the Lives of Adolescent Girls Issue Papers Series: Girl Hub.

victimization or re-traumatization of victims/survivors in the process of recourse seeking. Women and girls identified male dominance throughout the system as an important deterrent to responding appropriately to VAWG.

They suggested: empowering female Union Parishad members for defending the abused, having greater female representation in shalish, having woman matbors lead the shalish, allowing women to serve as witnesses at all levels, creating an enabling environment for the victims for presenting their case and voicing their needs. Good governance accompanied with stringent measures of penalty (e.g., charging fines, suspension or firing) and reward were recommended for addressing corruption among the community leaders, the police, and the lawyers.

Stigmatizing the corrupted village leaders through skits was also suggested. Referring to lack of control of women over the recourse seeking process in both the informal or formal justice systems the women and girls highlighted the importance of giving victims voice. The notion of giving voice is in line with the feminist standpoint approach that begins with the idea that less powerful members of society experience a different reality as a consequence of their oppression (Belknap, 2007).

Presenting and understanding this perspective is important for designing and undertaking social action on behalf of the victims/survivors. People at the community level were ignorant of Domestic Violence (Prevention and Protection) Act 2010. The women in our study rightly pointed out that in the current situation it is extremely risky for a woman to request protection order staying at her marital home. This needs to be taken into account in implementing the Act. Ensuring safety to abused women should be the cornerstone of interventions.

Strategies devised for this needs to be implemented during and post help seeking periods so that the victim/survivor is not harmed again.

### Box 21

One of the most successful community-based models of VAWG prevention to date is the approach developed by Tostan, an NGO in Thies, Senegal. The intervention sought to reduce female genital mutilation/cutting (FGM/C) via a community-based education program and has been replicated in several countries in Sub-Saharan Africa.

The topics addressed include health, literacy, and human rights, while participatory methods allowed community members to select issues considered to be a priority in their village. FGM/C and intimate partner violence both emerged as key issues. In many cases, villages took pledges to renounce FGM/C and to encourage neighbouring villages to do the same. A quasiexperimental evaluation of the program in Senegal found that women in the intervention villages reported significantly less violence in the last 12 months than women in the comparison villages. Mothers of girls aged 0-10 also reported less FGM/C in the intervention villages. It is particularly noteworthy that women in the intervention villages who were not directly involved in the Tostan education program also reported lower levels of violence and FGM/C, indicating successful diffusion of program impact.<sup>55</sup>

## Joint agency training for police and prosecutors to foster joint working and effective tackling of VAWG cases

Police and prosecutors should receive joint training and where practicable, members from other justice and security sector agencies should be invited to increase awareness and understanding of their respective roles.<sup>56</sup>

55 The TOSTAN Program. Evaluation of a Community based Education Program in Senegal. Diop, N. J., Faye, M. M., Moreau, A., Cabral, J., & Benga, H. (2004). New York: Population Council. <https://namati.org/wp-content/uploads/2015/12/Tostan-Senegal-2004-evaluation.pdf>

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## EMERGING ISSUES IN INVESTIGATING VAWG

*“Empowered women in policing empower women and girls in communities. Female officers professionally trained and equipped can play a vital role in removing the barriers to women’s access to criminal justice, IAWP supports women in policing and police organisations to achieve gender sensitive and gender-responsive service delivery to communities globally.”*

—President Deborah Friedl - International Association of Women Police, March 2020.





# INTRODUCTION

Gender-responsive policing is meant to be regularly informed, broadly consulted and dynamic in partnership building. Its foundation is an institutional understanding of the nature of VAWG, its causes and consequences and how it impacts women and girls differently and disproportionately.

Photo courtesy of the International Association of Women Police (Bangladesh)

From this understanding gender-responsive policing reverts to its framework of principles and common characteristics (Figure 1) for identifying the path towards owning the problem of VAWG and driving solutions for a more effective response.

By having such a foundation and accompanying framework in place, police will be well positioned to respond to VAWG<sup>1</sup> in terms of implementing prevention strategies and reacting in an effective and timely manner when it occurs.

The resilience of gender-responsive policing will stem from its ability to continually reflect and learn from how it is responding to current and emerging challenges.

The earlier chapters in the Handbook have mainly focused on providing guidance for a gender-responsive policing approach to VAWG. This chapter will be

different in that it will aim to explore emerging issues of investigating VAWG and provide guidance on how gender-responsive policing can adapt itself to respond to them effectively as part of a multifaceted approach with other stakeholders.

Although, there are numerous emerging issues on the topic of investigating VAWG, the Handbook will focus on three of them:

- Sexual Harassment VAWG
- Conflict-related VAWG or CR-VAWG
- Online and ICT-facilitated VAWG

These three examples will be used to illustrate how the gender-responsive guidance provided in this Handbook is a suitable reference for the police responding to such violence.

<sup>1</sup> For the purposes of this Handbook, responding to VAWG for the police entails both the prevention and reaction dimensions.



Figure 1

Framework of Principles and Common Characteristics for Gender-responsive Policing

Principles	A rights based approach	Advancing gender equality and women's empowerment	Culturally and age appropriate and sensitive
	Victim/survivor centred approach	Safety is paramount	Perpetrator accountability
Common characteristics	Availability		Accessibility
	Adaptability		Appropriateness
	Prioritize safety		Informed consent and confidentiality
	Data collection and information management		Effective communication
	Linking with other sectors and agencies through referral and coordination		

## SEXUAL HARASSMENT AS A FORM OF VAWG

Sexual harassment is a prevalent and pervasive expression of VAWG, it reflects discriminatory social norms, stereotypes, impunity and gender inequality facing women and girls. The potential threat of sexual harassment has a significant impact on decisions taken by women and girls on a daily basis, from what public transport to take to which professions they should take up. This is particularly relevant to male dominated professions providing services to the public such as the police who, in spite of understanding the benefits of having female members within their organization, struggle to guarantee them harassment-free work environments. This has an influence on the number of women and girls who aspire to become police officers or stay in the organization as a career choice. In other scenarios, sexual harassment can provide a reason to keep women and young girls at home or take them out of school.

Sexual harassment is grossly underreported, including when it occurs within police organizations, the reasons for not reporting will vary. For example, a joint UN Women-European Union study on sexual harassment in Egypt documented the most common reasons women and girls do not report to the police when it occurs

(figure 2).<sup>2</sup> The most cited reason being that the occurrence of sexual harassment is normalised enough to happen to anyone.

The perception that such violence is normalised in a given society warrants a proportionate response by the police and other authorities. However, any initiatives for increasing the reporting of sexual harassment and strategies to address it should be well informed by broad consultation with the general public and within the police organization itself to ensure the efficiency and effectiveness of the efforts. Women police associations such as those formed in Kosovo, Bangladesh, Ecuador and Ghana can be valuable sources of consultation for improving responses to sexual harassment (see the case study in Chapter 10 on *How Women Police Associations/ Networks can support the implementation of Gender Sensitive and Gender Responsive Policing*).

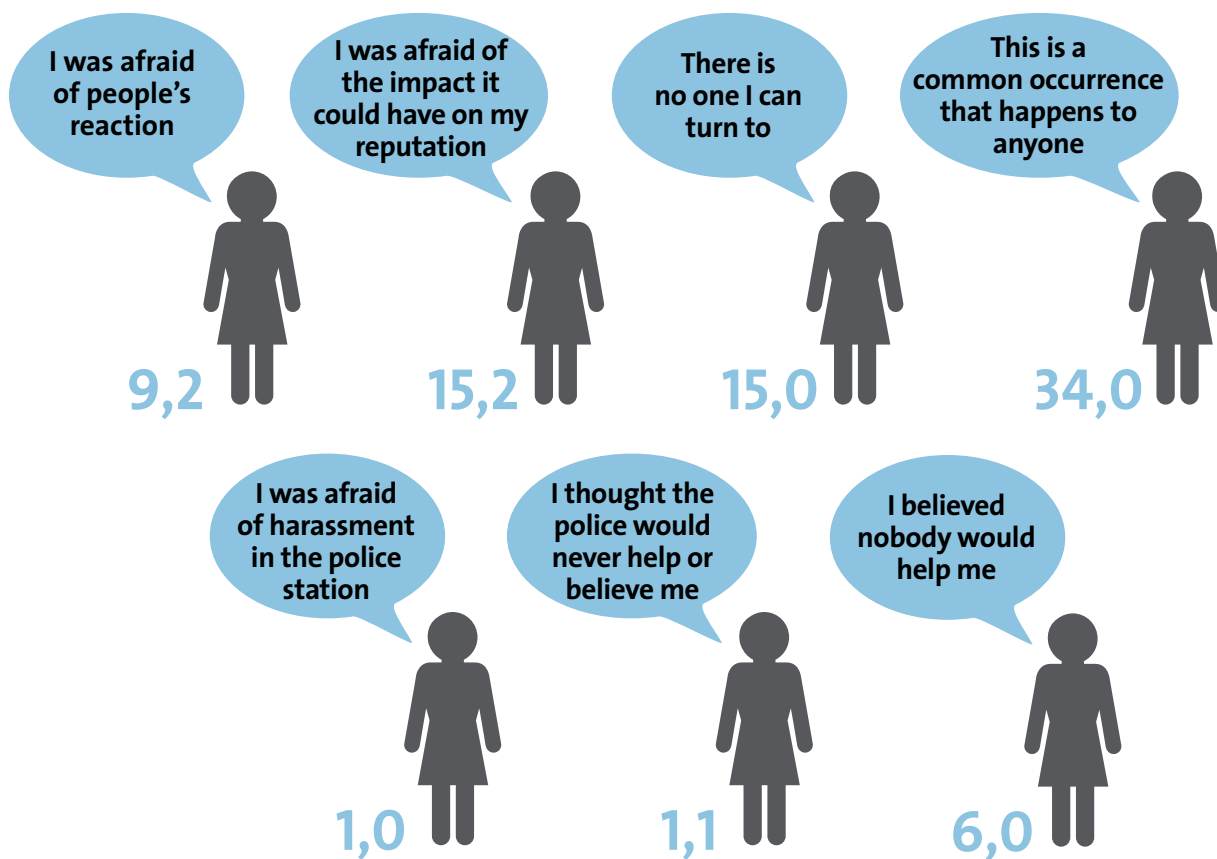
External consultation should prioritize people and/or groups considered vulnerable and/or minoritized in society to understand their specific security needs. For example, people with disabilities are significantly more likely to experience all forms of sexual harassment and assault than people without disabilities. In a national

<sup>2</sup> Study on Ways and Methods to Eliminate Sexual Harassment in Egypt Results / Outcomes and Recommendations Summary (UN Women and European Union), available at: [https://web.law.columbia.edu/sites/default/files/microsites/gender-sexuality/un\\_womensexual-harassment-study-egypt-final-en](https://web.law.columbia.edu/sites/default/files/microsites/gender-sexuality/un_womensexual-harassment-study-egypt-final-en)



Figure 2

Reasons for not reporting sexual harassment in Egypt to police (UN Women Study)



survey conducted in 2018 in the U.S., the findings indicated that 87% of women **with** disabilities surveyed had been subjected to sexual harassment (verbal, online, ICT-facilitated and physical) compared to 66% of women surveyed **without** disabilities.<sup>3</sup> Of that same cohort, 66% of women **with** disabilities surveyed had been subjected to physically aggressive sexual harassment<sup>4</sup> to 57% of women surveyed **without** disabilities. Additionally, the study reported that sexual harassment in a private residence and harassment online were sig-

nificantly more likely among women with disabilities versus those without a disability.<sup>5</sup>

Understanding the scope and impact of sexual harassment in its verbal, online, ICT-facilitated and physical forms is part of the solution. Responding effectively to sexual harassment also means understanding which laws require enforcing as well as their scope. For example, in some countries, harassment is not criminalized, in others the presence of witnesses is required to commence an investigation or the official registration of the incident has to take place in a police station. All three of these examples actually make it difficult for the victim/survivor of harassment to prove the act(s) took place and seek protection in the form of restraining or barring orders.

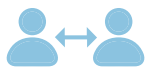
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4 The study defined physically aggressive sexual harassment as comprising of Someone exposing their genitals without the other person's permission, physically following someone without their permission and or purposely touching or brushing up against someone in an unwelcome, sexual way. Measuring #MeToo: A National Study on Sexual Harassment and Assault (2019). UC San Diego Center on Gender Equity and Health.

5 Ibid.

On the other hand, in some legal systems sexual harassment is a form of discrimination based on sex and is illegal. In some systems, sexual harassment is also addressed in labour laws focusing on workplace environments which often require both private and public entities to develop internal policies for 'Zero Tolerance' with complaints mechanisms and possible measures for remedies. The development of such policies are key entry points for the police to collaborate in public-private partnerships that would serve to collectively discourage and punish acts of sexual harassment.

Shifts in cultural attitudes toward sexual harassment may ultimately be the most valuable tool in combating this form of VAWG by creating a shared sense of public-private responsibility and accountability. Seeking partnerships with private actors to discourage sexual harassment will give the police greater reach when responding to it and in the process potentially identify behaviours that are indicative of more violent forms of VAWG with the goal of preventing escalations of violence.



## PEER TO PEER GUIDANCE<sup>6</sup>

In cases of stalking and/or harassment the priority of you and your staff must be that of safety and protection with a focus on risk assessment and management. In stalking cases it is particularly important for risk assessment to be a continuous process, being aware that an escalation of behaviour can occur at any time. The prevention of any escalation also requires an early intervention.

As with all crimes of VAWG, it is important to 'Actively Listen' to the victim/survivor, to understand the context of the alleged perpetrator's behaviour and the impact it is having on her. All cases of stalking require robust risk management as such behaviours can be indicators of a higher risk of harm which can escalate at any time.

<sup>6</sup> Inspired by UK College of Policing Authorised Professional Practice, see: [http://library.college.police.uk/docs/appref/Stalking\\_or\\_harassment\\_guidance\\_200519.pdf](http://library.college.police.uk/docs/appref/Stalking_or_harassment_guidance_200519.pdf) p. 2

Further information on risk assessment and safety planning can be found in Chapter 6: 'Safety and Protection' of the Handbook, including a risk checklist.

**"I value everyone's views and opinions by actively listening to understand their perspective."**

—A behaviour reflecting the value of police integrity (UK College of Policing, 2016)

Your staff need to identify whether the acts amount to stalking or harassment, e.g., stalking tends to focus on an individual whereas harassment can involve disputes between parties.

A useful guide from the UK College of Policing Authorized Professional Practice is reproduced on the following page (Box 1):

A useful way for your staff to consider whether the behaviour amounts to stalking is by the Mnemonic **FOUR**. Are the behaviours:

- **Fixated**
- **Obsessive**
- **Unwanted**
- **Repeated**

You and your staff need to ensure that you gain as much information from the victim/survivor as possible which, as described elsewhere in the Handbook, requires patience, sensitivity and active listening skills. As with other VAWG crimes, you may need to spend time building trust and rapport with the victim/survivor and any impact of trauma they may be exhibiting needs to be understood and catered for within the initial contact. It is important that you are able to understand the behaviour about which a complaint has been made in broad terms and not just focus on a single incident.

Background information is important in cases of stalking such as:

Box 1

Stalking	Harassment
<p><b>Suspect considerations</b></p> <p>Four key behaviours of stalking: Fixated, Obsessive, Unwanted, Repeated?</p> <p>Has the suspect changed their routines to facilitate their stalking?</p> <p>Are they preoccupied with the victim in their thoughts and actions?</p> <p>Is the amount of time/effort/resources the suspect is investing consuming their daily life?</p> <p>Is there a range of behaviours targeted at the victim?</p> <p>Does the suspect seem unlikely to stop the behaviours?</p> <p>Does the suspect appear to have a strong sense of entitlement/determination?</p> <p>The suspect is not concerned about the distress their behaviour is causing.</p> <p><b>Victim considerations</b></p> <p>Does the victim feel physically/emotionally and/or psychologically affected by the behaviour?</p> <p>Does the victim have a persistent fear of what might happen?</p> <p>Is the behaviour intruding on the victim's life?</p> <p>Has the behaviour had a serious effect on the day-to-day activities of the victim?</p>	<p><b>Suspect considerations</b></p> <p>Is there evidence of repeated behaviour that is unreasonable but not fixated on the victim?</p> <p>Is the suspect's behaviour, although repeated, not consuming their daily life?</p> <p>Is the behaviour generally focused on addressing a dispute (financial, neighbour, employment, etc.) rather than targeted at an individual?</p> <p>Would the suspect's behaviour likely continue if the underlying problem continued but the individual concerned was different?</p> <p>Is there evidence that this behaviour will stop should the underlying problem be resolved?</p> <p><b>Victim considerations</b></p> <p>Does the victim feel oppressed but not seriously alarmed or distressed by the behaviour?</p> <p>Is the victim fearful about certain acts but not in a constant state of fear?</p>

- What has happened before, including towards other individuals such as family members?
- Has there been any escalation in the alleged perpetrators behaviour to date?

Don't forget to check other sources of information such as family, friends, work colleagues and social media, these can all be useful in providing background information as well as relevant evidence for the investigation.

Another useful resource from the UK College of Policing is the *Lines of Enquiry Checklist*<sup>7</sup> (see Box 2) which provide guidelines useful in cases of stalking and sexual harassment for the police to comprehensively explore

the history of abuse. According to the UK College of Policing, patterns of abuse are not always apparent because incidents attended in the past may have been recorded as verbal only or otherwise deemed trivial. As a result, responding officers should obtain as much detailed information as possible to understand the context and identify signs of coercive, controlling or threatening behaviour. Moreover, exploring history and completing risk assessments may lead to disclosure of non-recent abuse or of sexual offences.<sup>8</sup>

7 Major investigation and public protection: Investigative Development-Lines of Enquiry. UK College of Policing.

8 Ibid.

## Box 2

### Checklist: Lines of enquiry

Officers should consider these potential lines of enquiry:

- History of the relationship (if any);
- Previous incidents of abuse, including those with prior partners, e.g. records of previous calls to the police;
- Local police intelligence systems, national and international systems;
- Foreign national criminal conviction checks if the suspect, victim or witness is a foreign national;
- Witnesses to whom first disclosure may have been made;
- Medical or psychological information that may constitute evidence – consent should be obtained where relevant;
- Evidence held from any data source on previous victims;
- Phone and email records;
- Social media.

Source: Inspired from UK College of Policing is the [Lines of Enquiry Checklist](#)

Any mental health issues that are identified whether relating to the alleged perpetrator or the victim/survivor, should inform the risk assessment process and the subsequent safety plan but must not be allowed to hinder the investigation. The victim/survivor may be suffering mental health issues as a result of the stalking behaviour or they may have been targeted due to their additional vulnerability. In either case you must ensure appropriate support is provided for their specific needs throughout the investigation.

As in all cases of VAWG, the risk assessment process should lead to the creation of a safety plan with the victim's/survivor's involvement being a core component of its development. Any safeguarding response needs to be proportionate to any identified risks. You and your staff are responsible for taking positive action to maintain the safety of the victim/survivor.

Each victim's/survivor's circumstances will be unique to them and this can result in them not always following your safety advice. This does not mean she is being uncooperative and you or your staff should not judge her for it. She may believe that, in order to keep herself safe, she needs to behave in a certain way. This is another reason why it is important to conduct a thorough risk assessment with her and agree on a safety plan that meets her specific needs.

The UK College of Policing provides some useful guidance on safeguarding considerations from which the following list has been adapted:<sup>9</sup>

- Arrest and remand in custody or appropriate bail conditions;
- Emergency mobile (cell) phone;
- Alert friends, family, employers to risks;
- Panic alarm if available;
- If it is necessary to seize the victim's mobile phone for evidential purposes, consider providing them with a replacement;
- Referral to other support services;
- Use of protection orders where available;

Advice that can be given to the victim/survivor:

- Alert friends, family, employers to the risks;
- Use of close circuit television (CCTV) where available and appropriate;
- Personal attack alarm;
- Changing times/routes to work, social or educational centres.

<sup>9</sup> Stalking or Harassment (2019). UK College of Policing

It is very common for online behaviours of the perpetrator to be connected to stalking and harassment cases and so it is useful to provide the victim/survivor with digital advice. The following is again adapted from the UK College of Policing guidance:

- Check for spyware, malware apps or tracking devices;
- Ensure or adjust privacy settings;
- Keep shared information safe, do not reveal addresses, phone numbers etc. and ask friends not to release such details either;
- Do not reveal information you do not want the alleged perpetrator to become aware of, e.g. new relationships, job, etc.;

As with all types of VAWG your staff must not make the victim/survivor feel they are to blame in any way.

You also need to ensure your staff, particularly call takers and those working on police station front desks, know what is required of them when a victim/survivor reports a case of stalking or harassment so they can provide the responding officer with as much information as possible. It is also important to ensure that any incident log, written or electronic, is not closed or filed before contact has been made with the victim/survivor and a risk assessment has been carried out.

The priority of any staff who have the first contact with the victim/survivor is to assess the exact nature of the incident(s)/crime(s), the vulnerability of the victim/survivor and what is required for an effective response and management of any identified risk.

In Box 3, the UK College of Policing provides a useful list of initial screening questions for identifying stalking:

### Box 3

#### Gathering Information from the Person Reporting

In cases of stalking there is a pattern of unwanted, fixated and obsessive behaviour which is intrusive. Harassment can amount to stalking and stalking can cause fear of violence or serious alarm or distress. Harassment is described as an unreasonable and oppressive behaviour that is repeated and may cause alarm or distress or fear of violence in the victim/survivor.

- Is the victim/survivor frightened?
- Has the alleged perpetrator(s) engaged in harassment /stalking on previous occasions either with this victim/survivor or others?
- Has the alleged perpetrator(s) ever destroyed or damaged any of the victim's/survivor's property?
- Does the alleged perpetrator(s) visit the victim/survivor at work, home etc., more than 3 times a week? (Research has identified that if more than 3 times a week a physical attack is most likely)<sup>10</sup>
- Does the alleged perpetrator(s) own or have access to firearms or other weapons?
- Has the alleged perpetrator(s) loitered around the victim's/survivor's home, workplace etc.?
- Has the alleged perpetrator(s) made any threats of physical or sexual violence in the current harassment/stalking incidents?
- Has the alleged perpetrator(s) made any threats with firearms or other weapons?
- Has the alleged perpetrator(s) involved or targeted any third party since the harassment/stalking began? (i.e. friends, family, children, colleagues, partners or neighbours)
- Has the alleged perpetrator(s) persuaded other people to help him/her either knowingly or otherwise?
- Is the alleged perpetrator(s) known to be abusing drugs and/or alcohol?
- Is the alleged perpetrator(s) known to have been abusive in the past (physical or psychological)?

Source: Inspired from [Stalking or Harassment](#) (2019). UK College of Policing.

<sup>10</sup> Ibid.

## SEXUAL HARASSMENT

Sexual harassment takes many forms and can be perpetrated in public places, workspaces and online, although the internet can also be considered both a public and private place. According to research, sexual harassment is the most common form of VAWG.<sup>11</sup> In some countries, there are specific laws that make sexual harassment a criminal offence, e.g., Portugal (2015), France (2018) and Egypt (2014). A UN Women study in Egypt found 96.5% of women reported experiencing verbal sexual harassment. A disturbing fact found by the same study was that respondents claimed 16.9 % of perpetrators were police officers<sup>12</sup>.

Whilst in the UK there is no specific criminal legislation in relation to Sexual Harassment, there are some positive examples of work to include Misogyny as a 'Hate Crime'. Nottinghamshire Police provides a good practice case study on this positive initiative, describing their definition of Misogyny as, 'incidents against women that are motivated by the attitudes of men towards women, and includes behaviour targeted at women by men simply because they are women'. This position taken by Nottinghamshire Police was evaluated within a 2018 report by Nottingham Trent University and the University of Nottingham.<sup>13</sup>

**For more information see the case study Nottinghamshire Police Treating Violent Behaviour Towards Women as Hate Crimes in Chapter 9: 'Communication'.**

Sexual Harassment can amount to other forms of sexual crimes such as sexual assault, but behaviour that does not amount to a crime does not mean it is any less harmful to the victim/survivor. Sexual Harassment is often experienced from a young age which creates the risk of it being 'normalized', it also influences the views of boys and girls on what behaviour is acceptable. This can result in women restricting their freedom in public

spaces and believing they have a responsibility to avoid 'risky' situations.<sup>14</sup>

### Box 4

#### Know Your Rights at Work: Sexual Harassment

Examples of behaviour that could be considered as harassment includes but not limited to:

- Making unwanted requests for sexual favours or dates;
- Making inappropriate comments about someone's body or appearance;
- Saying bad things about or making fun of someone or all people of a certain gender or sexual orientation (i.e. 'women are...' or 'gay people all...');
- Using gender-based or sexual orientation-based slurs (swear words);
- Making vulgar, offensive, or explicit jokes about sex or sexual acts;
- Sending or sharing emails, texts, or messages of a sexual nature gossiping about someone's personal relationships or sex life;
- Unwanted or inappropriate touching of any body part, clothing, face, or hair, including hugging, kissing, or assault;
- Staring, leering, or making gestures of a sexual nature blocking someone's movement;
- Displaying, sending, or sharing vulgar pictures or pornography.

Source: [Equal Rights Advocates](#)

Sexual Harassment can also intersect with other forms of abuse such as disability-related harassment and racially motivated sexual harassment.<sup>15</sup> For example, a woman of colour may experience harassment differently from a white female, she may be targeted because of the combination of her sex *and* her race or ethnicity.<sup>16</sup>

<sup>11</sup> European Agency for Fundamental Rights (2015), Violence Against Women: An EU-wide survey.

<sup>12</sup> UN Women (Undated) Study on Ways and Methods to Eliminate Sexual Harassment in Egypt: Results/Outcomes and Recommendations Summary.

<sup>13</sup> Misogyny Hate Crime Evaluation Report for Nottingham Women's Centre Funded by the Office of Nottinghamshire Police and Crime Commissioner, Mullany, L. and Trickett, L. June 2018

<sup>14</sup> House of Commons Women and Equalities Committee (UK), (2018) Sexual Harassment of Women and Girls in public spaces: 6th Report of session 2017-2019.

<sup>15</sup> Ibid.

<sup>16</sup> Equal Rights Advocates (2019) Know your rights at work: Sexual Harassment.





Promundo is a global organization that works on masculinities and gender equality, and in 2016 published a study titled “*Unmasking Sexual Harassment*” focusing on young men’s views on manhood in the US, UK and Mexico. From the surveyed participants, the study found that sexual harassment begins at a young age and takes many different forms. The study also found that perpetrators of sexual harassment come from all backgrounds, income levels, educational backgrounds and all ages. The greatest influence on their behaviour being their attitudes about what it means to be a man.<sup>17</sup>

Sexual harassment in public places, like other forms of VAWG, is evolving as technologies and online platforms facilitate new forms of harassment and ways of perpetrating it. Examples of online and ICT-facilitated harassment include viewing pornography on smart phones in public places and ‘upskirting’, which involves taking photos or videos up someone’s skirt without their consent. Harassment is often prevalent on busy public transport systems, particularly during peak times of travel, when people are

17 [Unmasking Sexual Harassment How Toxic Masculinities Drive Men’s Abuse in the US, UK, and Mexico and What We Can Do to End It: A Promundo Research Brief Produced for World Economic Forum Annual Meeting 2018.](#) Promundo.

often in very close proximity in crowded, confined spaces. Often women may not know who has infringed their rights in this way, and/or may not be able to react due to being ‘trapped’ and like other forms of VAWG, such incidents are significantly under reported.

As part of the review by the 2018 UK House of Commons Women and Equalities Committee, ‘*Sexual Harassment of Women and Girls in Public Spaces*’, social media was described as being a ‘public place’.<sup>18</sup> Research conducted by Amnesty International (2017) found that 1 in 5 women had experienced abuse or harassment via social media with young women between the ages of 18 and 24 years being particularly affected.<sup>19</sup>

Sexual Harassment is also a problem within education establishments, and can result in long lasting effects, particularly during the early formative years. Women who experience sexual harassment at Universities are likely to live and/or study in close proximity to the perpetrator.<sup>20</sup>

In 2019, a study carried out in Indonesia for the Coalition for Safe Public Space (KRPA)<sup>21</sup> found that 3 out of 5 women experienced sexual harassment in public spaces, the forms of harassment varying from verbal, physical and non-physical and including:

- whistling,
- making kissing sounds,
- dirty jokes or sexual remarks about the body or clothes,
- grabbing,
- rubbing,
- exposing of private parts.

18 House of Commons Women and Equalities Committee (UK), (2018) *Sexual Harassment of Women and Girls in public spaces: 6th Report of session 2017-2019.*

19 Amnesty reveals alarming impact of online abuse against women. Amnesty International.

20 ‘Spotted: Obligations to Protect Women Students’ Safety & Equality Using the Public Sector Equality Duty and the Human Rights Act in Higher and Further Education Institutions to Improve Policies and Practices on Violence Against Women and Girls’, Legal Briefing prepared by Louise Whitfield and Holly Dustin for the End Violence Against Women Coalition January 2015.

21 Widadio, N. A, (2019) Many Indonesian Women face sexually harassment: Survey, Coalition for Safe Public Space.

As a short-term solution the Jakarta government began operating women-only carriages for the Trans Jakarta and Commuter Line as a prevention measure.

Sexual Harassment within the workplace is also a global issue, and Police and Law Enforcement organizations are no different from any other working environment when it comes to this type of VAWG. In fact, it can be argued that due to it being a male-dominated and hierarchical culture, women working within police and law enforcement environments are more at risk from sexual harassment.

As a police leader, you must ensure your staff understand that sexual harassment will not be tolerated and where it occurs you must intervene immediately to prevent escalation and to send a strong message that such behaviour will be dealt with robustly.

Have you outlined to your staff your expectations of their behaviour towards colleagues, that they should treat everyone with respect and dignity? If your organization has a code of ethics that guides behaviour, conduct, actions and decision-making, you need to ensure everyone is aware of its contents and hold individuals to account for complying.

Does your organization have an Anti-Harassment policy? If so, is it:

- Accessible and visible to all staff?
- Is it easily understood?
- How effective is it?

Does your organization have a Grievance/Complaints procedure for reporting sexual or other forms of harassment?

- Is it accessible to all staff?
- Does it provide confidential reporting?
- How effective is it?

Such policies and procedures should be reviewed regularly, and it is good practice to include staff members

from diverse backgrounds and/or with diverse needs in the review process.<sup>22</sup>

It is important that you recognise that jokes or banter about women, LGBTQI, disabled and other groups can be just as damaging to your working environment as physical or sexualised behaviours.<sup>23</sup>

A gender-responsive policing organization is one that responds to communities, both external and internal in a gender-sensitive way. Unfortunately, the reality is that some institutions, such as the police actually 'close ranks' and in some cases go to great efforts to blame the victim/survivor. This can create a hostile working environment damaging team and individual performance, increasing sickness and absenteeism ultimately resulting in the delivery of less effective police services to local communities.

Research over many years has found that victims/survivors of sexual harassment suffer a variety of problems, including anxiety, depression, eating disorders, drug and alcohol abuse, job turnover and post-traumatic stress.<sup>24</sup>

A common internationally recognized approach to preventing sexual and other forms of harassment is by education and awareness raising, particularly when it is targeted at men and boys. Bystander intervention training is becoming more widely understood to be an effective form of raising awareness and increasing accountability. Bystanders, including employees, work colleagues and students across all levels of education are expected to speak up when they witness or become aware of harassment, even file their own complaints when they witness sexual harassment involving others. A good example of such a bystander approach can be found in Chapter 9: '*Communications*'.<sup>25</sup>

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22 Pietsch, N (2015), 'Sexual Harassment and Public Space Learning Brief' (27) London, Ontario: Learning Network, Center for Research and Education on Violence against Women and Children.

23 Ibid.

24 Smith B. L (2018), 'What it really takes to stop sexual harassment', American Psychological Association, Vol 49 (No.2).

25 Bystander Approach. Graham Goulden for Cultivating Minds UK.

## KEEPING WOMEN AND GIRLS SAFE FROM HARASSMENT INCLUDES THE SAFETY OF FEMALE POLICE OFFICERS

Police officers of all ranks are expected to play a transformation role in gender-responsive policing. Female police officers play an important part as they bring special qualities necessary for the police organization to be considered a legitimate and representative essential service provider. However, if these same female police officers cannot be safeguarded with their own work environment, it will be impossible for the police to provide essential services for women and girls.

**“Our stance is that if you cannot safeguard the women in the police, how can you possibly improve the situation for women in the community?”**

—International Association of Women Police President Jane Townsley (2014)

As discussed in Chapter 10: *Institution Building for an Effective and Accountable Response to VAWG*, a ‘Zero-Tolerance’ policy toward sexual harassment will be critical for transformation towards a gender-responsive police organization. Such a policy needs to ensure executive officers and managers have the tools to reinforce zero tolerance for any sexual harassment and other VAWG related crimes within the organisation, with emphasis on their role in holding people in their command accountable.

Such tools include protection measures for complainants and whistle-blowers, which need to be supported by strong messaging from leadership about a process that is fair and aligned with institutional values. This way reporting sexual harassment is deemed as strengthening the fabric of the organisation rather than going against a culture of silence falsely perceived as preserving collegial bonds. This includes a strong stance taken by police senior and executive leadership on zero tolerance for any act of retaliation; it is not uncommon for complaints of sexual harassment to face retaliation by those they have accused who have not been dismissed,

by making their lives in the workplace so difficult that they eventually quit.

In advancing the UN Secretary-General’s ‘zero tolerance’ vision, and priority agenda to address sexual harassment in the workplace, a *Model Code of Conduct* was developed in 2019 to prevent harassment, including sexual harassment, at UN system events. Importantly, the *Model Code of Conduct* was the result of a high-level Task Force on sexual harassment that engaged in an extensive consultation process involving the entire UN system in the development of the Code.<sup>26</sup>

The UN *Model Code of Conduct* provides clear definitions of harassment and sexual harassment:

- **Harassment** is any improper or unwelcome conduct that might reasonably be expected or be perceived to cause offence or humiliation to another person. Harassment in any form because of gender, gender identity and expression, sexual orientation, physical ability, physical appearance, ethnicity, race, national origin, political affiliation, age, religion or any other reason is prohibited at UN system events.
- **Sexual harassment** is a specific type of prohibited conduct. Sexual harassment is any unwelcome conduct of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation. Sexual harassment may involve any conduct of a verbal, nonverbal or physical nature, including written and electronic communications, and may occur between persons of the same or different genders.

**“Implementation of trusted reporting mechanisms is a key element in ensuring a safe place for victims to report misconduct.”**

—Independent review of UN Women’s policies and procedures for tackling Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH). Final Report 2019.

The UN *Model Code of Conduct* also outlines the complaint process including the requirement of the UN

<sup>26</sup> Ending sexual harassment at UN events (2019). UN Department of Management Strategy, Policy and Compliance.

system event organiser to take appropriate action in accordance with its applicable policies, regulations and rules.<sup>27</sup> Appropriate actions recommended by the UN Model Code of Conduct include:

- Undertaking a fact-finding exercise;
- Requesting the perpetrator to immediately stop the offending behavior;
- Suspending or terminating the perpetrator’s access to the UN system event or refusing registration at future UN system events, or both;
- Conveying the complaint to an investigative or disciplinary authority with jurisdiction over the person accused of harassment;
- Conveying a report to the employer or entity with jurisdiction over the person accused of harassment for appropriate follow-up action.

Providing the victim/survivor with a choice of reporting options, including anonymous reporting and the option not to report as well as informal/formal options for resolution in sexual harassment cases, can help reinforce that victims/survivors are treated with a victim-centred approach. Moreover, sexual harassment policies should include mechanisms to ensure ongoing communication on case progress to victims/survivors including brief status updates on a regular basis and upon conclusion of the investigation, without this impeding the investigative process, in order to reinforce confidence in the process and the internal system.<sup>28</sup>

The consultation process undertaken by the high-level Task Force on sexual harassment was a vital part of the UN Model Code of Conduct’s legitimacy, as it signaled the UN’s ownership of the problem and efforts to adhere to principles of transparency in the process.

The police seeking to establish similar policies and related mechanisms can benefit greatly from con-

27 UN Code of Conduct to Prevent Harassment, Including Sexual Harassment, AT UN SYSTEM EVENTS

28 Independent review of UN Women’s policies and procedures for tackling Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH). Final Report - May 24, 2019, Copenhagen.

sulting broadly and in a transparent manner on its development. Box 6 provides an example of a review of workplace harassment in the Royal Canadian Mounted Police (RCMP).

## CONFLICT-RELATED VAWG

VAWG during armed conflicts has generally been used as a specific means of war, often by all parties to the conflict. As armed conflicts break down the local systems in place to provide essential services, victims/survivors of VAWG are left with little or no means of specialized support or protection. Under such circumstances, both re-victimization and secondary victimization become normalized as the police are challenged to respond diligently to VAWG that has occurred before and after the conflict or during a reduction in hostilities. Box 5 provides the definitions for re-victimization and secondary victimization:

### Box 5

Re-victimization <sup>29</sup>	Secondary victimization
Revictimization is the occurrence of violence during adult life. This includes, in particular, sexual violence against individuals with a history of childhood sexual abuse.	Victimization that occurs not as a direct result of the act but by the inadequate response of institutions and individuals to the victim.

Armed conflict adds to the complexity of VAWG, its causes and consequences and how it impacts women and girls differently and disproportionately. This added

29 Data from a U.S. National Violence Against Women (NVAW) Survey during 1995-1999) in the reported that many women suffer their first experience of violence during childhood; indeed, 40% reported physical abuse, and 9%, sexual abuse. Women sexually abused during childhood are 2.5-4.0 times more likely to experience another sexual assault as adults than women without a history of abuse. See: Civitanes GC, Mello AF, Mello MF. Revictimization as a high-risk factor for development of posttraumatic stress disorder: a systematic review of the literature. *Braz J Psychiatry*. 2018; 00:000-000. <http://dx.doi.org/10.1590/1516-4446-2017-0013>

## Box 6

### Report into Workplace Harassment in the RCMP



In 2016, the Minister of Public Safety, requested that the Civilian Review and Complaints Commission undertake a comprehensive review of the RCMP's policies and procedures on workplace harassment, and specifically examine and evaluate the implementation of the recommendations made in its 2013 Public Interest Investigation Report into RCMP Workplace Harassment. The report confirmed that workplace harassment continues to be a serious problem in the RCMP. In its findings, the Commission has found that while senior leaders in the RCMP have

made efforts to prevent harassment - particularly at the divisional level - these initiatives have been limited, ad-hoc and have not received the necessary support from National Headquarters. The report identified several on-going gaps in the RCMP's efforts to prevent workplace harassment. The following are emblematic examples of such gaps:

- The inability to implement reform is rooted in key features of RCMP organizational culture and structure;
- RCMP has failed to foster a culture of leadership. While there may be numerous exemplary leaders in the RCMP, the organization does little to promote a culture of leadership among its managers, supervisors and executive officers as a whole;
- An artificially high standard for a finding of harassment;
- Divisional Commanding Officers receive almost no training on decision-making in harassment complaints;
- Workplace harassment, bullying, intimidation and sexual harassment can cause significant harm to individual RCMP members and employees, in some cases damaging careers and causing serious emotional and physical harm. It can also impact the operational effectiveness of the RCMP, including by exacerbating chronic problems of under-staffing.
- Workplace harassment has a negative impact on the trust of the Canadian public, who are asking whether the RCMP's internal problems have 'filtered outside' and affected the treatment of members of the public.

The report provided many recommendations for the RCMP. The following list are emblematic examples of the recommendations in the report:

- Foster a leadership culture by introducing promotional criteria that recognize management skills, and by instituting more rigorous, mandatory leadership development programs for all existing and newly appointed supervisors, managers and executive officers, including appropriate university-level courses;
- Develop clear and streamlined harassment policy documents, in plain language, and that these be available on its external website;
- Institute in-person harassment training, conducted by trained and qualified experts, on a regular basis. Specialized training should also be mandatory for all existing as well as newly appointed supervisors, managers and executive officers on a continuous basis;
- Retain skilled, competent, and dedicated administrative investigators (not uniformed members), who are independent of the chain of command, to conduct harassment investigations;
- Amend its harassment policies and procedures to mandate the investigator to make findings with respect to issues of credibility and whether or not the harassment policies have been breached, and to report these findings to the decision maker; and to mandate the decision maker to decide whether or not to accept the investigator's findings and to make decisions with respect to whether any remedial and/or disciplinary measures should be imposed;
- Ensure that Divisional Commanding Officers receive ongoing, classroom-based training on decision-making, specifically in relation to the assessment of workplace harassment complaints, including with respect to the appropriate legal tests to be applied, and stereotypes relating to the conduct of victims of harassment.

Source: Report into Workplace Harassment in the RCMP (Government of Canada, 2017).

complexity will require the police to shape their investigation strategy accordingly, in peaceful times police are often dealing with a single direct perpetrator who is generally intellectually responsible for the act committed, such as in the case of IPV and sexual harassment, the two most common forms of VAWG globally.

Investigating CR-VAWG requires a broader scope when establishing if there are any indirect perpetrators with command responsibility as they may be different from the actual perpetrators of the act(s) allegedly committed. According to the International Protocol on the Documentation and Investigation of Sexual Violence in Conflict (2014) indirect perpetrators include those who “...exercise control over the will of the direct perpetrator or by exercising control over an organised apparatus of power, such as a police or military structure.”<sup>30</sup> Armed actors may use VAWG, particularly sexual violence as a tool of war to control or even punish a population.<sup>31</sup> Establishing the command responsibility for the acts committed by others as a means or motive of war thus becomes inherent in a perpetrator-focused investigation.

However, the impact of armed conflict makes accessing perpetrators, especially the indirect perpetrators of the violence, very difficult and collecting biological or material evidence nearly impossible. Police investigators are often left to rely on the testimonies of courageous victims/survivors and witnesses, who normally have to provide information and testimonies in places that don't accommodate a victim/survivor-centred approach, such as camps providing emergency shelter for forcibly displaced persons.

Conflict-related VAWG, particularly sexual violence, also presents its own unique protection challenges for police.

In such contexts, police and other state security forces often do not have the capacity to ensure adequate protection for victims/survivors and/or witnesses of VAWG, or they are themselves complacent or even complicit in the alleged acts of violence, or both. It is thus crucial that particular attention be given to small arms proliferation which further exacerbates risks women and girls face, but also poses risk for responding police officers.

Moreover, the end of armed conflict does not mean an end to VAWG. Experts have documented spikes in CR-VAWG in the aftermath of war and in periods of 'peace'.<sup>32</sup> Some studies indicate CR-VAWG continues by state and non-state armed groups five years after the conflict, with most crimes committed by state troops.<sup>33</sup>

Such spikes in post-conflict or peacebuilding contexts are greatly fueled by the proliferation of small arms and light weapons (SALW) and their resulting misuse. For example, research from Serbia demonstrated a greater readiness to use SALW in cases of IPV by perpetrators who had previously participated in war/ military conflicts (22.2%) than perpetrators of IPV who did not take part in military conflicts (8.8%).<sup>34</sup>

The effects of war on civilian populations are very gendered. Women and girls bodies become part of the battleground as they are targeted for kidnapping, to be

30 Foreign & Commonwealth Office, (2014) *International Protocol on the Documentation and Investigation of Sexual Violence in Conflict: Basic Standards of Best Practice on the Documentation of Sexual Violence as a Crime under International Law*, London: Foreign & Commonwealth Office.

31 The authors of this Handbook fully acknowledge that men and boys are also subjected to sexual violence in armed conflict. For such cases, the Handbook recommends the publication Preventing and Responding to Sexual and Domestic Violence against Men: A Guidance Note for Security Sector Institutions. Watson, C. Geneva: DCAF, 2014.

32 See Swaine, Aisling (2018), *Conflict-Related Violence Against Women: Transforming Transition*, Cambridge: Cambridge University Press; Hossain, Naomi (2012), *Security and the Pathways of Women's Empowerment: Findings from a Thematic Synthesis of the Pathways of Women's Empowerment Research*, IDS Working Paper 406, Brighton: Institute of Development Studies.

33 See Cohen, Dara Kay, Amelia Hoover Green and Elisabeth Jean Wood (2013), *Wartime sexual violence: misconceptions, implications and ways forward*, Special Report, Washington D.C.: US Institute for Peace. Also see: Aolain, Fionnuala Ni, and Eilish Rooney (2007), "Under enforcement and Intersectionality: Gendered Aspects of Transition for Women," *International Journal of Transitional Justice*, Vol. 1, Issue 3, pp. 338–54 in *Women's Meaningful Participation in Negotiating Peace and the Implementation of Peace Agreements Report of the Expert* (2018). Convened by UN Women in preparation for the UN Secretary-General's report on Women and Peace and Security, New York, U.S.

34 Gender and SALW in South East Europe (2016). South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC). [https://www.seesac.org/ff/docs/Armed-Violence/Gender\\_and\\_SALW\\_publication\\_eng-web.pdf](https://www.seesac.org/ff/docs/Armed-Violence/Gender_and_SALW_publication_eng-web.pdf)



used as sexual slaves to service troops, as well as to cook for them and carry their loads from camp to camp.<sup>35</sup> Linked to being subjected disproportionately to sexual violence and exploitation, women and girls are also highly vulnerable to sexually transmitted diseases such as HIV/AIDS and to being marginalized as a result of such violence.

Additionally, the forced displacement as a result of armed conflict and other humanitarian crises increases the risks of GBV including VAWG, especially IPV.<sup>36</sup> The police are required to respond to violence facing women and girls living in displacement camps. In such situations, seeking the daily necessities such as water, food or even toilet access can be dangerous for women and girls. Responding (preventing and investigating) to VAWG in displacement camps requires the police to build partnerships with highly traumatised people who may not necessarily be organised with representative leadership. Any intervention by the police will need to factor the fragility of these new social relations and what it will mean for the well-being of victim/survivors of VAWG.

**“For most women in post-conflict environments the violence does not stop with the official ceasefire or the signing of the peace agreement and often increase in the post-conflict setting.”**

—CEDAW Committee General Recommendation 30

According to the Sexual Violence Research Institute (‘SVRI’), in such precarious circumstances sexual violence is often exacerbated, rates of child marriage may increase and women and girls are highly vulnerable to violence at every stage of their journeys, including during flight, during refuge, in transit countries, and when they return home to a war-ravaged setting.<sup>37</sup>

Despite the challenges, States are obligated by international law to investigate all allegations of sexual violence and other forms of VAWG that occurred during

35 Women, War and Peace: The Independent Experts’ Assessment on the Impact of Armed Conflict on Women and Women’s Role in Peace-building (2002). Rehn, E., and Sirleaf, E.J. United Nations Development Fund for Women (UNIFEM).

36 Interventions to Reduce Gender-based Violence in Humanitarian Settings (2019). Sexual Violence Research Institute and World Bank Group.

37 Ibid.



Photo courtesy of MINUSTAH/Logan Abassi (Haiti)

armed conflict in their territory. However, the reality is most States coming out of armed conflict struggle to adequately investigate and prosecute CR-VAWG let alone all the other forms of VAWG occurring on a daily basis and those that have occurred in the recent past.

In order to address the impunity of CR-VAWG, and in the face of States unable or willing to investigate VAWG, the international community, normally led by the UN, can conduct parallel non-judicial investigations or support the State in question to criminally investigate the cases. The intervention of any international investigative mechanism will require local support particularly by national police when not implicated in related violations, which will benefit from the ability of police managers to engage with those who lead and work on international investigations for such cases. In cases where the responsible State is a signatory to the Rome Statute of the International Criminal Court (ICC), the ICC has the jurisdiction to investigate gross violations of human rights when the national justice system of that State is unable or unwilling to conduct its own investigation and prosecution.<sup>38</sup>

Regardless of who are the competent authorities, the gender-responsive guidance provided in this Handbook

38 See Art. 17(1) of the Rome Statute of the International Criminal Court U.N. Doc. A/CONF.183/9, July 17, 1998, 37 I.L.M. 1002, 1030 (entered into force July 1, 2002) [hereinafter Rome Statute].

Box 7

**Definition of Refugee vs Internally Displaced Person (IDP)**

Refugee	IDP
<p>A refugee is someone outside their country of origin who is in need of international protection because of a serious threat to their life, physical integrity or freedom in the country of origin as a result of persecution, armed conflict, violence or serious public disorder against which the authorities in the home country cannot or will not protect them.</p> <p>Source: A/AC 96/830 and the refugee protection mandate of UNHCR, in accordance with para 6 A (ii) of its Statute (General Assembly resolution 428 (V), annex).</p>	<p>Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized state border.</p> <p>Source: UN Guiding Principles on Internal Displacement (1998)</p>

is a suitable reference for the police investigating cases of CR-VAWG. This is due to the fact that both international human rights law and international humanitarian law apply in situations of armed conflict.<sup>39</sup> The gender-sensitive competencies recommended in this Handbook are also applicable to civilian experts of UN Security Council mandates such as International Commissions of Inquiry, Fact-Finding Missions and other investigative bodies seeking to investigate allegations of violations of international human rights law (IHRL), international humanitarian law (IHL) or international criminal law, and make recommendations for corrective actions based on their factual and legal findings.



The gender-sensitive competencies promoted in this Handbook are important pillars for investigating CR-VAWG even as the use of VAWG as a means of war evolves, contexts change with developing technologies and the indirect perpetrators of

CR-VAWG find new ways to avoid accountability. Ensuring the meaningful participation of the victims/survivors of VAWG in every engagement will always be in the control of the investigators or responding officers. Together with a strong understanding of the added dimensions armed conflicts have on the nature of VAWG its causes

<sup>39</sup> For more information see International Legal Protection of Human Rights in Armed Conflict (UNHCHR, 2011).

and consequences and how it impacts women and girls differently and disproportionately, police and civilian investigators can best contribute to the investigative mandate, so impunity does not reign in times of armed conflict.

Finally, the use of this handbook in humanitarian crisis should be viewed in a complementary manner with the Inter-Agency Standing Committee’s *Guidelines for Gender-based Violence Interventions in Humanitarian Settings, Focusing on Prevention and Response to Sexual Violence in Emergencies* (2005).<sup>40</sup>

## PEER TO PEER GUIDANCE: RESPONDING TO VICTIMS/ SURVIVORS OF VAWG AND FORCED DISPLACEMENT

The global security situation continues to evolve, and we find conflicts in many regions, some new, many existing over a number of years resulting in the numbers of displaced people growing or certainly not diminishing. This brings with it challenges to the police and law enforce-

<sup>40</sup> Created by the United Nations (UN) General Assembly resolution 46/182 in 1991, the Inter-Agency Standing Committee is the longest-standing and highest-level humanitarian coordination forum of the UN system, bringing together the executive heads of 18 UN and non-UN organizations to ensure coherence of preparedness and response efforts, formulate policy, and agree on priorities for strengthened humanitarian action. See the Inter-Agency Standing Committee.



Photo courtesy of MINUSTAH/Logan Abassi (Haiti)

ment services within the host countries of refugees as a result of fleeing conflict in their own countries.

The safety and protection of displaced people, including externally displaced people such as refugees, becomes the responsibility for the host country. As police officers, you cannot absolve your responsibility for their safety and protection because they may be enclosed within refugee camps run by international organisations such as UNHCR.

Large influxes of refugees bring numerous challenges for any country to provide an effective policing service, both to the refugees but also to the host community. Such a challenge is currently being played out in Cox's Bazar, Bangladesh where there are approximately 854,740 Rohingya refugees who have fled across the border from Myanmar and are now living in 34 refugee camps in Bangladesh.

Bangladesh Police now face huge challenges, especially those at police station level who now have to deploy their limited resources to a much larger population. Whilst additional police resources have been deployed to the Cox's Bazar district, numbers remain relatively low compared to

the large numbers of people who have entered the area, not just the refugees themselves but also large numbers of aid agency personnel, many from outside Bangladesh.

As a police station commander in an area hosting large numbers of refugees, your limited resources will now be stretched even further, and merely requesting more staff is not necessarily an easy solution if you do not have the facilities to accommodate them. This is particularly so when an increase in female officers is required to support an increased number of victims/survivors of VAWG, which is often found within conflict and post-conflict environments.

Due to having fled conflict, many refugee households are led by women as their husbands and/or sons may have been killed in the conflict or still fighting in their country of origin. Larger numbers of female headed households can increase the vulnerability of women and children, particularly in different cultural contexts. As previously mentioned within the handbook, it is important that you and your staff seek to understand the cultural make-up of the communities you serve, including that of refugees and any other non-nationals residing within your policing district.



There may also be larger numbers of victims/survivors with different types of disabilities due to atrocities they may have suffered from which they have escaped, again adding to the challenges you and your staff face in providing ready access to justice services.

See Chapter 4: 'Initial Contact', Chapter 5: 'Investigation' and Chapter 8: 'Support and Assistance' for further guidance on ensuring victims/survivors can access relevant services.

Other challenges you and your staff are likely to face in policing large numbers of refugees include, but are not limited to:

- Language barriers;
- Lack of access to evidential procedures such as forensic examiners;
- Lack of awareness of cultures and traditions of the refugee population;
- Lack of awareness by refugee women and girls of their rights;
- Lack of awareness by refugees of how to access justice and support services to gain their rights;
- Increased tensions within your local host communities towards the refugees;
- Increased organised crime gangs in the area seeking to exploit the vulnerable;
- Lack of trust by refugee community in 'uniform' services, (an example is the Rohingya refugees who may associate uniformed personnel with violence and atrocities within their country of origin);
- Lack of medical facilities and other resources required to safeguard victims/survivors and obtain evidence to progress an investigation.

Whilst the challenges of delivering an effective policing service in a refugee crisis situation are evident, there are also opportunities that you need to exploit to benefit both the victims/survivors as well as you and your staff.



Photo courtesy of UNAMID/Albert González Farran (Darfur region, Sudan)

Such opportunities are likely to come through the International Aid Agencies and NGOs who typically provide support both within refugee camps and to local host communities. You should encourage your staff to engage locally, whenever possible with those working for these agencies and NGOs.

Developing relationships on the ground can provide you with ways to engage with the refugee and local communities through projects and initiatives implemented by others. By pro-actively engaging with the international and national organisations you could identify ways of collaborating in the best interests of victims/survivors of VAWG. Collaboration could create additional access points for victims/survivors to be able to report crimes against them by speaking to those engaged in, for example, medical provision, education, economic empowerment who could then signpost to justice service providers.

Collaboration could also result in additional facilities being provided to accommodate police within the camps or within close proximity of the camps. An example has been the development of 'Female Help Desks' at police stations within two refugee camps in Cox's Bazar Bangladesh, with more to follow. Supported by UN Women, these facilities have also provided accommodation for female officers to enable them to provide 24-hour coverage within the camps, providing much

needed support to victims/survivors but also to the police station commanders and investigators.

Engaging with national and international partners will not only build relationships and lines of communication locally, it can also provide you with other ways of engaging directly with the various communities through any community outreach programs. As you build trust and confidence with other stakeholders and the communities you can raise awareness of how partner agencies can not only support each other but

also combine to support victims/survivors. Ultimately building trust and confidence amongst the local population will enable you and your staff to gather information and intelligence on other crimes being committed and provide opportunities to raise awareness of crime prevention.

**For more information on collaborative working and community solutions see Chapter 3: 'Prevention', Chapter 6: 'Safety and Protection', and Chapter 7: 'Support and Assistance'.**

#### Box 8

##### **The Reality on the Ground**

The challenges facing police officers working in and around refugee/ internally displaced persons (IDP) camps can be immense, not only in providing a victim/survivor-centred approach to victims/survivors of VAWG, but also in focusing on a perpetrator focused investigation. Limited resources throughout the justice process can result in the prioritisation of the most serious crimes, notwithstanding that the trauma for the victim/survivor may be just as devastating following incidents that may constitute less serious crimes on the basis of national legislation.

The focus in such situations must be on the safety and protection of the victim/survivor from all forms of violence and/or abuse as well as any children who may be victims/survivors or witnesses. This is where collaboration with other service providers can bring real benefit not just to the victims/survivors but also to the police themselves, enabling the limited investigative resources to be perpetrator focused.

Whilst building relationships locally between the police and other service providers should be taking place in all localities, it's particularly relevant within and around refugee/IDP camps where services are often overwhelmed with the volume of people needing assistance. To ensure the most effective use of limited resources, working in partnership is known to deliver positive outcomes. Such working practices also ensures lines of communication are established and maintained avoiding mixed or undermining messages between and from the various agencies deployed.

Such relationships help building a broader understanding of the challenges faced by everyone and thereby build inert-agency trust and confidence which can only benefit the entire humanitarian response. It can be argued that the police working in and around refugee camps are at an advantage in obtaining support and assistance for victims/survivors of VAWG due to the large numbers of international aid agencies and NGOs often associated with such situations. Those providing medical facilities may be able to assist victims/survivors who need treatment or a safe space in which to be spoken to by the police, or, depending on the expertise available, be medically examined without having to leave or travel too far from the camp. Agencies providing community or women empowerment facilities may be willing to allow victims/survivors to be spoken to there rather than them having to attend a police station which may not be victim friendly. The important thing is for police officers to be pro-active in engaging with potential partners to ascertain how collaboration can benefit victims/survivors.



Photo courtesy of Force International (Bangladesh)

**A practical example to consider:**

Amena has fled Myanmar with her 3 young children and is now the sole head of her household having settled within a refugee camp in Cox's Bazar. Her husband died trying to prevent their home being burnt down when their village in Rakhine State was attacked. Amena now has sole responsibility to provide for her family and visits the aide distribution point every day in the hope of receiving food and water to feed her children. Late this afternoon, having successfully obtained rice and water, Amena was returning to her shelter within the camp when she was attacked and the food and water she was carrying was stolen.

A Rohingya family came across Amena, lying on the ground with her clothes in disarray. She was visibly upset and very distressed. They took her to a UN Women center where she has been supported in receiving medical treatment. UN Women staff have reported the incident to the police.

On arrival at the UN Women center, you establish that Amena has been transported to hospital and that she is the mother of 3 young children who are not currently with her. You meet with the family who found Amena and are taken by them to the area where Amena had been found. There are a number of people wandering around the area and you notice on initial examination of the vicinity that the area is poorly lit but is overlooked by a number of refugee families' shelters. You also notice there are toilet and washing facilities within a relatively short distance.

What are your immediate priorities? – The safety and protection of the victim and her 3 young children and a risk assessment process needs to be instigated straight away.

What crime(s) might you be dealing with? – Sexual Assault (found with clothes in disarray), robbery, theft.

At this early stage, how many crime scenes are there? – Where Amena was found, she herself is a crime scene, where the crime took place, if not, where she was found. Others may be where she was accommodated at the UN Women center and any vehicle that transported her to hospital, if a weapon was used then the location of the weapon could be a crime scene.

What evidence might be available? – Victim/survivor testimony; potential for witness evidence either anyone who may have witnessed the attack itself or saw anyone acting suspiciously or fleeing the scene, for example, people attending the toilet or washing facilities may have witnessed something; medical and/or forensic evidence, evidence of first/early complaint from the Rohingya family who found her and the UN Women staff; anything can be potential evidence, nothing should be discounted.

How are you going to secure and preserve any potential evidence? – Secure the immediate area where Amena was found, this can be achieved by remaining there or assigning a colleague to prevent anyone contaminating the scene, using police or any other tape or rope if available would reduce the number of human resources required to just one.

Establish what if any witnesses there may be, as a minimum obtain brief details of what information they may have and how they can be contacted later if required. Consider police patrols in the area and around the toilet and washing facilities, both to provide reassurance to the community and also in an effort to find witnesses as well as prevent any similar crimes taking place.

The above scenario is provided by Force International Limited and is not knowingly based on any actual incident or person.



## ADAPTING INVESTIGATIONS TO THE EVOLVING NATURE OF CONFLICTS

Investigating CR-VAWG, particularly when it involves acts committed by armed actors in the conflict, requires a deeper understanding of how VAWG is used in war. In spite of the challenges facing the police, a gender-responsive investigation into CR-VAWG will require significant expertise to undertake an intensive analysis of evidence relating to such violence - including the broader context which makes clear that the sexual violence is an integral part of the organised war effort rather than mere 'incidental' or 'opportunistic' incidents in relation to other 'core' crimes committed during times of war.<sup>41</sup>



Gender-based violence or GBV is an umbrella term for any harmful act that is perpetrated against a person's will and that is based on socially ascribed (gender) differences between females and males. The nature and extent of specific types of GBV vary across cultures, countries and regions

Sácouto and Cleary (2009), argue that sexual violence in armed conflicts is often tacitly encouraged or tolerated, even if not officially sanctioned.<sup>42</sup> They add that, if not investigated in a timely manner or left unpunished, sexual violence can escalate and become a central means of war.

For example, a study on sexual CR-VAWG by the WHO (2005) in Liberia<sup>43</sup> reported that in 95% of the 1,216 participants had suffered some form of GBV out of which

41 SáCouto, Susana and Katherine Cleary. "Importance of Effective Investigation of Sexual Violence and Gender-Based Crimes at the International Criminal Court." *American University Journal of Gender, Social Policy & the Law*. 17, no. 2 (2009): 337-359. Also see Kelly Dawn Askin, *Prosecuting Gender Crimes Committed in Darfur: Holding Leaders Accountable for Sexual Violence*, in *GENOCIDE IN DARFUR* 141, 144 (Samuel Totten et al. eds., 2006).

42 Ibid.

43 Report on Sexual Gender based Violence and Health Facility Needs Assessment (Lofa, Nimba, Grand Gedeh and Grand Basa counties) in Liberia (2005). Omanyondo, M.O. for the World Health Organisation.



73.9% of respondents had been raped during the war while 13.0% experienced rape after the conflict.<sup>44</sup> In the initial years of the post-conflict period perpetrators were mainly ex-combatants. In 2007, children under 18 were part of the 46% of reported cases to the Liberia National Police. Also, in 2007, 38% of the 5,000 protection cases reported were of GBV nature and in the first three months of 2008, 1,935 cases were reported of which 34% related to GBV<sup>45</sup>. Rape among other sexual offences registered from September to November 2008 ranked first.<sup>46</sup>

In his report on conflict-related sexual violence (S/2017/249), the Secretary General of the UN defines the term 'conflict-related sexual violence', to refer to **rape, sexual slavery, forced prostitution, forced pregnancy, forced abortion, enforced sterilization, forced marriage, and any other form of sexual violence of comparable gravity perpetrated against women, men, girls or boys that is directly or indirectly linked to a conflict.**<sup>47</sup>

44 Government/UN Joint Programme to prevent and respond to GBV (June 13, 2008). Information shared by Dr Sadiq Syed, Deputy Regional Program Director with UN Women in Southern Africa.

45 Ibid.

46 Sexual Crimes, committed on September, October, November 2008 in Liberia (UNPOL-December 2008). Information shared by Dr Sadiq Syed, Deputy Regional Program Director with UN Women in Southern Africa.

47 Report of the Secretary-General on conflict-related sexual violence (2017). UN Doc S/2017/249

The report adds that this link may be evident in the profile of the perpetrator (often affiliated with a State or non-State armed group, including a terrorist entity or network), the profile of the victim/survivor (who is frequently an actual or perceived member of a persecuted political, ethnic or religious minority, or is targeted on the basis of actual or perceived sexual orientation and gender identity), the climate of impunity (which is generally associated with State collapse), cross-border consequences (such as displacement or trafficking in persons) and/or violations of the provisions of a cease-fire agreement. The term also encompasses trafficking in persons when committed in situations of conflict for the purpose of sexual violence/exploitation.<sup>48</sup>

As a means to adapt to the evolving nature of conflicts and the use of CR-VAWG by armed actors, the Secretary General of the UN established the UN Action against Sexual Violence in Conflict network in 2007 as a critical joint UN system-wide initiative to guide knowledge-building and coordination systems amongst others recognizing fragmented prevention and response efforts were an impediment to addressing conflict-related sexual violence. Since then, the UN system including entities such as the Department of Peace Operations (DPO), OHCHR, UN Women and UNDP have been documenting lessons learned and good practices when investigating CR-VAWG that are beneficial for gender-responsive policing. Some more recent examples include:

- Providing victims/witnesses with the choice of speaking to a female or a male investigator and/or interpreter is good practice. Thus, mixed gender investigation teams are ideal. Mixed teams are especially useful in the cases where the intermediary gate keeper is a man;
- Assumptions regarding the victim's/survivor's preference for interviews should be avoided including how they feel about speaking to men;
- Developing working relationships with local and international organizations' that provide emergency medical services should be viewed as a priority. For example, the organisation *Doctors without Borders* have demonstrated to be key partners in identifying and supporting victims/survivors of CR-VAWG;

48 Ibid.

- Focus on providing options so the victim's/survivor's participation is meaningful rather than overly focusing on investigative 'results' which will limit the victim's/survivor's options;

Intersectional perspectives are critical for investigations. For example, the motives of killing elderly women can be easily overlooked by investigators when in fact they have been deliberately targeted by armed actors who aim to erase the history of the community;

Identifying victims/survivors of CR-VAWG means ensuring they are aware of the legal implications of the violence they were subjected to. In some cases, women were not aware that the acts committed against them constituted sexual violence;

- Over-reliance on biological evidence for proving rape can be counterproductive. Contextual information gathered well and resourcefully can support the elements needed for an effective investigation. For example, UN experts investigating allegations of CR-VAWG have been resourceful in providing reference documents detailing the types of military vehicles used and uniforms worn by armed actors in interviews with victim/survivors of VAWG helping to build the circumstantial evidence supporting testimonies;



- Partnership building with a wide range of actors is a skill set worthy of long-term investment, particularly with local and international actors providing humanitarian assistance;
- Ensure a gender analysis to strengthen the investigation by contributing to an analysis that addresses the impact that certain humanitarian situations or crises can have on different individuals or populations, including women, men, girls and boys, as well as on minoritized groups. This gender sensitive analysis can contribute to identifying needs and thereby better tailor the recommendations for protection as well as support and assistance;

- Measuring improvement of gender-responsive policing is important. This should start from a baseline on training introduced into a national police academy curriculum with a specific training module on VAWG and its drivers including armed conflict for all trainees with the goal of ensuring the police never view VAWG as normalized in times of peace nor in times of crisis.

For more information on best practice of rights-based approaches to investigating CR-VAWG see OHCHR's *Integrating a Gender Perspective into Human Rights Investigations Guidance and Practice* (2018).

## MECHANISMS FOR PARTNERSHIP BUILDING

As discussed above, investigating CR-VAWG can be a challenging process especially in the absence of explicit orders by the indirect perpetrators of violence for others to commit such violence. Investigating police will need to be resourceful in collecting evidence to corroborate testimonies from victims/survivors and other key witnesses so that the indirect perpetrators of CR-VAWG are held accountable through their explicit orders, their omissions of their command responsibility and/or through their behaviours in positions of authority that instigated such violence.

**“It is not necessary to prove that the crime would not have been perpetrated without the involvement of the accused, [rather] it is sufficient to demonstrate that the instigation was a factor substantially contributing to the conduct of another person committing the crime.”**

—ICTY Appeals Chamber in Prosecutor v. Kordić & Čerkez, Case No. IT-95-14/2-A, Appeals Judgment, ¶ 27 (Dec. 17, 2004)

Collecting such evidence will require partnerships with organizations, both local and international, who have access to the victims/survivors themselves and key witnesses as a result of their supportive humanitarian roles in the armed conflict. However, the police will



Photo courtesy of MINUSMA (Mali)

need to invest in trust-building with such organizations representing the interests of victims/survivors and their communities traumatized by conflict.

One way the police can build trust and partnerships after conflict is to actively support and participate in mechanisms that seek to empower women including female police officers, in the peacebuilding efforts.

**See Chapter 8: ‘Coordination among Justice Agencies’ for discussions including examples of partnerships that can be build for a more effective response to VAWG.**

In responding to CR-VAWG, the police need to hear directly from the victims/survivors themselves on how the armed conflicts has impacted them but also how they see the way forward in terms of peacebuilding. Such information will be important in defining policing priorities including responding to VAWG in a gender-responsive manner. Priority setting should include the need for police investigators to bring perpetrators of both current and past offences to justice. This is particularly important in building trust with communities and ensuring that the police have confidence and capability in taking this forward.

The localization of UN Security Council Resolutions (UN SCR) 1325 and 1820, along with National Action Plans (NAPs) on the resolutions, where they exist, can provide game-changing opportunities for the police to

develop the necessary partnerships to be more impactful in the investigations of CR-VAWG.<sup>49</sup> Resolutions (UN SCR) 1325 and 1820 not only seek to empower women as peacebuilders and decisions-makers rather than as victims/survivors of armed conflict but also provide supporting instruments and policies to prevent sexual and gender-based violence. As of January 2020, 83 countries have adopted a National Action Plan in support of UN SCR 1325.<sup>50</sup>

UN SCR 1325 (2000) for example, urges Member States to take action at the national level in the following key areas:

- Measures to support local women’s peace initiatives and indigenous processes for conflict resolution and to involve women in all peace agreement implementation mechanisms;
- The protection of and respect for human rights of women and girls through special measures to protect them from gender-based-violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict. This includes providing

special consideration for the specific needs of women and girls in repatriation, resettlement, rehabilitation, reintegration and post-conflict reconstruction;

- Include a gender perspective in their peacekeeping and peacebuilding measures and address protection, rights and specific needs of women.

By participating in peacebuilding initiatives such as the localization of UN SCR 1325 and 1820, including the ones developed by the Global Network of Women Peacebuilders (GNWP), the police can be better integrated into efforts to systematically coordinate between national and local government authorities; improve cross-sectoral cooperation and collaboration among civil society organizations, government agencies, UN entities and other relevant actors, as well as raise awareness and understanding of UNSCR 1325 and 1820 and related international instruments and national policies among key stakeholders.<sup>51</sup>

Box 9 is an example of how the participation by the Ugandan Police in UNSCR 1325 localization efforts improved the response to VAWG:



#### Box 9

#### Uganda Police and the Localization of UNSCR 1325

Uganda has a long history of civil war and continues to face ongoing internal conflicts many of them political, armed insurgency and elections-related violence. The insurgency of the Lord’s Resistance Army (LRA) in Northern Uganda between 1987 and 2006 for example resulted in the death of hundreds of thousands of people, some 20,000 children abducted and close to 2 million people internally displaced. Although the security in the country improved significantly following the signing of a cessation of hostilities agreement between the LRA and the Ugandan Government in 2006, women continued to be disproportionately affected by the lingering violence and insecurity, which had become widespread.

In 2008, the Government of Uganda adopted a National Action Plan for the implementation of UNSCR 1325, UNSCR 1820 and the Goma Declaration on Eradicating Sexual Violence and Ending Impunity in the Great Lakes Region.

49 Implementing Locally, Inspiring Globally: Localizing UNSCR 1325 in Colombia, Nepal, the Philippines, Sierra Leone, and Uganda (2013). Global Network of Women Peacebuilders

50 See National Action Plans for the Implementation of UNSCR 1325 on Women, Peace and Security. Women’s International League of Peace and Freedom.

51 Implementing Locally, Inspiring Globally: Localizing UNSCR 1325 in Colombia, Nepal, the Philippines, Sierra Leone, and Uganda (2013). Global Network of Women Peacebuilders.



As part of the localization of the National Action Plan, Uganda formed coordination committees at both district and sub county levels. At the district level, the Ugandan police' Child and Family Protection Unit joined other district administrators in governance, development, education, HIV and reproductive rights, gender and community development, criminal investigations, prisons, and judiciary amongst others to discuss on a monthly basis the situation and related actions/measures on sexual gender-based violence or SGBV in the district.

Local Action Plans (LAPs) were subsequently developed and adopted by participating District Local Councils. Another result of the localization from the LAP process included increased awareness on GBV in communities and within the security sector. Moreover, as a result of the LAP and involvement of the police in the design and implementation, the district police station established a GBV desk with community Liaison officer in each of the districts where localization took place. These efforts by local government stakeholders contributed to an increased in reporting of GBV cases and an increase in public confidence in the police in managing GBV issues.

According to the Police Crime report 2017, a total of 15,325 cases of domestic violence were reported compared to 13,132 cases in 2016 giving a 16.7% increase. In addition, according to the police report of 2014, GBV reported cases to the police rose by 25.8% in 2014 compared to that of 2013. This has since continued to sharply rise.

*"[In Kitgum district], the desk and liaison office has helped in bridging the gap between the police and community resulting in confidence to report cases of GBV. There is also decreased cases of negotiation at family level (perpetrator negotiates with the victim's family to settle issues at Family level even in cases of rape, defilement and early child marriage). Previously, the reporting would only be as a result of failed negotiations, but this has since changed. Reporting of GBV has increased from 435 cases in 2014 to over 2,500 each year since Localization took place."*

—District Police Commander, Kitgum District.

Source: Localization: Rumbimbwa, R., Assessing the impact Uganda Case Study (2018), Global Network of Women Peacebuilders.

## ONLINE AND ICT-FACILITATED VAWG

The evolution of the internet and the expanding reach of information and communication technology (ICT) are changing lives on a daily basis. Access to and use of ICTs are now linked to human development as they facilitate a continuum of ideas, innovation and aspirations. Women and girls across the globe are enjoying unparalleled access to means of self-development in work, education and leisure through ICTs. Being anonymous online has played an important role for women in accessing different online spaces and undertaking roles in activism, political work and building movements that are important in democratic societies.

However, for every door that is opened women and girls are confronted with a continuation of the violence they are often subjected to in (offline) daily life.

VAWG such as sexual harassment, stalking, illegal and/or non-consensual use of images/videos and threats extends online making women and girls unsafe when they participate digitally. The risk of violence increases significantly when an element of anonymity exists.

Gender-responsive policing will play an important part in tackling this violence but will need to expand its reach in a measured way. It will need to comply with evolving norms regulating personal information and third-party data and build critical partnerships for intelligence capture on perpetrators with internet service providers and tech companies dominating the proliferation of ICTs. Equally important will be the police online presence to communicate to the public information on safety guidance and strategies including reporting mechanisms that will that promote the prevention of cyber VAWG and encourage reporting when it occurs.

**“Access to the internet is fast becoming a necessity for economic well-being, and is increasingly viewed as a fundamental human right; therefore it is crucial to ensure that this digital public space is a safe and empowering place for everyone, including women and girls.”**

—Cyber Violence against women and girls. European Institute for Gender Equality

For the purposes of the Handbook, the authors will use the definition of ICTs as proposed by the UN Development Program (UNDP)<sup>52</sup>:

*“ICTs are basically information-handling tools - a varied set of goods, applications and services that are used to produce, store, process, distribute and exchange information. They include the “old” ICTs of radio, television and telephone, and the “new” ICTs of computers, satellite and wireless technology and the Internet. These different tools are now able to work together and combine to form our “networked world” - a massive infrastructure of interconnected telephone services, standardized computing hardware, the internet, radio and television, which reaches into every corner of the globe.”*

## PEER TO PEER GUIDANCE

### Impact of Technology

As crime types and crime methods continue to evolve globally it is important that you and your staff remain vigilant to different behaviours/actions of perpetrators. Whilst some changes in crime patterns and behaviours may require a specialist response, it is important to remember the basics when dealing with victims/survivors. This is particularly important in today’s policing environment which has particular challenges with the advancement of technology as a result of the complexity and interdependence of issues in dealing with cyber

<sup>52</sup> Tools for Development Using Information and Communications Technology to Achieve the Millennium Development Goals: Working Paper, United Nations ICT Task Force December 2003.

VAWG. Whilst technological advances have benefited policing in providing technological responses to crime investigation this has to be balanced with the challenges it has brought particularly in how criminals have found new ways of working. This has created particular challenges for you and your staff particularly if your organisations do not have appropriate resources and access to basic technology remains an issue.

Figure 3 is a high-level view of the complexity and interdependence of issues in dealing with cyber VAWG provided by the UN Broadband Commission for Digital Development Working Group on Broadband and Gender provides (2015).

Figure 3

**The complexity and interdependence of issues in dealing with cyber VAWG (UN 2015)**



There is an imbalance in what police organizations can provide their staff and what citizens can have access to. In many countries’ mobile networks and internet access via smart phone technology is well advanced so citizens can easily access social media and web sites yet policing and law enforcement organisations have not always kept pace creating additional challenges to you and your staff delivering a policing service to local communities.



## ONLINE AND ICT-FACILITATED VAWG

Online and ICT-facilitated VAWG is becoming more prevalent across the globe yet law enforcement internationally is still trying to catch up, as there is still no universally recognized definition of cyber VAWG. However, there are a number of types of online and ICT-facilitated forms of VAWG commonly agreed: cyber stalking; non-consensual image-based abuse (inappropriately referred to regularly as “revenge porn”); hate speech and harassment; ‘slut shaming’; unsolicited pornography; sextortion; rape and death threats; collection of information about a victim; disclosure of a victim’s private information on the internet and electronically facilitating trafficking.<sup>53,54,55</sup>

In their report, *Cyber Violence Against Women and Girls A worldwide wake-up call* (2015), the UN Broadband

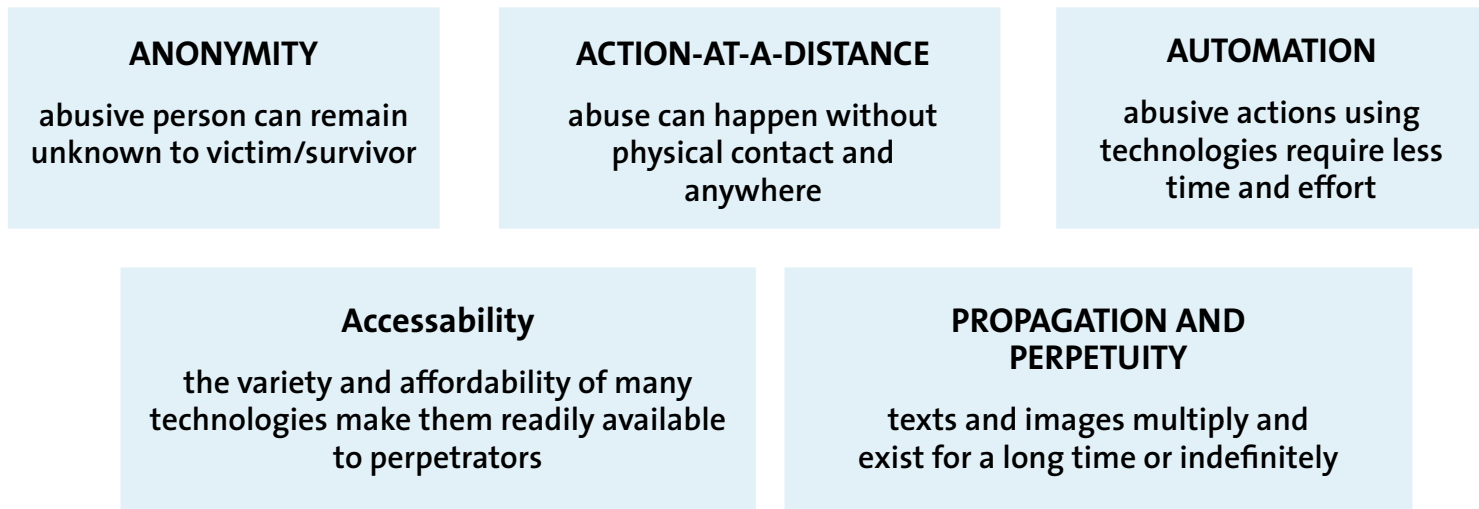
Commission for Digital Development Working Group on Broadband and Gender provides a list of characteristics and profiles that distinguish cyber VAWG (figure 4):

Online and ICT-facilitated VAWG is gender-based violence perpetrated through both electronic communications and the internet<sup>56</sup> and therefore should be treated no differently to offline VAWG, the only difference being the means by which it is committed. According to the European Institute of Gender Equality (EIGE), online (cyber) VAWG should not be considered separately but as a potential continuation of offline violence. They found that the police often treat each incident of online communication as a single act instead of considering it in a broader context of the cumulative impact of abuse.<sup>57</sup>

The trauma the victim/survivor suffers is the same if not more pronounced when the violence is perpetrated

Figure 4

Distinguishing characteristics and profiles of cyber VAWG (UN Broadband Commission for Digital Development 2015)



53 UN Broadband Commission for Digital Development (2015) *Cyber Violence Against Women and Girls A worldwide wake-up call: A report by the UN Broadband Commission for the Digital Development Working Group on Broadband and Gender*;  
54 EIGE (2017) *Cyber Violence against women and girls*, European Institute for Gender Equality. Also see: CyberSafe (2017) *Cyber Violence against Women and Girls: Report*, University of Ljubljana, Faculty of Social Sciences.  
55 See the report of the Special Rapporteur on violence against women, its causes and consequences on online violence against women and girls, at: <https://undocs.org/A/HRC/38/47>

56 CyberSafe (2017) *Cyber Violence against Women and Girls: Report*, University of Ljubljana, Faculty of Social Sciences  
57 EIGE (2017) *Cyber Violence against women and girls*, European Institute for Gender Equality.

online, sometimes leaving permanent trauma due to its public nature<sup>58</sup>. Yet research has found that police officers often disregard and even minimize the harm caused by cyber VAWG considering the experience of victims/survivors as individual incidents instead of recognizing it as a pattern of behaviour committed over a period of time.<sup>59</sup> In her 2018 report on online violence, the Special Rapporteur on violence against women and girls notes that law enforcement bodies often trivialize online violence against women, and their actions are unfortunately often characterized by a victim-blaming attitude when dealing with these cases. The result of this attitude is a culture of silence and underreporting where women victims are reluctant to speak out for fear of being blamed.<sup>60</sup>

Due to the fact that perpetrators often find it easier to remain anonymous by committing offences online and that perpetrator often has greater access to the victim, the level of impunity increases. Online VAWG is easy to commit and requires relatively little or even no understanding of technology.<sup>61</sup> This is further exacerbated by the increasing affordability of technology hardware, such as the widespread use of smart phones and other digital devices.

The worldwide spread of the internet and its increased accessibility creates the ability for perpetrators to make contact with others anywhere in the world thereby increasing the availability of potential victims and at the same time reducing the risk of detection and ultimately reducing the opportunity for victims/survivors to access justice.<sup>62</sup>

The victim-centred guidance provided within this handbook should be applied whether VAWG is committed online, offline or both, the needs of the victim, their safety and protection must be the main priority. Both physical and online (cyber) forms of VAWG can

cross over in that some forms of abuse may include offline harassment.<sup>63</sup>

The main interventions for the prevention of cyber VAWG tend to focus on children and young people recognizing that educating the next generation of technology users, both boys and girls is vital to increase awareness of both the criminality of such acts and the devastating impact it can have on victims/survivors. Such education needs to be delivered as part of a broad societal approach to the issue, via parents, teachers, the police, justice agencies and the wider community.<sup>64</sup> As part of its Education for Justice Initiative, UNODC published a Module on Interpersonal Cybercrime for university lecturers, which addresses online violence against women and other gender-based interpersonal cybercrimes.<sup>65</sup>

The UN Broadband Commission for Digital Development Working Group on Broadband and Gender provides (2015) recommendations applicable to essential service providers including the police on pursuing a multi-level approach to addressing cyber VAWG (Figure 5). The Working Groups suggest efforts fall into one of three categories of action:

- Preventive measures through public sensitization and consciousness-raising;
- Promotion of safeguards for safety and equality on the Internet for women and girls;
- Putting in place and enforcement of sanctions.

## GENDER-RESPONSIVE POLICING: DRIVING THE WAY FORWARD

When faced with cyber VAWG, choices for women and girls are often limited to changing personal ICT details or profiles or attempting to ignore the abusive behavior or report the behavior to their internet service provider (ISP) who may be able to control the abuser's account.

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58 CyberSafe (2017) Cyber Violence against Women and Girls: Report, University of Ljubljana, Faculty of Social Sciences

59 EIGE (2017) Cyber Violence against women and girls, European Institute for Gender Equality.

60 <https://undocs.org/A/HRC/38/47>

61 CyberSafe (2017) Cyber Violence against Women and Girls: Report, University of Ljubljana, Faculty of Social Sciences.

62 Ibid.

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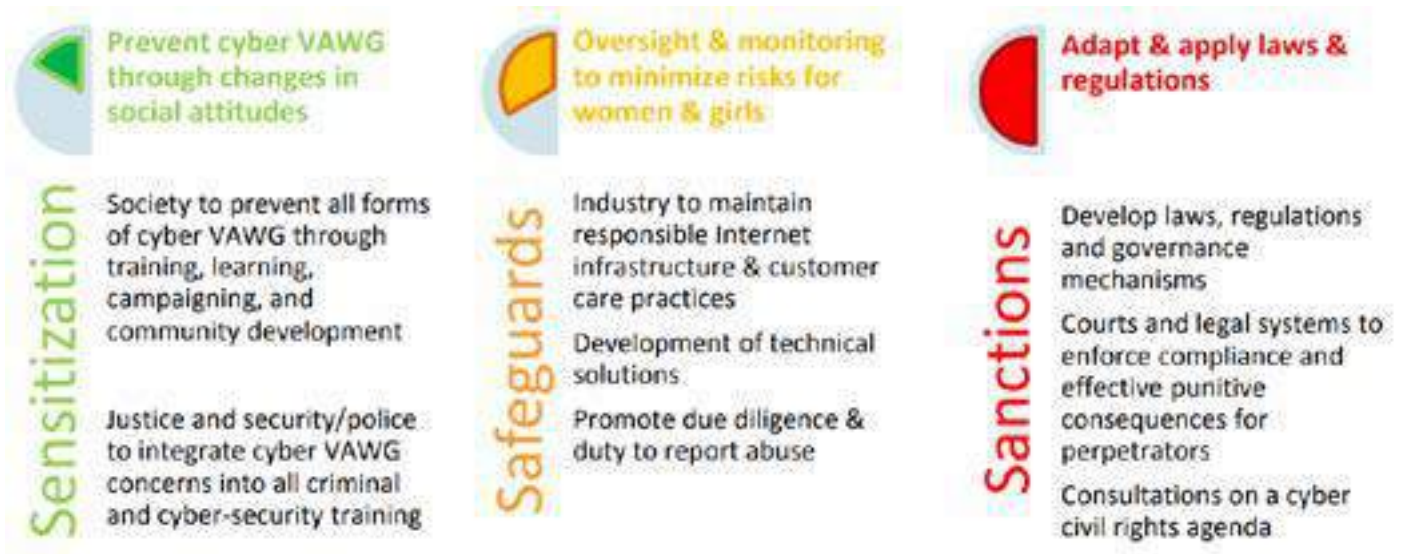
63 UN Broadband Commission for Digital Development (2015) Cyber Violence Against Women and Girls *A worldwide wake-up call: A report by the UN Broadband Commission for the Digital Development Working Group on Broadband and Gender.*

64 Ibid. Also see Networked Intelligence for Development 2015.

65 <https://www.unodc.org/e4j/en/cybercrime/module-12/key-issues/gender-based-interpersonal-cybercrime.html>

Figure 5

Three categories of interventions into cyber VAWG as per the UN Broadband Commission for Digital Development Working Group on Broadband and Gender.



**“States where forms of cyber VAWG are criminalized, the data collected is lacking disaggregation by sex of the victim and perpetrator, and the relationship between them, which limits the usefulness of the data. This lack of data hampers the ability to conduct a gendered analysis of cyber violence and a comparison of online and offline VAWG.”**

—Cyber Violence against women and girls, European Institute for Gender Equality (2017)

In cases where the abusive behavior continues, victim/survivors are often required to have documented evidence of a pattern of abusive behavior before going to the police or reporting it to their ISPs as is often recommended by the police. What to document and when it is appropriate to approach the police is often unclear for victims/survivors, who are generally not aware of how online and offline cohesive and controlling abusive behavior are linked. Often, victims/survivors are unsure of how much you ‘should tolerate’ of abusive behavior and what qualifies as ‘abusive’ behavior online. For that matter, ISPs also do not normally prepare their staff to receive complaints from women and girls with a

victim/survivor-centred approach nor are they generally trauma informed. Victims/survivors may also not be routinely reporting to ISPs.

In their report on cyber violence against women and girls (2017), the EIGE highlights that victim-blaming attitudes is widespread as a result of a lack of understanding and awareness which is compounded by the fact that (according to a 2014 survey in the U.S.) more than half of stalking and cyber stalking victims did not acknowledge their own experience as a crime.<sup>66</sup>

Therefore, reporting acts of cyber VAWG to the police or ISPs such as online harassment, stalking, and threats in general is often an arbitrary process impacting the quality of data collection on its prevalence. In the same report (2017), the EIGE acknowledged that in the EU, data on cyber VAWG is scarce and consequently very little is known about the actual percentage of victims of cyber VAWG and the prevalence of harm.<sup>67</sup>

At the same time, as countries continue to adjust their legal systems to accommodate the cyber dimensions

<sup>66</sup> EIGE (2017) Cyber Violence against women and girls, European Institute for Gender Equality.

<sup>67</sup> Ibid.

of crime, the police are often finding themselves unprepared to meet these demands. This can be particularly evident when having to enforce Cease and Desist Orders -- an option in some legal systems for women and girls to prevent further publication and distribution of their personal images. Preventing the spread of non-consensual image-based abuse (often inappropriately referred to as “revenge porn”)<sup>68</sup> is something that overwhelms the police as they do not normally have the skill set to respond. The Special Rapporteur on violence against women and girls in her 2018 report on VAW and online violence notes that, even when a specialized legal framework is in place, legal and regulatory mechanisms, including law enforcement officials, are not always trained or equipped to implement it effectively owing to the lack of adequate gender-sensitive training and the general perception that online abuse is not a serious crime.<sup>69</sup>

According to UNODC, the most common legal instruments are cybercrime laws, criminal laws, laws on domestic violence and VAWG, hate speech laws and laws on data protection and privacy.<sup>70</sup> However, the effectiveness of these laws require adequate training and sensitisation for the police and other essential service providers. For the police, having protocols or SOPs that provide clear parameters supported by specialised training for accessing and managing personal data will be particularly important as they will help the police officers ensure that the principles of proportionality, legality, accountability and necessity are respected during their interventions. In her 2018 report on online violence, the Special Rapporteur recommends<sup>71</sup> that:

- States should provide training for magistrates, lawyers, police and all other law enforcement officials and frontline workers to ensure their ability to investigate and prosecute perpetrators
- States should also develop specialized, clear, efficient and transparent internal and external protocols and codes of conduct for its law enforcement officials addressing online violence against women to enable them to better understand that online violence is a form of gender-based violence that warrants a serious, trauma-informed response.

As in the case of offline VAWG, the starting point for the police to respond to online (cyber) VAWG more effectively is a transformational shift to gender-responsive policing, which should be based on an institutional and well-informed<sup>72</sup> understanding of how the nature of the VAWG, its causes and consequences impact women and girls differently and disproportionately.

See Chapter 10: ‘Institution Building for an Effective and Accountable Response to VAWG’ for establishing an institutional and well-informed understanding of how the nature of the VAWG, its causes and consequences impact women and girls differently and disproportionately.

## APPLYING THE ESP COMMON CHARACTERISTICS AND PRINCIPLES TO ONLINE (CYBER) VAWG

Gender-responsive policing will play an important part of the answer in owning the problem but will need to establish its identity online as a victim-centred intervention with the following characteristics:

- **Available** and **accessible** without discrimination and financial burden on the victims/survivors in

68 The EIGE describes non-consensual pornography (the most common form of which is known as ‘revenge porn’) as involving the online distribution of sexually graphic photographs or videos without the consent of the individual in the images. The perpetrator is often an ex-partner who obtains images or videos in the course of a prior relationship, and aims to publicly shame and humiliate the victim, in retaliation for ending a relationship. However, perpetrators are not necessarily partners or ex-partners and the motive is not always revenge. See ‘Revenge Porn’ in Glossary and Thesaurus <https://eige.europa.eu/thesaurus/terms/1488?lang=en>

69 <https://undocs.org/A/HRC/38/47>

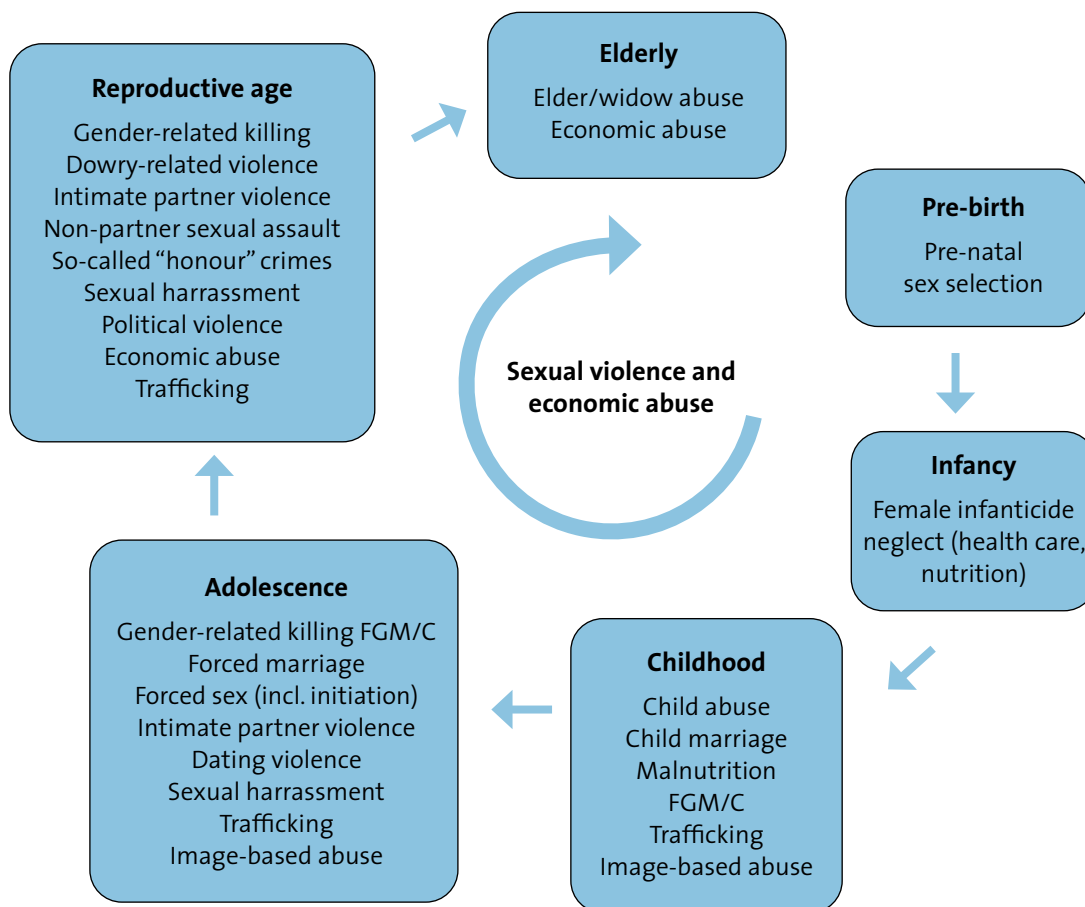
70 See Handbook for the Judiciary on Effective Criminal Justice Responses to Gender-based Violence against Women and Girls (2019). UNODC.

71 See n. 69

72 For the purposes of the Handbook, well informed meaning it is contextually relevant and with regular input consisting of qualitative and quantitative data provided by the police experts and external stakeholders such as essential service providers and/or civil society organisations.

Figure 6

Life cycle of gender-based violence against women and girls (UNODC 2019)



all phases of gender-based violence life cycle (Figure 6)<sup>73</sup>;

- **Adaptable** offering a comprehensive range of culturally sensitive options that respond to the differential impacts of online (cyber) VAWG;
- **Appropriate** in the sense it reduces secondary victimization and promotes the victim’s/survivor’s empowerment in the process;
- **Prioritises safety** through the application of risk management and safety planning that accounts for the

manner in which online VAWG is an extension of the violence disproportionately subjected onto women and girls online or offline;

- Continually **informed through the participation of stakeholders** so ICT facilitator mediums or platforms, or portals for reporting VAWG in all its different forms are presented in a non-judgmental and supportive manner;

You and your team should be committed to being drivers of change for the better.



- Aligned with best practice and national laws when ensuring the victim/survivor reporting mechanism accounts for the necessary **consent** and **confidentiality** measures for data privacy and protection;

<sup>73</sup> See Handbook for the Judiciary on Effective Criminal Justice Responses to Gender-based Violence against Women and Girls (UNODC, 2019), at: [https://www.unodc.org/pdf/criminal\\_justice/HB\\_for\\_the\\_Judiciary\\_on\\_Effective\\_Criminal\\_Justice\\_Women\\_and\\_Girls\\_E\\_ebook.pdf](https://www.unodc.org/pdf/criminal_justice/HB_for_the_Judiciary_on_Effective_Criminal_Justice_Women_and_Girls_E_ebook.pdf) p.9. See also <https://www.endvawnow.org/en/articles/298-the-life-cycle-and-violence.html>

- Linked to a **data collection** and (personal data) **information management** process that is secure, norm-compliant and assists in understanding the prevalence of cyber VAWG as well as evaluating trends in essential service response and informs prevention measures;
- Supported by key stakeholders such as ISPs, social media providers, tech companies and government agencies to ensure uniformity in reporting and effective **coordination** in the **referral** pathway when cyber VAWG is alleged to have occurred.

In owning the problem, the police need to view women and girl's experiences of online violence as part of the wider context of unequal power relations and systemic gender-based violence and discrimination. The question for the police becomes what the online continuation of the nature of the VAWG is, and how its causes and consequences impact women and girls differently and disproportionately online and offline? Follow up questions should seek to establish who are the most vulnerable women and girls in this expanding setting of proliferating ICTs and internet access, and what can be done to prevent and respond more effectively when VAWG manifests itself through ICTs?

In identifying who are the most vulnerable, the EIGE have documented that women, particularly young women falling between the adolescent and reproductive age groups of the gender-based violence life cycle in (see Figure 6), disproportionately experience severe types of cyber harassment, namely cyber stalking and online sexual harassment.<sup>74</sup>

In another example, victims/survivors of VAWG in safe houses and domestic violence centers or similar are at greater risk by perpetrators who use ICTs to track them making their protection and safety for the police a challenging and resource-intensive task.

Also, there is a growing trend for female public figures, journalists<sup>75</sup> and human rights defenders to be targeted

74 EIGE (2017) Cyber Violence against women and girls, European Institute for Gender Equality.

75 For more information see Attacks and Harassment: The Impact on Female Journalists and Their Reporting (2018). Troll-busters.com and international women's media foundation.

disproportionately as a means to silence and intimidate them. As a result of not being able to be anonymous online, many politicians, activists, researchers and journalists working on human rights and/or corruption, are exposed to online violence, sometimes direct threats – not only of themselves, but also of the vulnerable groups they represent.<sup>76</sup> Moreover, according to UNICEF, more than 175,000 children go online for the first time every day. 750,000 people are online at any given time looking to groom children for sexual exploitation and abuse.<sup>77</sup>

Protocols and codes of conduct that are developed by the police to respond to cyber VAWG should help *First Responders* to identify the added dimensions of violence facilitated through the use ICTs and how intersecting factors such as disability, ethnicity, sexual orientation and age influence the vulnerability of women and girls online. Trauma-informed training exclusively related to women and girl victims/survivors of physical and cyber sexual assaults and the establishment of specialized units on cybercrime working on a common understanding of the VAWG and its continuation online through the use of ICTs are steps in the right direction.

## ESTABLISHING COMMON TERMINOLOGY FOR AN EFFECTIVE RESPONSE TO TRANSNATIONAL CYBER VAWG

The capacity of most police organizations, if not all, are not adequate to respond to the expanding magnitude of cyber VAWG which can range from online stalking by an abusive former intimate partner to the mass generation and reproduction of images of child sexual exploitation and sexual abuse by international criminal syndicates. Tracking and monitoring such violence is just as challenging as non-criminalised acts of cyber VAWG such

76 Cyber violence and hate speech online against women: Study (2018). European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs.

77 More than 175,000 children go online for the first time every day, tapping into great opportunities, but facing grave risks. UNICEF.



as cyber bullying which can quickly escalate into more serious threats of violence and misogynistic abuse. The Special Rapporteur on violence against women and girls also notes in her 2018 report<sup>78</sup> on online violence that the fact that violations are perpetrated *beyond* the territorial limits and jurisdiction of States also make it difficult for authorities, including law enforcement agencies, to identify, investigate, prosecute perpetrators and provide remedies for survivors of gender-based violence.

Popular social media platforms and other online channels can easily become spaces for sexual predators to identify, groom and coerce young women and girls into sharing personal information including sexual pictures of themselves to later extort and control them for sexual exploitation and financial gain. Organized crime is also active on popular social media platforms trying to 'recruit' women and girls into harmful situations such as trafficking amongst other illicit activities. According to UNODC, women and girls are the predominant targets of non-consensual image-based sexual abuse (IBSA) considered a form of cyber harassment which involves the 'non-consensual creation, distribution and threat to distribute nude or sexual images' with the goal of causing distress and multiple humiliation for the victim/survivor.<sup>79</sup>

When partnership building, the police need to be able to count on those who shape the proliferation of ICTs, from tech companies to engineers and the public officials who are responsible for their regulation, including their artificial intelligence systems, in the interest of the safety of the public. Equally important are police partnerships with academics and experts working to document the prevalence of cyber VAWG and the influence of artificial

intelligence systems for predictive policing<sup>80</sup> which may be exacerbating bias and discrimination resulting in unintentionally promoting or reinforcing vulnerabilities to cyber VAWG.

A multifaceted approach requiring private-public partnerships is especially critical to effectively counter online child sexual exploitation and abuse as well as human trafficking. This multifaceted approach will require private-public partnerships needing to be transnational in character as victimisation of children can take place in one country at a given time, but, through the dissemination of child sexual abuse material, could continue in various countries appearing at different times. This will require the police to have a strategy for mainstreaming their gender-responsive approach into their private-public partnership as well as with their international law enforcement partners.

This is especially important given the continuous and multiple victimization of harm online child sexual exploitation and abuse subjects onto its victims/survivors. According to the Luxemburg Guidelines, an initiative by 18 international organizations to harmonize terms and definitions related to child protection, sexual abuse images of a child can remain online long after she/he has reached adulthood, and continue to be consumed (e.g. distributed, exchanged, sold, and bought).<sup>81</sup> Thus, the police should consider each repeated viewing and/or sharing of online child sexual exploitation and abuse material to constitute a new criminal offence.

In mainstreaming their gender-responsive approach into international partnerships for combatting transnational cyber VAWG such as online child sexual

78 <https://undocs.org/A/HRC/38/47>

79 Gender-based interpersonal cybercrime. UNODC - University Module Series Cybercrime; Also, see: Powell, A, Henry, N & Flynn, A (2018) 'Image-based sexual abuse', in W DeKeseredy and M Dragiewicz (Eds), Routledge Handbook of Critical Criminology : 2nd Edition, pp. 305-315, Routledge: London and Cybercriminology. Maras, M. Oxford Press, November 2016 ISBN: 9780190278441.

80 The U.S. Department of Justice describes predictive policing as a process that aims to harness the power of information, geospatial technologies and evidence-based intervention models to reduce crime and improve public safety. This is generally done by applying advanced analytics to various data sets, in conjunction with intervention models that would enable law enforcement to move from reacting to crimes to predicting their likelihood in order to deploy resources accordingly. See: Overview of Predictive Policing. National Institute of Justice. U.S. Department of Justice.

81 Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse. Adopted by the Interagency Working Group in Luxembourg, 28 January 2016. Interagency Terminology and Semantics Project on the Sexual Exploitation and Sexual Abuse of Children and ECPAT International.

exploitation and abuse, agreeing on terminology will be important as it will allow police organizations to coordinate more efficiently. To assist in harmonizing terminology for a more effective and adequate response to cyber VAWG, the Handbook recommends the following resources:

- [Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse](#). Adopted by the Interagency Working Group in Luxembourg, 28 January 2016. Interagency Terminology and Semantics Project on the Sexual Exploitation and Sexual Abuse of Children & ECPAT International.
- [Cyber Violence against Women and Girls: Report \(2017\)](#). CyberSafe Project, University of Ljubljana, Faculty of Social Sciences.
- [Study on the Effects of New Information Technologies on the Abuse and Exploitation of Children](#) (UNODC, 2015).

## NOTES AND SUGGESTED READING

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- 2 Measuring #MeToo: A National Study on Sexual Harassment and Assault (2019). UC San Diego Center on Gender Equity and Health.
- 3 Major investigation and public protection: Investigative Development-Lines of Enquiry. UK College of Policing, at: <https://www.app.college.police.uk/app-content/major-investigation-and-public-protection/domestic-abuse/investigative-development/#checklist-lines-of-enquiry>
- 4 Stalking or Harassment (2019). UK College of Policing, at: [http://library.college.police.uk/docs/appref/Stalking\\_or\\_harassment\\_guidance\\_200519.pdf](http://library.college.police.uk/docs/appref/Stalking_or_harassment_guidance_200519.pdf)
- 5 European Agency for Fundamental Rights (2015) ,Violence Against Women: An EU-wide survey, at: <https://www.equalrights.org/issue/economic-workplace-equality/sexual-harassment/>
- 6 Misogyny Hate Crime Evaluation Report for Nottingham Women's Centre Funded by the Office of Nottinghamshire Police and Crime Commissioner. Mullany, L. and Trickett, L. June 2018, at: <http://www.nottinghamwomenscentre.com/wp-content/uploads/2018/07/Misogyny-Hate-Crime-Evaluation-Report-June-2018.pdf>
- 7 House of Commons Women and Equalities Committee (UK), (2018) Sexual Harassment of Women and Girls in public spaces: 6th Report of session 2017-2019.
- 8 Equal Rights Advocates (2019) Know your rights at work: Sexual Harassment, at: <https://www.equal-rights.org/issue/economic-workplace-equality/sexual-harassment/>
- 9 Unmasking Sexual Harassment How Toxic Masculinities Drive Men's Abuse in the US, UK, and Mexico and What We Can Do to End It: A Promundo Research Brief Produced for World Economic Forum Annual Meeting 2018, Promundo, at: <https://promundoglobal.org/wp-content/uploads/2018/01/Sexual-Harrassment-Brief-Final-To-Post.pdf>
- 10 Amnesty reveals alarming impact of online abuse against women. Amnesty International, at: <https://www.amnesty.org/en/latest/news/2017/11/amnesty-reveals-alarming-impact-of-online-abuse-against-women/>
- 11 Spotted: Obligations to Protect Women Students' Safety & Equality Using the Public Sector Equality Duty & the Human Rights Act in Higher and Further Education Institutions to Improve Policies and Practices on Violence Against Women and Girls. Legal Briefing prepared by Louise Whitfield and Holly Dustin for the End Violence Against Women Coalition January 2015, at: <https://www.endviolenceagainstwomen.org.uk/wp-content/uploads/Spotted-Obligations-to-Protect-Women-StudentsEy-Safety-Equality.pdf>
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- 16 Ending sexual harassment at UN events (2019). UN Department of Management Strategy, Policy and Compliance, at: <https://www.un.org/management/news/ending-sexual-harassment-un-events>
- 17 UN Code of Conduct To Prevent Harassment, Including Sexual Harassment, at UN System Events
- 18 Independent review of UN Women's policies and procedures for tackling Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH). Final Report - Confidential May 24, 2019, Copenhagen.
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# PUBLIC HEALTH EMERGENCIES AND NON-CONFLICT HUMANITARIAN CRISES

*“COVID-19 affects women and men differently. The pandemic makes existing inequalities for women and girls, as well as discrimination of other marginalized groups such as persons with disabilities and those in extreme poverty, worse and risks impeding the realization of human rights for women and girls. Participation, protection and potential of all women and girls must be at the center of response efforts. These efforts must be gender-responsive and consider different impacts surrounding detection, diagnosis and access to treatment for all women and men.”*

—Protecting Sexual and Reproductive Health and Rights and Promoting Gender Responsiveness in the COVID-19 crisis, Global Joint Press Statement (May 6, 2020)

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# CHAPTER GOALS:

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**Provide guidance on how gender-responsive policing can adapt itself to public health crises and/or non-armed conflict humanitarian disasters.**

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## **Key Messages and Learning Points**

- Crises and emergencies exacerbate existing inequalities, resulting in an increase in the prevalence of VAWG, particularly interpersonal violence;
- During times of crises, existing response plans to VAWG need to be reviewed and reassessed to ensure that safety and protection is at the core of any decision-making, planning and delivery;
- Previously established partnerships between the police and local key stakeholders will play a key role in reducing the impact of overwhelming challenges in times of crises;
- Pre-planning before any crisis situation will help identify risks, mitigations and contingencies to existing coordinated responses;
- Police organizations with continued access to steady and reliable sources of information and intersectional data on “at risk” populations will be better positioned to respond to VAWG;
- Documented lessons learned by police should be feed into renewed data analysis that accounts for specific context and intersectional patterns of gender-based discrimination.



# INTRODUCTION

On 31 December 2019, the Chinese authorities informed the World Health Organisation (WHO) that a pneumonia of unknown cause was rapidly spreading throughout China, emanating specifically from Wuhan City, capital city of Hubei province.

Photo courtesy of UN Women/Ploy Phutpheng (Thailand)

Soon after the novel COVID-19<sup>1</sup> was identified (initially named “2019-nCoV”) by local experts, local authorities ordered the population into mandatory quarantine to try to control the outbreak of COVID-19 and prevent deaths, as well as the collapse of the health systems.

Neighbouring countries to China began reporting cases, which was replicated in other countries soon after, in different regions of the world. By 11 March 2020, the WHO had classified COVID-19 as a pandemic and informed Member States it was deeply concerned by both the alarming levels of spread and severity, and the alarming levels of inaction. Countries around the world started to implement similar mandatory quarantines, restricted movement and social distancing measures.

<sup>1</sup> Coronaviruses (CoV) are a large family of viruses that cause illness ranging from the common cold to more severe diseases. A novel coronavirus (nCoV) is a new strain that has not been previously identified in humans. See: Coronavirus disease (COVID-19) outbreak (2020), WHO Regional Office for Europe, at: <http://www.euro.who.int/en/health-topics/health-emergencies/coronavirus-covid-19/novel-coronavirus-2019-ncov>

By March 2020, nearly half the population of the world was in lockdown.

The UN, having experience in confronting similar infectious disease outbreaks such as Ebola<sup>2</sup> in West Africa, Zika in Latin America, and SARS in Asia, expressed concern at the impact COVID-19 response measures were having on vulnerable populations, such as those in conflict and/humanitarian regions and how they could affect the nature of violence subjected to women and girls.

The concern of the UN stemmed from documented evidence from the more recent Ebola and Zika outbreaks<sup>3</sup>,

<sup>2</sup> The Ebola virus disease (EVD) is a rare but severe, often fatal illness in humans. The virus is transmitted to people from wild animals and spreads in the human population through human-to-human transmission. The average EVD case fatality rate is around 50%. Case fatality rates have varied from 25% to 90% in past outbreaks. Ebola virus disease: Key Facts (WHO, 2020), at: <https://www.who.int/news-room/fact-sheets/detail/ebola-virus-disease>

<sup>3</sup> Inter-Agency Standing Committee (March 2020). Interim Guidance; Gender alert for COVID-19 outbreak, at: <https://interagencystandingcommittee.org/inter-agency-standing-committee/interim-guidance-gender-alert-covid-19-outbreak-developed-iasc>



which indicated that social-economic stress, civil strife and public health emergencies exacerbate existing inequalities. This in turn led to the increase in the prevalence of VAWG, particularly IPV and early pregnancies in young girls.<sup>4</sup>

In recognizing the impact of VAWG as severe in emergency settings and contexts with poorly functioning health systems, weak rule of law, and high levels of gender inequality, the Secretary General of the UN, Antonio Guterres, urged all governments to make the prevention and redress of VAWG a key part of their national response plans for COVID-19.<sup>5</sup>

In a similar manner, and in recognition of the global prevalence of VAWG, which is already very

4 CARE (March 2020). A policy paper on COVID-19's gender implications, at: <https://www.care.org/newsroom/press/press-releases/covid-19s-gender-implications-examined-in-policy-brief-care>

5 Secretary-General's video message on gender-based violence and COVID-19. United Nations April 5, 2020, at: <https://www.un.org/sg/en/content/sg/statement/2020-04-05/secretary-generals-video-message-gender-based-violence-and-covid-19-scroll-down-for-french>

high<sup>6</sup>, UN Women characterized the disproportionate negative impacts that women and girls are confronting as a result of the COVID-19 pandemic as a '**Shadow Pandemic**.'<sup>7</sup>

This Handbook refers to the definition of a pandemic<sup>8</sup> provided by the WHO (2010) which characterizes **a pandemic as the worldwide spread of a new disease which is identified by their geographic scale and reach (and when most people do not have immunity), rather than the severity of illness.**<sup>9</sup>

This chapter focuses on the impact of non-conflict humanitarian crises on VAWG, with specific attention given to the recent global pandemic of COVID-19 and the parallels with other infectious diseases outbreaks such as Ebola causing or exacerbating pre-existing regional crisis. Although the current COVID-19 public health crisis is very different from other recent outbreaks of infectious diseases, there are numerous common challenges facing police organizations and their essential service partners in the referral pathways for victims/survivors of VAWG. This chapter will discuss these common challenges brought about by such extraordinary circumstances with the aim of providing informed guidance for gender-responsive policing within these difficult times.

To help police organizations mitigate the risks of an ineffective response to VAWG during crisis, the following section will provide peer-to-peer guidance based on the Essential Service Package's (ESP) framework of principles and common characteristics for a coordinated victim/survivor-centered response.

6 According to UN statistics, 1 in 3 women globally have experienced physical or sexual violence at some point in their lives and almost six out of every ten women intentionally killed worldwide murdered by an intimate partner or other family member. See: UNODC's Global Study on Homicide: Gender-related killing of women and girls (UNODC, 2018), at: [https://www.unodc.org/documents/data-and-analysis/GSH2018/GSH18\\_Gender-related\\_killing\\_of\\_women\\_and\\_girls.pdf](https://www.unodc.org/documents/data-and-analysis/GSH2018/GSH18_Gender-related_killing_of_women_and_girls.pdf)

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8 Emergencies preparedness, response. What is a pandemic? (WHO, 24 February 2010), at: [https://www.who.int/csr/disease/swineflu/frequently\\_asked\\_questions/pandemic/en/](https://www.who.int/csr/disease/swineflu/frequently_asked_questions/pandemic/en/)

9 Ibid.



Figure 1

Essential Services Package: Overall Framework Diagram

Principles	A rights based approach	Advancing gender equality and women's empowerment	Culturally and age appropriate and sensitive
	Victim/survivor centred approach	Safety is paramount	Perpetrator accountability
Common characteristics	Availability	Accessibility	
	Adaptability	Appropriateness	
	Prioritize safety	Informed consent and confidentiality	
	Data collection and information management	Effective communication	
	Linking with other sectors and agencies through referral and coordination		

## PEER TO PEER GUIDANCE

During times of public health or humanitarian crises the way we respond to calls for service needs to be reviewed to ensure we can respond to the crisis but also continue to provide policing services to local communities, recognising that our ability to maintain 'business as usual' may be compromised. In relation to VAWG, our ability to respond to victims/survivors needs to remain as effective as possible so we can continue to provide them with safety and protection whilst at the same time recognising that we have a duty of care for our staff and the wider community.

The guidance provided within the chapters of this handbook are as relevant during times of crisis as during 'normality' whatever that looks like within the context that you work. Different aspects of the guidance may have a greater relevance during crises and you will no doubt need to prioritize your response to a whole range of challenges.

As a police leader, you will have responsibility and accountability for providing safety and protection to your local communities even in times of crisis, but you also have a duty of care to your police station/unit staff to ensure they can continue to provide effective services. It is very likely that crime types may change during a crisis, especially if restrictions on movement

are put in place as experienced with the COVID-19 pandemic. Whilst burglaries, street thefts and violent crime may reduce, experience tells us that VAWG, particularly domestic or intimate partner violence, increases so you need to be constantly reviewing your service delivery/operational plans accordingly.

Crisis usually bring with them unprecedented pressure on your resources which, in many cases, are stretched without the added challenges that a health or humanitarian crisis can bring. It is vital therefore that you can rely on the availability of your staff, mitigating the risks for them succumbing to any health issues for example, thereby reducing the resources you have available to you.



Photo courtesy of UN MONUSCO (DR Congo)



Photo courtesy of MINUSTAH/Logan Abassi (Haiti)

It is likely staff will be required to work long hours, often in very difficult circumstances reducing rest periods and time with their own families. So, even if they do not succumb to any infection or disease themselves the need for you to consider their mental health and well-being becomes even more important during a crisis. This is the time when visible leadership will make a real difference to your staff, helping to keep up their morale and empowering them by your appreciation. Saying a simple ‘thank you; costs nothing but means so much.

## Business Continuity, Contingency and Emergency Planning

As police officers, we are used to dealing with emergency situations that require direct tasking and implementing operational and emergency plans, but public health and humanitarian crises can continue for a considerable amount of time with severe impacts on daily lives, therefore sustainability of the police response becomes a real challenge.

As we have experienced during the COVID-19 pandemic, police organizations across the globe have had to identify new ways of working, some are fortunate to have access to new technologies to assist, whilst others may not. Whatever resources you have available to you, you need to utilize them effectively and you also need to demonstrate innovative leadership by identifying new ways of working.

We can always learn from hindsight but if you do not have existing emergency or contingency plans for your area of responsibility, to enable you to deal effectively with a crisis whilst still maintaining services, you need to be creating them. Even whilst you are in the middle of a crisis you can be carrying out de-briefs with staff, reflecting on your own actions and beginning to collate lessons learned so you can develop such plans in readiness for similar events, including subsequent waves of any diseases, for example.

**Figure 2** is the ‘Townsend Circles’, a tool that can be used for, decision-making, planning and operational delivery of responses to VAWG during times of crises. It is designed to be a cyclic process with safety and protection at its core. It can be utilized to review existing response plans to ensure they are ‘fit for purpose’ during times of crisis or to develop plans during a crisis. Preferably it should be used as a pre-planning tool to develop an emergency response to VAWG should a future crisis occur. It can also be used for dynamic decision-making by responding officers.

For more information and guidance on the use of the Townsend Circles for Gender-Responsive Planning and Delivery of Police Response to VAWG During a Public Health (Pandemic/Epidemic) or Humanitarian Crisis, **see Annex 1.**

If you do have existing plans, then you need to be constantly reviewing them during the crisis to ensure they are ‘fit for purpose’ making adjustments where necessary.

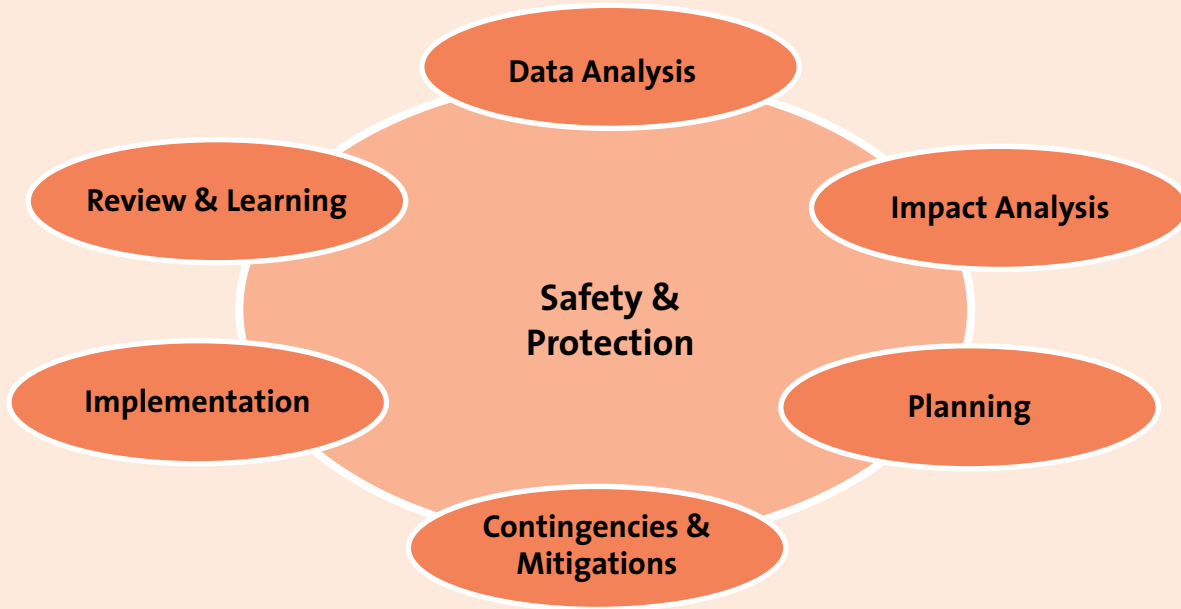
Whether you already have plans or are developing them you need to consider a number of key questions, these include:

- Where is the plan kept?
- Who needs to know and understand its contents and are they held accountable to learn its content?
- Are roles and responsibilities clearly defined within the plan along with accountability?
- What training is required on the plan?



Figure 2

**Townsley Circles for Gender Responsive Planning and Delivery of Police Response to VAWG During Times of Crises**



- How regularly is it tested?
- When was it last tested?
- How is it monitored, reviewed and updated?
- Have lessons learned been incorporated within it? (These can be from local, national or international sources)
- How are regular briefings and de-briefings built into the plan's implementation?

The above questions are just some examples of what you need to consider, contingency planning, the 'What if?' of all operational planning you should already be doing day to day whether for pre-planned or spontaneous incidents.

A business continuity plan is slightly different as it is designed to ensure you can maintain, as far as possible,

'business as usual', or certainly your core business functions in times of crisis. This is as relevant for responding to VAWG as for any other issue you are likely to be called on to respond to. You need to consider what you have in place for responding to victims/survivors of VAWG and how this can be maintained when your resources are stretched, access to facilities is limited and accessing complainants and witnesses is itself a risk due to possible infection. You need to maintain a victim/survivor-centered approach and a perpetrator-focused investigation (see Chapter 5: 'Investigation'). Thinking about such things when not in crisis and developing plans accordingly will be immensely helpful to you when you are required to make clear decisions in a stressful situation.

## **SAFETY AND PROTECTION**

Safety and protection (see chapter 6 'Safety and Protection') is a vital part of any police response to VAWG but is even more so during times of crises when it

must be central to all planning and decision-making. You and your staff need to consider all the risks involved for the victim/survivor and your staff themselves by carrying out a risk assessment based on the particular circumstances pertaining at the time. Your staff may well be frightened if they are at risk themselves so you need to reassure and encourage them, not attending is not an option as someone's life may depend on it so you will need to mitigate the risks to staff. One way is to equip them with appropriate PPE, which, may well be in short supply during times of crisis and re-enforces the need for contingency and emergency planning.

Merely issuing PPE does not in itself reduce risk if staff have not been briefed on its correct use, storage and disposal. It is also important to make sure the issued PPE is appropriately fitted for both male and female members and accessible without discrimination.

**“Like medical staff, police officers can’t telecommute, so they are also on the frontline. Our first responsibility is to stay healthy and safe, so we need to have, not only the equipment, but also the attitude to protect ourselves.**

**This is because, by protecting ourselves, we can protect others. We need to make sure that we aren’t contaminating others and that we are protecting the most vulnerable, alongside the host police force.”**

—Current UN Police Adviser and former UN Mission in the Central African Republic (MINUSCA) Police Commissioner, Commissioner Luis Carrilho

Box 1 provides an example of operational guidance by the National Police Chiefs Council (NPCC) and the College of Policing on the use of PPE.

#### Box 1

#### Personal Protective Equipment (PPE) operational guidance UK



During the COVID-19 response, police services across the UK were provided with operational guidance by the National Police Chiefs Council (NPCC) and the College of Policing on the use of PPE. The guidance also included operational scenarios to help staff to understand the correct use of PPE. Some examples adapted from the guidance are given below. This guidance could be replicated or adapted for other public health emergencies.

- All officers should have a minimum of fluid resistant surgical mask and gloves (non-latex) readily available and certainly where officers are deployed on double-crewed patrols or in personnel carriers. PPE should be readily available on the officer's person to enable it to be put on quickly where necessary.
- Call takers and dispatchers need to establish if suspected or confirmed cases of COVID-19 to enable responding officers to be pre-warned so they can don the appropriate PPE.
- When entering premises, officers need to be aware that some occupants may not know they are infected so need to continually conduct dynamic risk assessments.
- Where social distancing is not possible and therefore 'close contact' with the public is likely, then officers should wear fluid resistant surgical mask and gloves (non-latex), if the person is symptomatic then the use of goggles and apron needs to be part of the risk assessment.

Source: [Personal Protective Equipment \(PPE\) operational guidance](#) (April 8, 2020). College of Policing, UK.



Photo courtesy of the Nigeria Police Force Relations Department

## PREVENTION

During challenging times when police resources are already stretched dealing with a crisis, community engagement is even more important to protect your local community from the impacts of the crisis but also in maintaining other policing priorities. Educating and raising awareness of the community on what they need to do to protect themselves from the impacts of the crisis also provides an opportunity to raise their awareness of VAWG, what to look for and how to support victims/survivors and facilitate reporting. You will rely heavily on the community being your ‘eyes and ears’ on the ground, particularly during times of social distancing or restrictions on movement.

Ensure when briefing your staff on their duties in relation to the crisis that they understand the additional vulnerabilities to VAWG that can arise such as a lack of basic food and other survival needs which can lead to exploitation and increased stress. Remind your staff they have personal responsibility and accountability to ‘do no harm’, provide a duty of care to the public and

their colleagues and to look out for and recognise signs of violence or abuse, which are not always obvious (see Chapter 5: ‘Investigation’).

Your engagement with the community during the crisis can either build or destroy their trust and confidence in the police service you and your staff provide. If your officers abuse their authority in enforcing any government-imposed restrictions, for example, this will have far reaching implications for community relations long after the crisis is ended, making your job so much harder in the future. Alternatively, by engaging with the community in an educational and awareness-raising capacity, using persuasion rather than disproportionate enforcement methods, will improve trust and confidence allowing you to reap the benefits once the immediate crisis is over.

Engaging with certain sectors of the community can help protect victims/survivors from on-going violence or abuse, (see Box 8 on police civil partnerships for specific examples). For example, pharmacies may be able to provide their consulting rooms as safe places for



Photo courtesy of the Nigeria Police Force Relations Department

victims/survivors to report violence or abuse, grocery shop staff could be educated on what to look out for to identify victims/survivors amongst their customers and, as important, how to provide appropriate support which could simply be to make contact on their behalf to the police or other service providers.

In Australia, during the COVID-19 pandemic, police were pro-active in identifying vulnerable women, particularly those who had previously reported violence or abuse, and made regular visits to check on their safety. This needs to be managed carefully to avoid creating additional risk for such women.

Ensure it is made absolutely clear to your staff that they need to deal promptly and effectively with VAWG not because of, but despite the current crisis – effectiveness of response needs to be sustained through and beyond the immediate crisis situation.

**See Chapter 3 for more information on prevention of VAWG.**

## INITIAL CONTACT

To maintain social distancing, you may need to consider alternatives to ‘close contact’ by thinking of new ways for victims/survivors to report or seek protection from violence or abuse, particularly if they are isolated due

to movement restrictions that may have been imposed. Promote the use of helplines, and if they are run by the police, consider increasing staffing levels to receive and deal with calls.

Develop or strengthen agreements with other agencies/ service providers, the informal justice sector, community groups and the wider community such as neighbours, friends, shop keepers, etc. to facilitate reporting opportunities for victims/survivors. Staff deployed to testing and tracing roles of any infectious diseases can provide a key link between victims/survivors and their access to justice and support, providing they are appropriately briefed. Your number one priority must be the safety and protection of the victim/survivor and any family dependents.

Ensure your staff are fully briefed on the signs of violence or abuse and to be alert for them while dealing with the public on other non-VAWG related matters.

**See Chapter 4 for more information on Initial Contact (access to justice)**

## INVESTIGATION

Consider alternative evidence collection methods which can help maintain social distancing such as on-line technology solutions, where you have access to them. The use of body cameras by which a victim’s/survivor’s report can be recorded, together with evidence of the scene and any injuries can reduce the need for close contact. Remember that privacy and confidentiality of the victim/survivor still needs to be maintained so consider the environment, even when using technological solutions. When you do not have access to such resources, then risks need to be mitigated as far as possible relying on PPE and any social distancing measures that can be adhered to.

It would be useful to consider in advance where your staff could speak with a victim/survivor that provides a ‘safe space’ in terms of being victim/survivor-friendly, providing privacy and yet enabling them and the investigating officer to mitigate any health risks to each other.



Be mindful of the impact of trauma, avoiding as far as possible adding to it as a result of additional measures taken as a result of the crisis you find yourself in.

If a victim/survivor or perpetrator has to be transported in a police vehicle, then consider disinfecting the vehicle afterwards but not before any forensic or other potential evidence has been collected from it. It is good practice to thoroughly clean all police vehicles at the start and end of each shift or on the change over of vehicle users during a public health crisis, depending on the risk of that particular crisis.

**See Chapter 5 for more information on investigating VAWG**

## SUPPORT AND ASSISTANCE

Collaborative working is essential during times of crisis so you need to consider how any of your existing partnerships can continue to function safely, or certainly mitigate as many risks as possible. Due to social distancing, movement restrictions and any quarantine measures you will need to explore other ways to contact victims/survivors and facilitate less formal reporting mechanisms for them, most likely through other agencies and service providers etc. **See the Case Study towards the end of this chapter.**

Collaboration with new partners will require raising their awareness of the signs of abuse and what they need to do to protect victims/survivors, even raising their level of awareness on what not to do to prevent contamination, destruction or loss of evidence will support the victim/survivor in the longer term.

Establish at an early stage, preferably during any contingency or emergency planning process, what other resources or service provision may be available to victims/survivors when your ability to support and assist them may be compromised due to a crisis. For example, you should assume any shelters or refuges are likely to be at capacity so what might you be able to identify, in collaboration with others, that could provide safe places for victims/survivors. Thinking about and planning for

such instances will relieve the pressure on you when you are in the middle of a crisis situation whilst also providing safety and protection to those in need.

**See Chapter 7 for more information on Support and Assistance.**

## COORDINATION AMONG JUSTICE AGENCIES

You should review, and where appropriate, amend any memorandums of understanding (MOUs) or agreements on working practices you may have with other justice agencies who, like you, will be facing challenges imposed by the crisis. How can you continue to work together to provide effective and accessible justice services?

If you do not have any pre-existing agreements, you might need to consider creating emergency local working practices or as a minimum raise the issue up through your chain of command to be considered at a strategic level.

The ultimate aim for you and the other justice agencies should still be gaining justice for victims/survivors, so you should discuss and agree priorities to get you through the immediate crisis and how you will adjust back to normality, even if that is a new normality once the worst of the crisis is over.

**See Chapter 8 for more information of coordinating with justice agencies.**

## COMMUNICATIONS

Clear, concise and consistent messaging is crucial at all times, but it becomes **critical** during times of crisis. Keeping everyone informed is vital to ensure compliance with any instructions, restrictions or safety advice, it can also influence the trust of local communities in the authorities' ability to deal with the crisis. Providing accurate and relevant information can improve accountability and sustainability.

Messaging needs to be consistent across all sectors and when communicating about the crisis it provides an opportunity to provide information on VAWG, raising awareness of the increased risks and making it clear that it will not be tolerated, even whilst dealing with the crisis itself. It also provides an opportunity to directly appeal to members of all communities for their help in protecting the vulnerable.

Visuals are an excellent way to get important messages across together with slogans, for example, in the UK during the COVID-19 pandemic #YouAreNotAlone was directed at victims/survivors of domestic abuse and IPV, particularly during restrictions imposed on movement, whilst #NoExcuseForAbuse targeted perpetrators. Kosovo police and their partners (see Case Study) used slogans to good effect too, “Together against domestic violence” and “Family is not an important thing – it’s EVERYTHING.”

Share information on what help is available for victims/survivors and how to access it as widely as possible and by various means, be careful of any direct messaging door to door as it could alert the perpetrator. However, visiting those who have been identified as vulnerable, or have been previous victims of violence or abuse and are now reunited or stayed with the perpetrator can send a strong message that the crisis is not distracting your safety and protection responsibilities, potentially preventing the perpetrator from committing further abuse. This tactic must be handled very carefully so as not to put the vulnerable person at additional risk, in line with the ‘do no harm’ principle.

Messaging not only needs to be consistent, but it also needs to be sustained throughout the crisis and beyond, do not allow your staff to take their ‘eye off the ball’ when the immediate crisis is over. We know from experience that violence and abuse does not stop just because the situation may have changed (see section on conflict related VAWG in Chapter 13).

**See Chapter 9 for more information on Communication.**

Policing during times of crises can bring additional challenges for us, some of which we may not have encountered before.



Photo courtesy of UN Women/Louie Pacardo (Philippines)

- How will you find a balance between ensuring compliance with any government advice, instructions or restrictions and continuing to develop and/or maintain trust and confidence of the local community?
- How will you hold your staff to account for any alleged abuses of authority?
- Have you made sure all your staff are aware of the potential long-term impacts on any authority abuses?
- How will you ensure the public can still access complaints mechanisms, particularly during any movement instructions that may have been imposed?
- Have you made all your staff aware of your expectations and standards of service required together with their individual responsibility to uphold human rights and to represent you and your police organization with professionalism and integrity?

Don't wait for a crisis to become a reality before you consider and plan your response, your success will depend on it.

## PANDEMICS (COVID-19)

Data gathered by the UN system from the first quarter of 2020 provides concrete evidence that the impact of COVID-19 pandemic has multidimensional implications on the prevalence of VAWG. The short-term implications



are linked to immediate and mandatory quarantine measures on the population introduced as a means to control the deadly spread of COVID-19 and minimize the impact on the emergency health services. These measures have led to higher levels of stress on the interpersonal relationships within families and households which have developed into intensified acts of VAWG.

For families with members with disabilities mandatory quarantine measures can lead to added stress as a result of a temporary loss of an external care giver or services or because they can no longer afford to pay for extra help due to the economic impact brought by COVID-19.

Victims/survivors of VAWG find themselves isolated from people and resources that help them and/or have prevented violence from occurring or reoccurring. For example, in March 2020, UN Women have documented increased reporting of domestic violence since their respective lockdown orders were communicated in France (30%), Argentina (25%), Cyprus (30%) and Singapore (33%).<sup>10</sup> Moreover, countries such as Canada, Germany, Spain, the UK and the U.S. have reported an increase in cases of domestic violence as well as demands for emergency shelters.<sup>11</sup>

Inversely, lockdown measures and restrictions on movement can also impact the ability of victims/survivors of VAWG to report cases or to temporarily escape abusive partners. For example, a domestic violence helpline in Italy reported it received 55% fewer calls in the first two weeks in March because many victims/survivors found it difficult to ask for help during the lockdown.<sup>12</sup> Abusers are able to control and isolate their victims much easier in some cases. Such scenarios provide an inaccurate picture of the actual prevalence of VAWG during the COVID-19 response measures which may influence how the police and other essential service providers manage crisis priorities and allocate resources.

10 COVID-19 and Ending Violence Against Women and Girls. UN Women Issue Brief April 2020, at: <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/issue-brief-covid-19-and-ending-violence-against-women-and-girls-en.pdf?la=en&vs=5006>

11 Ibid.

12 Ibid.

## Similarities Between Public Health Crisis and Their Immediate Impact on Policing

Based on mounting evidence from the current COVID-19 experience, combined with information from past and on-going humanitarian crises such as armed conflict, natural disasters, and/or public health crisis (such as the outbreak of Ebola), spikes in crime and violence are especially true for VAWG.<sup>13</sup> For example, Peterman, A. et al (2020) documented that two years after the 2010 Haiti earthquake, women who lived in areas with higher earthquake devastation had reported higher levels of physical and sexual IPV, citing probable economic and social factors.<sup>14</sup>

**“Past epidemics have been accompanied by increases in gender-based violence (GBV), suggesting that similar patterns could occur now. According to a Center for Global Development (CGD) Working Paper, outbreaks of Ebola (in West Africa and DRC), Cholera (in Yemen), and Zika (in the Caribbean, Central and South America) correlated with increased IPV and sexual violence against first responders and healthcare workers, particularly women nurses.”**

—Justice for Women Amidst COVID-19 (UN Women Issue Brief, 2020).

measures and extraordinary restrictions on public movement are required including at national or regional borders, it is more often the case that the role of the police during such circumstances is not well defined and/or established in existing SOPs. This makes

13 See Weitzman, A., and J.A. Behrman (2016): ‘Disaster, Disruption to Family Life and Intimate Partner Violence: The Case of the 2010 Earthquake in Haiti’. *Sociological Science*, 3: 167-189 in *Pandemics and Violence Against Women and Children* (2020). Peterman, A., Potts, A., O’Donnell, M., Thompson, K., Shah, N., Oertelt-Prigione, S., and van Gelder, N., Center for Global Development, at: <https://www.cgdev.org/publication/pandemics-and-violence-against-women-and-children>

14 COVID-19 and Ending Violence Against Women and Girls. (UN Women Issue Brief,) April 2020, at: <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/issue-brief-covid-19-and-ending-violence-against-women-and-girls-en.pdf?la=en&vs=5006>

it difficult to train and prepare in anticipation, meaning some police organizations in times of crisis may not be prepared to effectively respond to an increase in the risk of VAWG. Moreover, impacting on their ability to ensure that assistance and forms of participation do not discriminate on the basis of intersecting factors such as ethnicity and disability.

Combined with other emerging crime trends, the police and justice sector actors may become overwhelmed when responding to public unrest and other crime particularly those resulting from the economic and social consequences of crisis. The stretched capacity of response services is likely to weaken protection and support available for victims/survivors of VAWG and other forms of crime and violence, contributing to a heightened perception of impunity among perpetrators.<sup>15</sup>

In the case of a public health crisis resulting from the outbreak of an infectious disease, when the police and other essential service providers do respond to VAWG, they have to factor in social distancing recommendations. This will challenge the police and other essential service providers to respond effectively to reported acts of VAWG (see Peer to Peer Guidance for a detailed information). For example, responding police will be naturally cautious to enter homes which have reported IPV for concern of contracting an infectious disease or virus.

Responding officers may even circumvent protocols including mandatory (alleged victim) risk assessments or not responding at all in order to minimise any or further interpersonal contact. This may be the likely case where the police organization is not able to provide frontline officers with appropriate forms of personal protective equipment or PPE.

According to UNDP (2015), police officers became less likely to assess cases of IPV as high-priority for arrest and detainment during the Ebola outbreak in Western Africa, especially as police officers were hesitant to enter homes and conduct thorough investigations out

<sup>15</sup> Gender Dimensions of the COVID-19 Pandemic (World Bank Group, 2020), at: <http://documents.worldbank.org/curated/en/618731587147227244/Gender-Dimensions-of-the-COVID-19-Pandemic>



Photo courtesy of UNMEER/Samuel Shilajiru (Liberia)

of risk of disease exposure and spreading contagion to family members.<sup>16</sup>

Penitentiary, correctional centres and detention facilities will all become zones of high concern for authorities, given their overcrowding and poor health of inmates in many countries. This may result in lower conviction rates as a means to not increase the inmate population size.

In some cases, VAWG perpetrators may even be released as part of emergency crisis measures which, in the end, place women and children at greater risk of violence. In such cases, UNODC urges States to assess and address the safety risks of victims/survivors in decisions concerning release and other non-custodial measures, such as the granting of bail, conditional release, parole or probation, especially when dealing with repeat and dangerous offenders as well as ensure the right of victims to be informed of the aggressor's release from detention or imprisonment.<sup>17</sup>

<sup>16</sup> Pandemics and Violence Against Women and Children (2020). Peterman, A., Potts, A., O'Donnell, M., Thompson, K., Shah, N., Oertelt-Prigione, S., and van Gelder, N., Center for Global Development, at: <https://www.cgdev.org/publication/pandemics-and-violence-against-women-and-children>

<sup>17</sup> Coronavirus Disease (COVID-19) response – UNODC Thematic Brief on gender-based violence against women and girls (UNODC, 2020), at: [https://www.unodc.org/documents/Advocacy-Security/GBVAW\\_and\\_UNODC\\_in\\_COVID19\\_final\\_7Apr2020.pdf](https://www.unodc.org/documents/Advocacy-Security/GBVAW_and_UNODC_in_COVID19_final_7Apr2020.pdf)

In this regard, parole officers may be required to prioritize social distancing and communicate via voice or video call, which may limit their ability to fully assess chances of recidivism, including those that may put victims/survivors at increased risk.<sup>18</sup>

Moreover, the closure of schools which can be sources of routine detection and referrals for potential child abuse and maltreatment, will limit the police ability to count on educational and community networks to respond to VAWG. In West Africa, the closure of schools for the Ebola outbreak exposed girls to sexual exploitation and violence and led to a 'sharp increase' in teenage pregnancies and early marriages in some affected areas, due to girls' increased school drop-out rates.<sup>19</sup>

Similarly, the financial impact of health or humanitarian crises will also affect the capacity of local women's organizations, often key partners for the police VAWG prevention strategies, to provide services to victims/survivors over the long-term. Local women's organizations play key roles in identifying rapid changes in gender norms which may drive various forms of VAWG, such as increased forced and/or child marriage and rates of IPV including marital rape in crisis settings.<sup>20</sup>

**“For the first time, IDMC has estimated the number of people who remain internally displaced as a result of disasters across 95 countries: 5.1 million as of 31 December 2019.”**

-Internal Displacement Monitoring Centre (2020)

Gender analysis is a critical examination of how differences in gender roles, activities, needs, opportunities and rights/entitlements affect men, women, girls and boys in certain situation or contexts.



In the case of early or force marriage, evidence from emergency and humanitarian context, indicates that as social networks are broken down, families' and communities' may demonstrate a heightened desire to control girls' sexuality and protect their "honour." As a result, marriage is often seen to protect girls and their families from the social stigma that can result from surviving rape or sexual assault.<sup>21</sup>

In humanitarian crises resulting from armed conflict, refugee/displacement camps and humanitarian assistance zones are often difficult areas for policing, particularly when implementing crime prevention strategies that require partnerships with communities and trust building. In such settings, strong evidence indicates that rates of VAWG increase the longer family members are in close proximity under conditions of duress.<sup>22</sup>

Combined with a public health crisis stemming from an outbreak of an infectious disease and its associated economic hardships, the risk of violence facing women and girls living in already precarious situations should become a priority for the police and other essential service providers. This will require the police (and other essential service providers) to quickly adapt intervention strategies to ensure an effective response with protocols adhered to without discrimination while at the same time providing personal safety measures for responding officers.

Adapting intervention strategies also means adapting accountably and transparency measures. Applying a

18 Pandemics and Violence Against Women and Children (2020). Peterman, A., Potts, A., O'Donnell, M., Thompson, K., Shah, N., Oertelt-Prigione, S., and van Gelder, N., Center for Global Development, at: <https://www.cgdev.org/publication/pandemics-and-violence-against-women-and-children>

19 Impact of COVID-19 Pandemic on Violence against Women and Girls (2020), Fraser, E. (2020) for UKAid, WAG Helpdesk Research Report, at: <https://www.dmeformpeace.org/peace-change/wp-content/uploads/2020/04/vawg-helpdesk-284-covid-19-and-vawg.pdf>

20 On the Front Lines of COVID-19, Women's Organizations Provide Vital Services as First Responders as Violence against Women Spikes (UN Women, 2020), at: <https://www.unwomen.org/en/news/stories/2020/5/feature-womens-organizations-provide-vital-services-as-violence-against-women-spikes>

21 COVID-19 and Child, Early and Forced Marriage: An Agenda for Action (Girls Not Brides, The Global Partnership to End Child Marriage 2020), at [https://www.girlsnotbrides.org/wp-content/uploads/2020/04/COVID-19-and-child-early-and-forced-marriage\\_FINAL-4.pdf](https://www.girlsnotbrides.org/wp-content/uploads/2020/04/COVID-19-and-child-early-and-forced-marriage_FINAL-4.pdf)

22 Pandemics and Violence Against Women and Children (2020), Peterman, A., Potts, A., O'Donnell, M., Thompson, K., Shah, N., Oertelt-Prigione, S., and van Gelder, N., Center for Global Development, at: <https://www.cgdev.org/publication/pandemics-and-violence-against-women-and-children>

**gender analysis** into the development and planning of new intervention strategies will be of critical importance for considering the differential impact they can have on women, men, boys and girls. Linked to this, reporting mechanisms for police misconduct and misuse of force should also adjust to ensure they continue to be accessible and available to the population without discrimination during the enforcement of public health crisis and/or humanitarian crisis government measures.

The experience of the COVID-19 pandemic has made evident the common vulnerabilities shared by all, regardless of residence, against a global public health crisis. Peterman, A. et al (2020) provide that experts predict that zoonotic diseases<sup>23</sup> and outbreaks will continue to surface as a result of the increasing rate of growth and interconnectedness of the global population and the resulting consumption and infringement on the environment.<sup>24</sup> Peterman, A. et al add that based on past experiences, infectious disease outbreaks such as COVID-19, Ebola or Zika lead to an increase in stigma, xenophobia, and discrimination. These factors will undoubtedly reduce and/or significantly undermine VAWG prevention and intervention efforts (see Chapter 2: 'Prevention' for guidance).

Anecdotal information suggests women have not been able to safely access support – call police or access specialist support due to self-isolation from an infectious outbreak with the perpetrator(s). In fact, Peterman, A. et al report that women are generally less likely to seek services for maternal and newborn health services for fear of infection and the potential for transmitting the virus to their families.<sup>25</sup>

23 Nearly 75 percent of emerging diseases, including those driving most pandemics, originate in animals and are transmitted to humans (referred to as zoonotic diseases). See Jones, K.E., Patel, N., Levy, M., Storeygard, A., Balk, D., Gittleman, J.L. et al. (2008). Global trends in emerging infectious diseases. *Nature* 451: 990-94.

24 Pandemics and Violence Against Women and Children (2020), Peterman, A., Potts, A., O'Donnell, M., Thompson, K., Shah, N., Oertelt-Prigione, S., and van Gelder, N., Center for Global Development. At: <https://www.cgdev.org/publication/pandemics-and-violence-against-women-and-children>

25 Pandemics and Violence Against Women and Children (2020). Peterman, A., Potts, A., O'Donnell, M., Thompson, K., Shah, N., Oertelt-Prigione, S., and van Gelder, N., Center for Global Development, at: <https://www.cgdev.org/publication/pandemics-and-violence-against-women-and-children>

Similarly, women may not report their abusive intimate partners for fear that any form of detainment will enhance risk of infection for him, her and their children.

## RELEVANCE OF THE UN WOMEN POLICE HANDBOOK AND THE ESP

The Handbook encourages police organizations to begin their transformation towards a gender-responsive essential service provider by establishing a **well-informed<sup>26</sup> understanding of how the nature of VAWG, its causes and consequences impact women and girls differently and disproportionately** throughout the organization.

**See Chapter 10: 'Institution Building for An Effective and Accountable Response to VAWG' and Chapter 11 'Challenges and Strategies to Implementing Gender-Responsive Policing' for guidance on establishing a common understanding.**



Photo courtesy of UN Women/Louie Pacardo (Philippines)

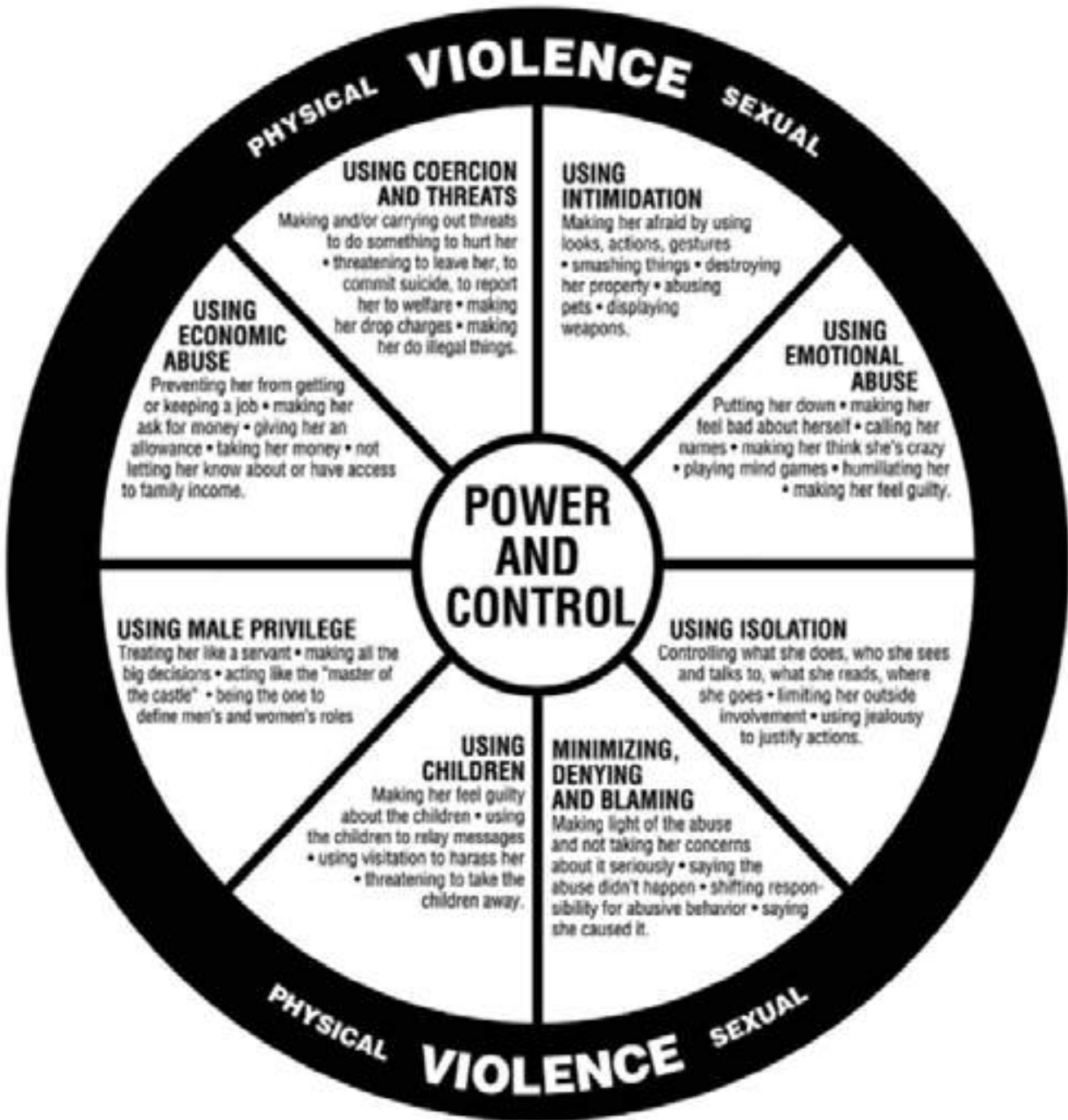
Establishing a common understanding of VAWG within a police organization will position it to respond to such violence and crime more effectively even during crisis. On the contrary, a lack of such an understanding typically limits the ability of responding officers to understand

26 For the purposes of the Handbook, well informed means it is contextually relevant and with regular input consisting of qualitative and quantitative data provided by police experts and external stakeholders, such as essential service providers and/or civil society organizations.



Figure 3a

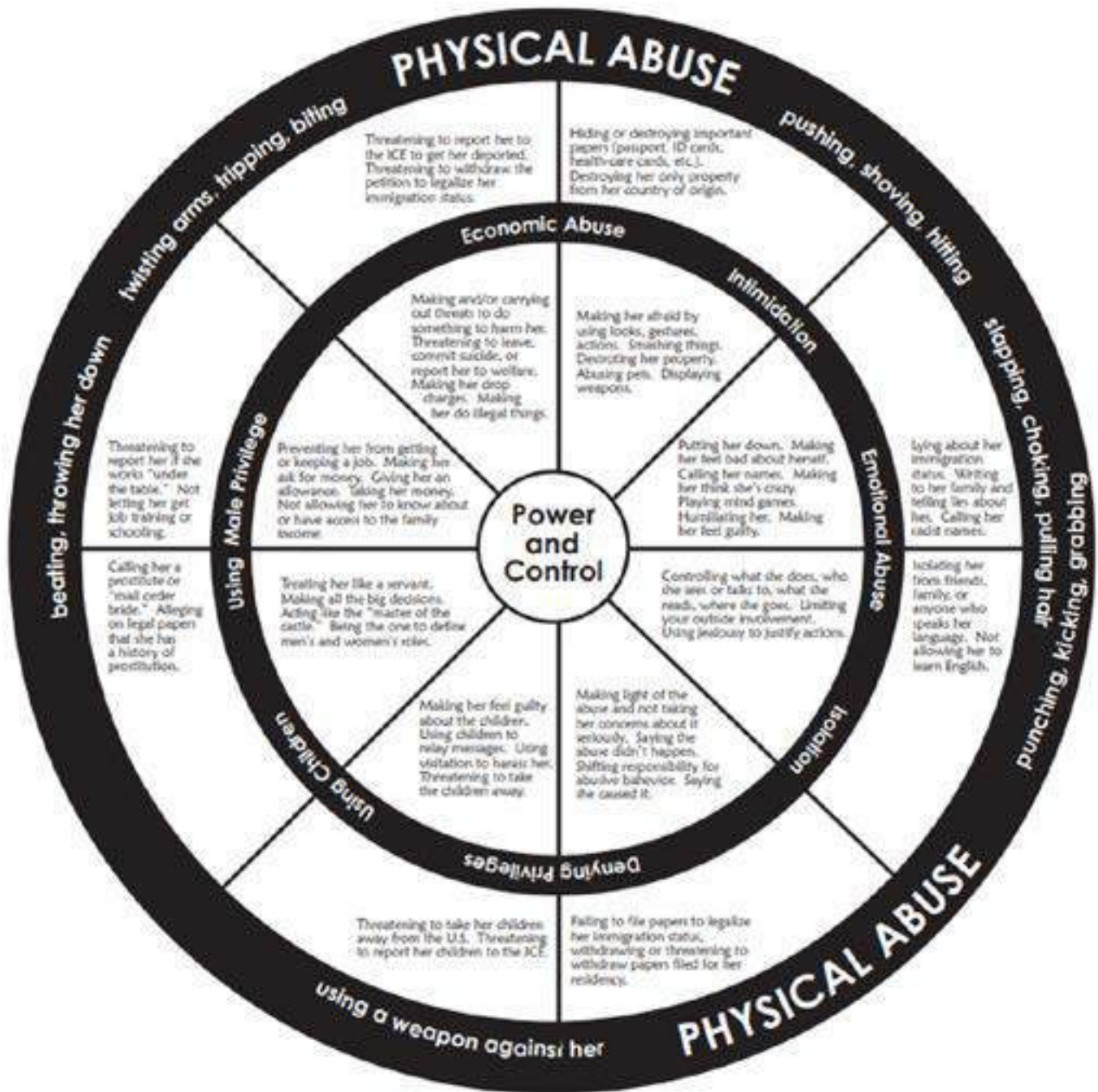
Original Power and Control Wheel



Source: [Wheels](#) Adapted from the Power and Control Wheel Model. The National Center on Domestic and Sexual Violence.

Figure 3b

Adapted Immigrant Power and Control Wheel



Source: [Wheels](#) Adapted from the Power and Control Wheel Model. The National Center on Domestic and Sexual Violence.



the magnitude of the problem during crisis and falling into the trap of not viewing VAWG responses as lifesaving. During humanitarian and public health crises, the negative impact of this limitation is multiplied.

In the case of the social isolation and quarantine measures adopted by governments in response to a pandemic/epidemic, such as COVID-19 or Ebola for example, well-established practitioner tools such as the *Power and Control Wheel*<sup>27</sup> can be adapted to help the police and their essential service partners to analyse the new dynamics of violence impacting women and girls. The Power and Control Wheel allows essential service experts including the police, to understand the tactics perpetrators use to gain power and control over their victims/survivors.

This tool is adaptable and has already been transformed into numerous ‘wheels’ to better understand different situations of vulnerability for women and girls.<sup>28</sup> For example, the tool has been adapted to understand the how perpetrators of violence against immigrant women and girls operate (see Figure 3a and 3b) and people with disabilities and their caregivers.<sup>29</sup>

By actively adapting tools such as the Power and Control Wheel to their local context as it experiences humanitarian/public health crises, the police will be better able to identify emerging patterns of VAWG linked to triggers such as increased economic insecurity, sudden or extended unemployment among women and men, and negative coping strategies stemming from quarantine measures (for example).

Having adapted its common understanding of VAWG to the new context brought about by the crisis, a police organization will be better positioned to implement an effective and proportionate response to risks and needs. Box 2 provides some examples of police proactivity to respond to VAWG during COVID-19 mandatory quarantine measures.

27 Originally developed by Domestic Abuse Intervention Programs in Duluth, MN (U.S.) but currently used by essential service providers globally. See Chapter 11: ‘Challenges and Strategies to Implementing Gender-Responsive Policing’ in this Handbook for more information.

28 See ‘Wheels’ Adapted from the Power and Control Wheel Model. The National Center on Domestic and Sexual Violence, at: [http://209.198.129.131/publications\\_wheel.html](http://209.198.129.131/publications_wheel.html)

29 See “Power and Control Wheel: People with Disabilities and their Caregivers” Adapted from the Power and Control Wheel Model. The National Center on Domestic and Sexual Violence. <http://www.ncdsv.org/images/DisabledCaregiverPCwheel.pdf>

## Box 2

### Proactive Action by the Police During ‘Lockdowns’

**Europe Ireland’s** National Police and Security Service or An Garda Síochána has increased efforts through their [Operation Faoiseamh](#) to reassure victims/survivors that “domestic abuse incidents, including coercive control, will continue to receive highest priority response for service”. Operation Faoiseamh, a community engagement response to COVID-19, was launched on the 1 April 2020. The aim of the Operation is to prevent loss of life and to ensure that victims/survivors of domestic abuse are supported and protected during mandatory quarantine measures. Local victim support organizations and charities welcomed the initiative especially the continued accessibility and availability to police Victim Services Office nationwide to facilitate phone contact with previous victims/survivors of domestic violence to ascertain any existing issues of concern.

In **France**, the Lille Gendarmerie Company has reopened all the cases of domestic violence in the past few months (including those that have been dealt with by the criminal justice system). Dedicated police units contact people by telephone as a means to reach out to victims/survivors of VAWG who feel unable to call for help. In case of doubt such as hesitation on the phone or lack of response to questions, a police team goes to the victim/survivor’s home. If responding officers find evidence of physical violence during the visit, the case is dealt with very quickly.

In **Belgium**, some local police, through their victim assistance service, proactively contact victims/survivors who have filed a complaint at the police station over the past three months concerning acts of domestic violence. This allows local police to monitor the evolution of their situation during quarantine measures can be monitored. At the same time police are actively reaching out to various associations involved in domestic violence to inform them of their business continuity plans.

## DATA AND IMPACT ANALYSIS FOR AN EFFECTIVE AND PRO-PORTIONATE RESPONSE TO VAWG:

The police and other essential service providers should prepare and adapt their strategies for responding to VAWG in recognition of the harmful impacts quarantine and social isolation measures such as the stay-at-home orders or 'lockdown' can have with special consideration for highly vulnerable groups such as children and persons with disabilities.

Special considerations for highly vulnerable groups women and girls should factor that women and girls are not a homogeneous group and that, as such, they cannot be grouped all together when it comes to preventing or addressing violence. This equally applies for women and girls with disabilities or members of the LGBTQI community. These are important aspects the police need to keep in mind both when they interact directly with women and girls from minoritized communities such those with disabilities or the LGBTQI community, and with their representative advocacy organizations.

**“It is important to recognize that children who witness abuse are themselves victims of violence.”**

—Coronavirus Disease (COVID-19) response – UNODC Thematic Brief on gender-based violence against women and girls (2020). UNODC.

These strategies need to ensure the core of any interventions are based on well-informed, gender responsive, inclusive, and intersectional approaches. The meaningful participation of advocates representing the rights and needs of women and girls of diverse backgrounds and physical/mental abilities to inform the security sector agenda from which strategies are built will play a determining role.

This starts with recognizing VAWG responses as life-saving with prevention efforts prioritised within public health crisis responses from the outset so that safe spaces exist for all women and girls, without discrimination. Thus, it is critical for police organizations to have

access to steady and reliable sources of information and data on which populations are most at risk for increases in violence and how existing vulnerabilities among women and girls are affected along enhanced economic or social inequalities (including sex, age, ethnicity/race, disability, economic status, among others) brought about by the crisis.

The following is a list of considerations to be included in impact analysis when contextualising prevention efforts and services into VAWG response plans for the outbreak of infectious diseases and humanitarian crises:

**Meaningful participation** requires that individuals are entitled to participate in the decisions that directly affect them, including in the design, implementation, and monitoring of interventions (WHO, 2019).



## Enhanced External Communication Available in Different Accessible Formats

- As governments will aim to inform communities of public health safety measures and build awareness of the crisis situation, different modalities will be used to ensure the maximum reach. This could range from cyber campaigns (where appropriate)<sup>30</sup>, radio and TV transmission, printed outreach materials<sup>31</sup>, billboard signing or loudspeaker announcements in public spaces. Police organizations can partner with these government communications efforts to increase the visibility of VAWG. Specifically, the police can work to ensure that messages are collectively framed with a clear understanding that VAWG is not a new phenom-

<sup>30</sup> Moving to online support brings challenges, not least addressing the large global digital technological divide. Gender-based digital exclusion has many causes. Hurdles to access, affordability, (lack of) education and skills and technological literacy, and inherent gender biases and socio-cultural norms, are at the root of gender-based digital exclusion. Enhanced, safer and more affordable access to digital tools is critical, as are policy interventions addressing long-term structural biases. See: <http://www.oecd.org/internet/bridging-the-digital-gender-divide.pdf>

<sup>31</sup> Printed materials should take a range of formats, including Braille, and use simple language and pictures where possible.

### Box 3

#### UNICEF: Not just hotlines and mobile phones: GBV Service provision during COVID-19



While mobile phone ownership and access has increased globally, particularly in low income settings, women are still less likely than men to own a phone. It is estimated that there are 443 million “unconnected” adult women in the world.

UNICEF sets out a number of alternative entry points for providing victims/survivors with non-phone, low or no tech options to alert trustworthy stakeholders of their need for gender-based violence (GBV) services given the restrictions on movement as a result of COVID-19. They include, but not limited to:

- **Adapting existing physical safe spaces for women and girls into GBV phone booth stations.** Such stations can act as safe spaces as long as they are equipped with a series of simply constructed private, phone booths/ stalls where victims/survivors can call essential service providers, including police, who are on standby at set times and receive support. They can be located in areas of congregation such as markets and shops;
- **Creating entry points and systems that victims/survivors can access or can signal a need for support by activating an ‘alert chain’.** These can include ‘pop-up’ helpdesks in permitted areas or open services - e.g. pharmacies, grocery shops/food markets/food distribution points/ water pump stations etc. where survivors can alert outreach police and their essential service providers for support;
- **Promoting low tech signal alerts.** Particularly useful in humanitarian/low income settings where an alert object (e.g. a coloured cloth to be worn) could be included in dignity kits that women and girls receive if distributions are continuing. Low tech alerts can also include code words, whistles/alarms, placing innocuous objects outside the home e.g. a certain coloured cloth/bucket etc. which can alert local police, women’s organisations/key community members for support.

#### Important considerations applicable to police when operating in contexts with low or no tech options:

- Careful screening, selection, training of responding police officers/other key workers managing the service, including on any changes to the functioning of the GBV referral pathway to ensure effective coordination with expert providers such as those in emergency shelter provision/counselling;
- Victims/survivors must not be compelled to make a criminal complaint against their abuser as a conditionality for continued support if service is paired with police or official security services;
- Careful planning of the placement and dissemination/promotion of services that balance reaching the largest number of survivors, against risk of perpetrators being able to use knowledge of the system to further hinder the victims’/survivor’s access to it. An example may be to promote the system to women and girls when doing female only distributions of items such as food or dignity kits;
- Strong data protection and privacy policy and processes;
- Coordination with ‘Community circles’ of trusted community members known to the victims/survivors ‘or link officials’ if using the low-tech silent alarm system of placing alert objects outside the home etc. During confinement these may be members and officials permitted to move relatively freely in order to notice the alert and make referrals for support.

Source: [Not just hotlines and mobile phones: GBV Service provision during COVID-19](#) (2020). Erskine, D. for UNICEF and [Global Rapid Gender Analysis for COVID-19](#) (2020) International Rescue Committee and CARE International

**“Messaging should be included in larger COVID-19 prevention information materials so as to not draw attention to survivor resources.”**

—From Global Coordination to Local Strategies A Practical Approach to Prevent, Address and Document Domestic Violence under COVID-19 Briefing Paper (2020).

enon and that when acts of violence occur it will be taken seriously;

- Throughout the world, economic, social and cultural obstacles prevent or limit women’s access to, use of, and benefits from information and communications technology or ICTs,<sup>32</sup> this phenomenon is referred to as the gender digital divide. In many countries, especially those who face multiple forms of discrimination, women and girls may not have access to a mobile phone, computer, or internet to access services or be able to safely use these at home as they may be closely monitored by the abuser and other family members. See Box 3 for recommendations from UNICEF for low/ no tech options that may facilitate reporting from victims/survivors of VAWG.

### Essential Services

- Health systems normally providing services to victims/survivors of VAWG may be under threat of collapsing which will impact any coordinated response mechanisms between different sectors, i.e., health, the police and justice and social services response;
- In the best-case scenario, domestic violence/IPV shelters will be reaching capacity or have reached full capacity (during normal periods in many contexts shelters often have to turn away victims/survivors and their children looking for protection due to lack of space);

<sup>32</sup> Ways to Bridge the Gender Digital Divide from a Human Rights Perspective (2016). Submission by the Human Rights, Big Data and Technology Project at the Human Rights Centre of the University of Essex, Funded by the Economic and Social Research Council, at: [https://www.ohchr.org/Documents/Issues/Women/WRGS/GenderDigital/HRBDT\\_submission.pdf](https://www.ohchr.org/Documents/Issues/Women/WRGS/GenderDigital/HRBDT_submission.pdf). Also see the World Wide Web Foundation, ‘Women’s Rights Online. Translating Access into Empowerment’ (2015), available at <http://webfoundation.org/docs/2015/10/womens-rights-online21102015.pdf>.

- Delays in the issuance of restraining orders, separation and divorce proceedings, and child custody hearings, including those that IPV survivors rely on to facilitate distance or departure from abusive partners.<sup>33</sup> Responding police will need to factor such delays in their risk assessments and subsequent recommendations for the type and extent of protection order(s) required.<sup>34</sup>

## JUSTICE CONTINUUM – EXAMPLES OF IMPACTS OF AND CHANGES REQUIRED DURING PUBLIC HEALTH CRISES

### Examples of Impacts

- To prevent the spread of COVID-19, courts are delaying trials, minimising them and even temporarily closing. This has had an impact on the issuing of critical protective court orders prohibiting a perpetrator of VAWG from having certain types of contact with the victim/survivor, an increase in case backlogs and the number and/or time for people in pre-trial detention. As a result, police organisations, along with other law enforcement agencies (such as detention centre staff) should seek extraordinary coordination meetings with court officials to identify contagion risks and mitigation strategies such as screening and testing procedures, as well as which cases will be considered as ‘emergency’ or ‘high priority’ thus enabling them to circumvent lockdown/quarantine measures;

<sup>33</sup> Pandemics and Violence Against Women and Children (2020). Peterman, A., Potts, A., O’Donnell, M., Thompson, K., Shah, N., Oertelt-Prigione, S., and van Gelder, N., Center for Global Development, at: <https://www.cgdev.org/publication/pandemics-and-violence-against-women-and-children>

<sup>34</sup> Much depends on factors such as who can issue an order (police or court), whether protective orders are part of a criminal or civil case, whether a hearing is required, duration of the order, specific protections provided, who can access a protective order (spouse or also other intimate partners, family members, roommates, etc) and how the order is enforced, and whether there are criminal consequences for violation. See Court Response to Violence Against Women During COVID-19. Webinar Series: Adapting Legal and Systemic Responses During COVID-19 Addressing Violence Against Women April 3, 2020. Global Rights for Women, at: [https://globalrightsforwomen.org/wp-content/uploads/2020/04/Court-Response-to-Violence-Against-Women-During-COVID-19-Powerpoint\\_compressed.pdf](https://globalrightsforwomen.org/wp-content/uploads/2020/04/Court-Response-to-Violence-Against-Women-During-COVID-19-Powerpoint_compressed.pdf)





Photo courtesy of UN Women/Pathumporn Thongking (Thailand)

- Police organizations, along with other law enforcement agencies should also consider ensuring extraordinary coordination meetings with supporting justice experts such as forensic doctors and psychosocial experts to ensure their accessibility and availability. Recent UN-sponsored reports documented testimonies from victims/survivors of VAWG indicating they were unable to seek legal redress against their perpetrators due forensic doctors being unable or unwilling to examine physical abuse of victims/survivors at police stations for fear of COVID-19 spread.<sup>35</sup>
- As a result of the quarantine/lockdown measures brought about by the COVID-19 pandemic, detention

centres and prosecution services may be forced to have to balance the criminal/violent acts of an offender and possible recidivism with the risk of contagion they may face in detention and what this will mean for the offender particularly when considering pre-existing medical conditions and age amongst other factors. A decision to not place a preparator of VAWG into detention after such an analysis may end up placing the victim/survivor (and family members) into further risk. Conducting a thorough investigation that is trauma informed (using tools such as the Power and Control Wheel) and is perpetrator focused to ensure **no (further) harm is done** will be of critical importance.

35 UN joint report “Justice for Women amidst COVID-19” (2020). UN Women, IDLO, UNDP, UNODC, WB and the Pathfinders for Justice [https://www.idlo.int/sites/default/files/pdfs/publications/Justice-for-Women\\_Full-Report-English.pdf](https://www.idlo.int/sites/default/files/pdfs/publications/Justice-for-Women_Full-Report-English.pdf). Also see National Commission for Lebanese Women, UN Women, WHO, UNFPA, 2020. Gender Alert on COVID-19, Lebanon. In Focus: Access to Justice and Gender Based Violence. April 10, 2020. Issue No. 1. <https://www2.unwomen.org/-/media/field%20office%20arab%20states/attachments/publications/2020/04/gender%20and%20covid-19%20in%20lebanon/updated/gender%20alert%20on%20covidlebanon%20english.pdf?la=en&vs=1838>

**“Do No Harm” principle requires a proper assessment of gender dynamics and cultural norms that may result in victims/survivors and witnesses being exposed to further harm, including re-traumatization or stigma, violence and marginalization at the hands of alleged perpetrators or the victims’ families and communities (UNHCHR 2018).**



See Chapter 5 ‘Investigation’ for more information on conducting a trauma informed and are perpetrator focused investigation into VAWG.

- In spite of increased reporting of VAWG in various countries, certain contexts may observe that support services such as shelters, victim/survivor’s advocacy centres and requests for protection orders are not increasing or being accessed as expected. In some cases, requests for service support may even decrease during public health crisis contagion measures. Reasons for this phenomenon may vary but the police should consider how social isolation, the lack of safe spaces to be able to access essential services as a result of any lockdown measures, requirements for in-person court hearing or application for relief for child custody and the lack of child care options (including at the courts themselves) are influencing factors.

## Examples of Changes Required

- Increased joint public messaging with justice agencies on the availability and accessibility of essential services in the justice continuum so people are aware of opening hours and processes during public health crisis. Moreover, such public messaging should be accompanied by renewed communication on the police commitment to respond to VAWG when it occurs and consequences of protection order violations amongst others.
- Development of SOPs and related training<sup>36</sup> for police managers and frontline staff working alongside intermediate justice continuum measures such as remote or internet-based virtual courtrooms or proceedings where technologies for video-conferencing and appropriate processes and safety arrangements can be established. The introduction of such remote modalities should be considered not only as an immediate

<sup>36</sup> This can include training on the use of both the hardware and software necessary to conduct remote hearings by all participants, including court personnel and members of the judiciary. See: Remote Court Hearings and Judicial Processes in Response to COVID-19 in Mission and other Fragile Settings Justice and Correction Service. UN Office of Rule of Law and Security Institutions (OROLSI)/Department of Peace Operations (DPO), 13 April 2020 at: [https://globalrightsforwomen.org/wp-content/uploads/2020/04/Court-Response-to-Violence-Against-Women-During-COVID-19-Powerpoint\\_compressed.pdf](https://globalrightsforwomen.org/wp-content/uploads/2020/04/Court-Response-to-Violence-Against-Women-During-COVID-19-Powerpoint_compressed.pdf)

response to the consequences of the reduced ability of courts to discharge their regular functions due to crisis such as the COVID-19 pandemic but also in the context of medium and longer-term planning. This can include increased security and victim/survivor services around courts or VAWG reporting post boxes where in-person contact is required to some degree.

## Vulnerable Groups and Minoritized Communities

- Crises such as the outbreak of an infectious disease may lead to an increase in stigma, xenophobia, and discrimination related to race, gender, sexual orientation and immigration status as revealed by past experiences of viral outbreaks;<sup>37</sup>
- The situation of populations most at risk will need to be reassessed as a result of a major humanitarian/public health crisis. This includes segments of the population which depend heavily on the informal economy; communities with inadequate access to social services or political influence and have limited capacities and opportunities to cope and adapt, including limited or no access to technologies. In this regard, OCHA, the WHO and the International Federation of Red Cross and Red Crescent Societies provide guidance<sup>38</sup> for responding agencies working under COVID-19 measures (see Box 4);

**“People who identify as lesbian, gay, bisexual, transgender, queer or intersex (LGBTQI) are often at heightened risk of discrimination, stigma, and sexual and physical violence.”**

—The Sphere Handbook (2018)

<sup>37</sup> Global trends in emerging infectious diseases. Jones, K.E., Patel, N., Levy, M., Storeygard, A., Balk, D., Gittleman, J.L. et al. (2008). Nature 451: 990-94, see : <https://www.cgdev.org/publication/pandemics-and-violence-against-women-and-children>

<sup>38</sup> COVID-19: How to include marginalized and vulnerable people in risk communication and community engagement (2020). International Federation of Red Cross and Red Crescent Societies, UN Office for the Coordination of Humanitarian Affairs and the World Health Organization, at: [https://reliefweb.int/sites/reliefweb.int/files/resources/COVID-19\\_CommunityEngagement\\_130320.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/COVID-19_CommunityEngagement_130320.pdf)



- Previous experience in affected communities indicates that women and girls were mainly confined to traditional female gender roles as mothers or caregivers and were largely excluded from community spaces where decisions were made on planning and organizing emergency assistance.<sup>39</sup> As a result, the specific needs of women on security and other issues were not taken into account after the emergency occurred.<sup>40</sup> The strength of the police engagement with women and girls in communities will be tested significantly under these circumstances, with positive relations making an important difference in the nature of the response by essential services.
- Evidence from COVID-19 indicates that a pandemic experience, like other public health crises, exacerbates women migrant workers' increased risk of VAWG at all stages of migration.<sup>41</sup> This is particularly true for migrant women with irregular migration status or sexual and gender minorities who are least likely to report being subject to violence due to discrimination or fear of arrest or deportation.<sup>42</sup> Such women and girls often struggle to access healthcare and essential support services owing to restrictions on movement, closed clinics, and fear of infection.<sup>43</sup>
- Women and girls in the sex industry will often be forced to risk violating quarantine measures or face dire financial and food insecurity. In many cases, the inability to engage in such activity will also impact any children that rely on them. In other cases, women and girls will be subjected to forced prostitution requiring them to violate quarantine measures. When engaging these victims/survivors of VAWG, it will be important for the police to identify the nature of these exploitative relationships and seek to ensure their safety and protection. It is equally important that police organisations identify these women and girls to be highly vulnerable to abuse from state officials, including from members of security forces.
- The police should consider how violence against women can be a pathway to offending and imprisonment by the victim/survivor. According to the UN Special Rapporteur on violence against women, its causes and consequences, there is a strong link between violence against women and women's imprisonment.<sup>44</sup> Particularly, the manner in which exposure to extreme, traumatic events can cause or contribute to borderline personality disorder, antisocial personality disorder, substance abuse, and symptoms of post-traumatic stress disorder, which are directly relevant to violent behaviour and often lead to imprisonment.<sup>45</sup> For example, in cases of domestic and IPV, women may use force against their abuser out of fear for their own safety and that of their children.<sup>46</sup>

39 Ecuador Country Case Study, Effective law and policy on gender equality and protection from sexual and gender-based violence in disasters (2020). The International Federation of Red Cross and Red Crescent Societies (IFRC), at: <https://media.ifrc.org/ifrc/document/effective-law-policy-gender-equality-protection-sexual-gender-based-violence-disasters-ecuador/>

40 Ecuador Country Case Study, Effective law and policy on gender equality and protection from sexual and gender-based violence in disasters (2020). The International Federation of Red Cross and Red Crescent Societies (IFRC), at: <https://media.ifrc.org/ifrc/document/effective-law-policy-gender-equality-protection-sexual-gender-based-violence-disasters-ecuador/>

41 2019 Report of the UN Secretary-General violence against women migrantworkers (A/74/235)

42 Addressing the Impacts of the COVID-19 Pandemic on Women Migrant Workers (2020). UN Women Guidance Note, at: <https://www.unwomen.org/en/digital-library/publications/2020/04/guidance-note-addressing-the-impacts-of-the-covid-19-pandemic-on-women-migrant-workers>

43 Ibid.

44 Special Rapporteur on violence against women finalizes country mission to the United Kingdom and Northern Ireland and calls for urgent action to address the accountability deficit and also the adverse impacts of changes in funding and services (2014), at: <https://www.ohchr.org/en/newsevents/pages/displaynews.aspx?newsid=14514&>

45 Hard times: Women's pathways to crime and incarceration (2012). Artz, L., Hoffman-Wanderer, Y., and Moul, K, at: [https://genderlinks.org.za/wp-content/uploads/imported/articles/attachments/18024\\_hard\\_times.pdf](https://genderlinks.org.za/wp-content/uploads/imported/articles/attachments/18024_hard_times.pdf)

46 Gender-Based Discrimination & Women in Conflict with the Law (UNODC, 2020), at: <https://www.unodc.org/e4j/en/crime-prevention-criminal-justice/module-9/key-issues/1--gender-based-discrimination-and-women-in-conflict-with-the-law.html>

Box 4



**COVID-19: How to include marginalized and vulnerable people in risk communication and community engagement**

International Federation of Red Cross and Red Crescent Societies, UN Office for the Coordination of Humanitarian Affairs and the World Health Organization

Children	Persons with Disabilities	VAWG Victims/Survivors
<p>Consult children and adolescents, including unaccompanied and separated children, to understand their concerns, fears and needs.</p> <p>Design information and communication materials in a child-friendly manner.</p> <p>Advocate for counselling and support services for those affected.</p> <p>Consider different needs based on gender, context and marginalized communities.</p>	<p>Disseminate information that uses clear and simple language.</p> <p>Provide information in accessible formats, like braille, large print.</p> <p>Offer multiple forms of communication, such as text captioning or signed videos, text captioning for hearing impaired, online materials for people who use assistive technology.</p> <p>Involve organizations of persons with disabilities in consultation and decision making.</p> <p>Provide tailored approach to meet individual needs, work with personal carers and other social support networks.</p>	<p>Update GBV referral pathways to reflect primary and secondary health care facilities.</p> <p>Inform key communities and service providers about the updated pathways.</p> <p>Ensure that VAWG risk-mitigation measures are in place in quarantine facilities and evacuation processes.</p> <p>Reinforce support capacities such as staff for emergency response hotlines.</p> <p>Circulate Codes of Conduct and other safeguarding measures and remind officers of the need to comply with them.</p>

**PARTNERSHIPS WITH COMMUNITY, LOCAL GOVERNMENT AND PRIVATE ACTORS**

Local security governance mechanisms such as municipal or local security councils (LSCs) may be reactivated by local government authorities to help coordinate responses to a crisis presenting the local police with an opportunity to promote and strengthen critical part-

nerships. In many cases, LSCs have not been activated by local municipal government authorities in spite of having a mandate to do so or they have activated but they lay dormant. In such cases, the public health crisis may inspire their utility providing the police a key forum for coordination and strategic planning for a more gender-responsive and accountable approach to policing. See the case study on local security councils in Congo, Ecuador and Mexico in Chapter 2 ‘Prevention’ for examples.

## Box 5

### Ebola Watch Committees



Photo courtesy of Heart to Heart International (Liberia)

Source: COVID-19: [How to include marginalized and vulnerable people in risk communication and community engagement](#) (2020). International Federation of Red Cross and Red Crescent Societies, UN Office for the Coordination of Humanitarian Affairs and the World Health Organization.

Based on the experiences in West Africa during the Ebola outbreak, local grassroots organizations were instrumental in setting up village Ebola watch committees led by local women and religious leaders to enhance the local response and work alongside national efforts.

- Under quarantine measures, community, religious and people of influence can still be critical partners for a police organisation when responding to VAWG particularly for raising awareness of the risk factors that drive and exacerbate violence during and after crisis. Online ICT platforms such as Facetime or Skype can be used for joint messaging in support for victims/survivors of VAWG accompanied by information on existing for new reporting mechanisms. Moreover, joint messaging via non-digital or off-line means can continue through word of mouth or loudspeaker even through group activities performed at a safe distance;<sup>47</sup>
- When provided with reader-friendly and accessible outreach materials on VAWG prevention, local humanitarian aid, health care providers, and local media can be important partners for the police when seeking to access hard-to-reach families. This can include helping distribute brochures, both written and graphic and in different accessible formats, with information that deters violent

behavior in the home and offers helpline numbers or other resources for victims/survivors better guide them towards the resources that match their needs;<sup>48</sup>

- Partnerships with companies and medical clinics to involve essential frontline workers<sup>49</sup> in the response to VAWG under public health crisis situations require

**“Forging private and public sector partnerships during the pandemic can ensure that all women have access to mobile phones. Justice systems can no longer be static: we need to begin to explore more sustainable ways of justice delivery, such as for example, optimizing interim orders to prevent rights violations.”**

—Executive Director of UN Women, Phumzile Mlambo-Ngcuka (2020)

<sup>47</sup> From Global Coordination to Local Strategies A Practical Approach to Prevent, Address and Document Domestic Violence under COVID-19 Briefing Paper (2020). MADRE, Media Matters for Women, MenEngage Alliance, Nobel Women’s Initiative, OutRight Action International, Women Enabled International, and Women’s International League for Peace and Freedom (WILPF), at: [https://www.wilpf.org/wp-content/uploads/2020/04/MADRE-Domestic-Violence-Under-COVID-19-Briefing-Paper\\_4.21.20.pdf](https://www.wilpf.org/wp-content/uploads/2020/04/MADRE-Domestic-Violence-Under-COVID-19-Briefing-Paper_4.21.20.pdf)

<sup>48</sup> COVID-19: How to include marginalized and vulnerable people in risk communication and community engagement (2020). International Federation of Red Cross and Red Crescent Societies, UN Office for the Coordination of Humanitarian Affairs and the World Health Organization, at: [https://reliefweb.int/sites/reliefweb.int/files/resources/COVID-19\\_CommunityEngagement\\_130320.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/COVID-19_CommunityEngagement_130320.pdf)

<sup>49</sup> Depending on the context, essential workers can include pharmacists, grocery store employees, nurses, medical clinic receptionists amongst others.

collaborative engagement by the police for providing these workers with guidance and training on roles as bystanders.<sup>50</sup> Key bystander entry points for identifying victims/survivors of VAWG may come during population-wide interventions, for example, at COVID-19 testing and tracing stations. However, such an initiative will need to prioritise the ‘do no harm’ principle in any victim identification method applied (such as within a questionnaire). At the same time, testing and tracing stations can be instrumental for VAWG awareness and informing about reporting mechanisms;

- Pursuing stronger partnerships with ICT firms or internet intermediaries can be very beneficial for the police. For example, supporting the introduction of domestic violence/IPV apps for mobile phones to complement helplines will be a good alternative for victims/survivors confined in the house with the abuser all day. Other partnership opportunities can include collaborating to share online safety advice through social media sites, GPS, phones, etc. for women, youth and children and/or provide accessible and transparent reporting and complaints procedures for online and ICT-facilitated VAWG;<sup>51</sup>
- Given the long-term impacts of a pandemic/epidemic on the ability of formal courts to respond to women’s justice needs combined with the perceived inaccessibility to justice mechanism during crisis, victims/survivors of VAWG may increasingly seek out customary and informal justice systems for protection and reparation.<sup>52</sup> As a result, police organizations should anticipate and account for how this potential trend may impact reporting in certain regions and to extend or strengthen partnerships with informal or customary justice system actors in the process.<sup>53</sup>

50 See Bystander Approach. Graham Goulden for Cultivating Minds UK, at: <https://grahamgoulden.com/cultivating-minds-uk/about/>

51 Online and ICT\* facilitated violence against women and girls during COVID-19 (2020) UN Women Issue Brief, at: <https://www.unwomen.org/en/digital-library/publications/2020/04/brief-online-and-ict-facilitated-violence-against-women-and-girls-during-covid-19>

52 Justice for women amidst COVID-19 (2020), UN Women Issue Brief: <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/justice-for-women-amidst-covid-19-en.pdf?la=en&vs=4857>

53 Justice for women amidst COVID-19 (2020). UN Women Issue Brief, at: <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/justice-for-women-amidst-covid-19-en.pdf?la=en&vs=4857>

## Box 6

### COVID-19 Response: Police – Civil Partnerships

In **Brazil**, a number of Apps, e.g. ‘SOS Mulher’ in the State of São Paulo, are being developed in a joint partnership between the police and civil society, to report incidents of domestic and family violence during social isolation, as well as incidents of non-compliance with emergency protective measures imposed on the offender, which may result in preventive detention and initiation of criminal proceedings.

In the **UK**, Cumbria Police has appealed to postal workers, delivery drivers, food delivery companies, and any essential workers who visit homes to look out for signs of abuse and report them to the police department.

Italian police are utilizing a “YouPol” app, originally designed to assist young people in reporting bullying and drug dealing, but now adapted to provide survivors with a way in which to message the police without the knowledge of their partner. **Italy’s** national network of domestic violence shelters (“DiRe”) opened emergency phone and Skype calls to provide support, and approximately two-thirds of Italian domestic violence organizations have emergency phone lines.

In **Indian state** of Maharashtra, state police have teamed up with the local NGO Akshara and the Department of Women and Child Development’s Special Cell for Women and Children [TISS] (based in police stations) to launch a campaign to disseminate information on an emergency police number 100 [not usually associated with domestic violence] for complaints and support during the lockdown. To ensure a wide coverage and outreach the initiative appealed to celebrities and other government agencies. Popular celebrities like top Bollywood actors and sportspersons were requested to lend their voice for asking women to ‘Report Domestic Violence’ as reporting acts as a deterrent and also reinforces it as a crime.

Sources: *COVID-19 and Essential Services Provision for Survivors of Violence Against Women and Girls* (2020). UN Women Issue Brief. and *Justice for women amidst COVID-19* (2020). UN Women Issue Brief. And *Lockdown on Domestic Violence* (2020). Akshara Centre

## Online and ICT-facilitated VAWG

- According to EUROPOL<sup>54</sup>, during COVID-19 and the restrictions on movement, a spike in the number of attempts to access illegal online platforms featuring child sexual abuse material and in the activities by those seeking to groom young people into exploitative situations was recorded. This developing phenomenon requires police organizations to strengthen specialized, clear, and efficient internal and external protocols and codes of conduct for law enforcement officials addressing online VAWG during the emergency.<sup>55</sup>
- The Special Rapporteur on the sale and sexual exploitation of children reports that COVID-19 travel restrictions had spawned new forms of child sexual exploitation and abuse, including attempts to establish a “delivery” or “drive-thru” service for sexual exploitation of children.<sup>56</sup>
- As millions of women and girls are relying on video-conferencing to work and study there has been an increase in the different forms of on-line violence ranging from stalking, bullying, sexual harassment, and sex trolling. In some reported cases, some members of women’s rights organisations having been bombed with unsolicited pornographic videos while they are dialling into a social event via a virtual chat room.<sup>57</sup> See Box 7 for an example.

54 Coronavirus lockdown raises risk of online child abuse, charity says. The Guardian (2020), at: <https://www.theguardian.com/world/2020/apr/02/coronavirus-lockdown-raises-risk-of-online-child-abuse-charity-says>

55 Online and ICT\* facilitated violence against women and girls during COVID-19 (2020). UN Women Issue Brief, at: <https://www.unwomen.org/en/digital-library/publications/2020/04/brief-online-and-ict-facilitated-violence-against-women-and-girls-during-covid-19>

56 COVID-19: Urgent need for child protection services to mitigate the risk of child sexual abuse and exploitation worldwide (2020). Mama Fatima Singhateh, the Special Rapporteur on the sale and sexual exploitation of children, at: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25865&LangID=E>

57 Risk of online sex trolling rises as coronavirus prompts home working. Reuters (2020), at: <https://www.reuters.com/article/us-women-rights-cyberflashing-trfn-idUSKBN2153HG>

### Box 7

#### Zoom-bombing and Harm to Civil Society

As a women-led, and women’s rights-based NGO working to strengthen the evidence base and build capacity on violence against women and violence against children globally, the Sexual Violence Research Initiative (SVRI) experienced this abuse first-hand. A recent webinar on advancing research to prevent violence against women was ‘zoom-bombed’. The meeting was hacked with racially charged and sexually explicit material. This form of violence inflicted upon those attending, presenting and organising the event may have far reaching consequences, for the wellbeing of those who experienced it, and for the SVRI to provide future events that are open, inclusive and accessible for all.

Source: *Online Safety in a Changing World – COVID-19 and Cyber Violence* (2020). *Sexual Violence Resn for Survivors of Violence Against Women and Girls* (2020). UN Women Issue Brief, and *Justice for women amidst COVID-19* (2020). UN Women Issue Brief. *And Lockdown on Domestic Violence* (2020). Akshara Centre

## Exploitive Relationships

- The economic downturns expected as a result of any mandatory quarantine measures can be expected to discriminate against women and girls disproportionately in terms of violence and economic hardship amongst other issues. This could stem from the closing of schools or families removing girls from schools to work, possibly leading to forced labour including sexual exploitation.<sup>58</sup> Moreover, food insecurity or greater dependency on aid for survival will and has opened the door for subjecting women and girls to sexual exploitation and abuse or forced labour by aid workers and state officials<sup>59</sup> in all capacities.

58 In West Africa, the closure of schools for the Ebola epidemic exposed girls to sexual exploitation and violence and lead to a ‘sharp increase’ in teenage pregnancies and early marriages in some affected areas, due to girls’ increased school dropout rates. Fraser, E. (2020). Impact of COVID-19 Pandemic on Violence against Women and Girls. UKAid, WAG Helpdesk Research Report in World Bank. 2020. *Gender Dimensions of the COVID-19 Pandemic*. Washington, D.C.: World Bank Group, at: <http://documents.worldbank.org/curated/en/618731587147227244/Gender-Dimensions-of-the-COVID-19-Pandemic>

59 Reports from the Ebola crisis in Sierra Leone and Democratic Republic of Congo indicate that sexual exploitation was common by state officials and community members in charge of enforcing the quarantine. See *Gender Dimensions of the COVID-19 Pandemic (English)*. Washington, D.C.: World Bank Group 2020, at: <http://documents.worldbank.org/curated/en/618731587147227244/Gender-Dimensions-of-the-COVID-19-Pandemic> and Fraser, E. (2020). Impact of COVID-19 Pandemic on Violence against Women and Girls. UKAid, WAG Helpdesk Research Report, at: <http://www.sddirect.org.uk/media/1881/vawg-helpdesk-284-covid-19-and-vawg.pdf>



## Emerging VAWG

- In some cases, adolescents engage in violent behaviours in the home, women (mothers) are disproportionately targeted by this violence. Despite the prevalence of this form of violence it is not always recognized by the criminal justice system. The risks to women's safety are likely to be greatly increased by a context in which a violent adolescent child is in enforced lockdown at home;<sup>60</sup>
- There are also increased risks of violence and harassment against frontline female health workers. Reports from Singapore and China indeed show high levels of intimidation and aggression towards female health professionals, especially nurses, during the COVID-19 pandemic crisis;<sup>61</sup>
- The possible introduction of military personnel in civil areas may increase the risk of human rights abuses against women and children including exploitive relationships. Police risk management and related gender analysis should aim to ensure mitigation measures such as SOPs and codes of conduct to address human rights risks are factored in and discussed with the military command, so prevention strategies are coordinated and targeted accordingly.

## Data Collection

- Capturing information on all forms of VAWG will deepen the common understanding of how violence works and help to identify where a more tailored response is



• You can't manage what you can't measure or what you don't measure.

60 Coronavirus Disease (COVID-19) response – UNODC Thematic Brief on gender-based violence against women and girls (2020). UNODC.

61 See Fraser, E. (2020). Impact of COVID-19 Pandemic on Violence against Women and Girls. UKAid, WAG Helpdesk Research Report in World Bank. 2020. *Gender Dimensions of the COVID-19 Pandemic*. Washington, D.C. : World Bank Group, at: <http://documents.worldbank.org/curated/en/618731587147227244/Gender-Dimensions-of-the-COVID-19-Pandemic>

needed.<sup>62</sup> Having a system already in place that tracks and analysis trends in the prevalence of VAWG will identify new trends as they manifest during public health and/or humanitarian crisis.

- Staying vigilant in addressing new and evolving VAWG patterns and prevalence should include systems to track the quantity and nature of calls for help;
- Crisis measures such as those implemented during the COVID-19 pandemic or Ebola outbreak have made interpreting VAWG data more challenging. For example, in some countries, reporting, calls, and service use have decreased during quarantine as women and girls find themselves unable to leave the house or fearful of being overheard on the phone by an abusive partner. This creates a discrepancy when interpreting VAWG, in particular IPV, making singular data sources, such as the number of helpline call, unreliable as a proxy for determining and understanding prevalence;<sup>63</sup>
- The Sphere Handbook (2018) recommends disaggregating data to the extent possible and with categories appropriate to the context to understand differences based on sex or gender, age, disability, geography, ethnicity, religion, caste or any other factors that may limit access to impartial assistance;<sup>64</sup>
- Do no harm. Safety, privacy and confidentiality of women and girl respondents must be respected at all times as measuring violence is a sensitive endeavor under any circumstance. The collection of data must not be prioritised over personal safety.

62 From Global Coordination to Local Strategies A Practical Approach to Prevent, Address and Document Domestic Violence under COVID-19 Briefing Paper (2020). MADRE, Media Matters for Women, MenEngage Alliance, Nobel Women's Initiative, OutRight Action International, Women Enabled International, and Women's International League for Peace and Freedom (WILPF), at: [https://www.wilpf.org/wp-content/uploads/2020/04/MADRE-Domestic-Violence-Under-COVID-19-Briefing-Paper\\_4.21.20.pdf](https://www.wilpf.org/wp-content/uploads/2020/04/MADRE-Domestic-Violence-Under-COVID-19-Briefing-Paper_4.21.20.pdf)

63 'Has it become too dangerous to measure violence against women?' Kelli Rogers, 06 May 2020, at: <https://asiapacific.unfpa.org/en/news/covid-19-has-it-become-too-dangerous-to-measure-violence-against-women>

64 Sphere Association. The Sphere Handbook: Humanitarian Charter and Minimum Standards in Humanitarian Response, fourth edition, Geneva, Switzerland, 2018.



## Box 8

### Why Data Collection During Public Health Crises is Important

Data is a crucial tool for understanding how and why pandemics such as COVID-19 may result in an increase in VAWG. It can help identify the risk factors; how availability of services for women victims/survivors subjected to violence is being affected; how women's access to such services and help-seeking from formal and informal sources is affected; what new short and medium-term needs arise. These data are critical to designing evidence-based strategies that respond to women's needs, reduce risks, and mitigate adverse effects during and after the pandemic. These data can also provide important insights into and inform the development of tailored interventions that may be particularly effective in preventing VAWG during emergencies and public health crises in the future.

Source: [Violence Against Women and Girls Data Collection during COVID-19](#) (UN Women and WHO, 2020).



Photo courtesy of ILO/Jennifer A. Patterson (Côte d'Ivoire)

## EASING UP OF LOCKDOWN: REFLECTION AND LEARNING

The COVID-19 pandemic has resulted in a new global reality that, at the time of writing, is not known when and if there will be a return to what was previously considered normal.

As countries start to ease mandatory lockdown/quarantine measures and economies start to slowly reopen other countries are seeing increases in the number of COVID-19 cases and related deaths. At the same time, some countries are experiencing second waves, albeit smaller at this point, of the pandemic after initially easing measures.



Consider the role of women's organizations in recovery plans and the longer-term solutions to address the increase of VAWG during COVID-19.

For countries that can successfully control the spreading of a pandemic enough to be able to maintain open economies while preventing extraordinary stress on the national health system, the justice system can begin

to return to normal activities albeit respecting softer public health measures. For all essential service providers in the justice continuum, the easing of measures brings new opportunities for reflection and learning.

For example, despite the challenges and negative outcomes of the COVID-19 pandemic it also cast the spotlight on the 'public service' role of the local police including the critical role they can play during a public health crisis situation as opposed to just an authoritative role unconnected with the needs of the most vulnerable and minoritised. Some police organizations may experience unprecedented public support for their work, including recognition of the extra risk they and their families were exposed to on a daily basis during the height of the pandemic.

Some police organizations may have been able to develop stronger relationships with victim/survivor support agencies and civil society organisations or at least lay the seeds for future partnerships while confronting a common problem during crisis.

However, reflection will not be enough to take advantage of any positives that can be rescued from a COVID-19

response experience. For key partnerships to sustain so they are impactful when responding to VAWG, the police will also have to demonstrate their commitment to learning in a transparent and inclusive manner.

More specifically, police organizations should consider building on any solidarity momentum gained by actively engaging other essential service providers including civil society organisations and academic experts in the review of their actions taken during the pandemic/

epidemic measures, particularly when responding to VAWG. The recommendations from any internal and external review of the police action during COVID-19 lockdown/quarantine should inform new strategies and actions for responding to VAWG going forward in our new reality, including the training and education needed for a gender-responsive police organisation. Boxes 9 and 10 provide examples of independent analysis of the response to the Ebola outbreak in West Africa by the respective forces.

### Box 9

#### Lessons and Recommendations for the Security Sector from the Ebola Virus Disease in West Africa (2014–2015)<sup>1</sup>

In the 2017, the DCAF - Geneva Centre for Security Sector Governance (then the Geneva Centre for the Democratic Control of Armed Forces) produced a report “*The Security Sector’s Role in Responding to Health Crises. Lessons from the 2014–2015 Ebola Epidemic and Recommendations for the Mano River Union and Its Member States*”. More than two years later the report would become particularly relevant as a result of the COVID-19 global pandemic and the consequence on security forces throughout the world.

The report included the following security sector actors as participating in the response: national armed forces; intelligence services; the police/ gendarmerie services; border guards and border management; local security actors, including militias; international security arrangements; national governments; civil society actors (media, think-tanks, etc.); regional and international governmental organizations, including the United Nations (UN); and legal and parliamentary bodies.

The report focuses primarily on the outbreak of Ebola virus disease (EVD) in 2014–2015 in Guinea, Liberia and Sierra Leone, which resulted in more than 28,000 cases and over 11,000 deaths. The report documents several gaps in the security forces response to the Ebola outbreak that were generally shared by the countries of focus:

- Enforcement of by-laws and health regulations became more challenging, especially those related to maintaining human rights while enforcing regulations and protecting life and property;
- There was a general absence of clear frameworks of roles and responsibilities during the initial outbreak with cooperation between security and medical personnel was weak;
- The capacity of correctional centres to prevent or control outbreaks of Ebola and other infectious diseases was highly inadequate;



1 The Security Sector’s Role in Responding to Health Crises. Lessons from the 2014–2015 Ebola Epidemic and Recommendations for the Mano River Union and Its Member States (2017), Sandy, J., Schnabel, A., Sovula, H., Trepp, U., and Zumsteg, R. The Geneva Centre for the Democratic Control of Armed Forces (DCAF) at: <https://www.dcaf.ch/security-sectors-role-responding-health-crises-lessons-2014-2015-ebola-epidemic>

- The security sector lacked the capacity for effective crowd management and the protection of quarantined homes and treatment centres;
- The security sector capacity to staff border crossing points was insufficient. More (security) personnel were required for tasks related to immigration and logistics;
- In one instance, when inadequate training and lack of preparation for national police officers dealing with EVD was evident, the International Committee of the Red Cross (ICRC) began training them on how to take care of police personnel exposed to Ebola;
- Often, military hospitals that were designated to treat military personal on the front lines of the Ebola outbreak were neither sufficiently equipped nor sufficiently capacitated;
- There was an ineffective regional cooperation of police actions in the context of the crisis and the sharing of information and lessons learned across countries was at best minimal, if it happened at all;
- Poor involvement of women in community engagement in the initial stages of the outbreak was with community involvement, in general, not solicited at the start of the epidemic;
- The attempts to close borders was not effective in controlling the free movement of people, as the natural borders of countries in the region tend to be very porous.

However, as the response to the Ebola outbreak progressed, collaboration between the community, the police and military improved with the involvement of the armed forces being highly beneficial for tackling the epidemic.

The report provides a series of recommendations for the security sector as a result of their analysis of their collective response. The following are the recommendations for the police forces:

- Include crisis management in the training curricula of all police forces in the region;
- Improve the relationship with civil society actors through constructive engagement;
- Enhance the capacity of the police forces on their responsibility to protect the public;
- Train the police on proper medical screening procedures during public health emergencies;
- Reinforce the concept and practice of community policing;
- Establish clear health safety guidelines for security personnel;
- Establish SOPs to facilitate the police's constructive involvement in preventing and managing health crises;
- Offer training on the interpretation and application of local by-laws to avoid misunderstandings;
- Offer capacity building to border management officers.
- Coordination with 'Community circles' of trusted community members known to the victims/survivors 'or link officials' if using the low-tech silent alarm system of placing alert objects outside the home etc. During confinement these may be members and officials permitted to move relatively freely in order to notice the alert and make referrals for support.

Source: [Not just hotlines and mobile phones: GBV Service provision during COVID-19](#) (2020). Erskine, D. for UNICEF and [Global Rapid Gender Analysis for COVID-19](#) (2020) international Rescue Committee and CARE International

## Box 10

### UNDP: Assessing Sexual and Gender Based Violence (SGBV) during the Ebola Crisis in Sierra Leone



In 2016, UNDP's Access to Justice Programme commissioned a study on the prevalence of SGBV before and during the Ebola outbreak in the Eastern Region of Sierra Leone. The study also attempted to shed light on the specific types of violence that were most common during the outbreak and the extent to which services for victims/survivors were, or were not, available during the crisis.

The study included a focus on the work of the Family Support Unit (FSU) of the Sierra Leone Police (SLP) and their essential service partners including those in the justice sector. The FSU handles cases of domestic violence and child abuse. Some key findings from the study include:

- Unlike the official statistics of VAWG compiled by local essential service actors which indicated a slight decrease in SGBV cases during the crisis as compared with the first half of the year, the qualitative information attained through interviewing revealed an actual increase in the occurrence of five categories across fifteen forms of VAWG. These included the sexual penetration of children, domestic violence, sexual harassment and abandonment/neglect;
- Some communities even reported an estimated 40-60% increase in teenage pregnancy during the same period. By contrast, the official statistics managed by the FSU showed fluctuations in the number of reported cases of sexual penetration of children over the course of 2014;
- The accessibility and availability of essential services including courts contributed to an increased practice of mediation of cases of SGBV through police and local leaders. This likely fuelled an increase in impunity for alleged perpetrators;
- Poor women and girls and widows were particularly singled out for heightened risk due to increased economic vulnerability as a result of the outbreak;



Photo courtesy of UNDP/Anne Kennedy (Sierra Leone)

- The most frequent alleged perpetrators outside of the home environment, especially of sexual penetration of children under 18, were men in positions of authority and/or positions of trust including Chiefs, religious leaders, NGO workers and businesspeople;
- For girls aged between 13 and 17 years, teachers were also identified as frequent perpetrators being engaged in transactional sex with their students for pass marks or good grades, especially around exam times;

The Study recommended the following actions applicable to the SLP as a result of the Ebola experience:

- Engage community leaders to ensure that criminal cases of SGBV are not mediated but are dealt with through the formal justice system;
- Urgently boost the operational capacity of the FSU in order to adequately respond to cases;
- Increase the technical capacity of FSU personnel with regards SGBV case management and data collection;
- Build upon the current adherence to the moratorium on FGM to assist towards overall reduction/abandonment of the practice. This should include strategic engagement with communities and Soweis. Maintaining traditional practices but without cutting should be encouraged if not enforced.



Photo courtesy of UNMEER/Martine Perret (Sierra Leone)

- Primary prevention efforts focussing on increasing the status of women through engaging both males and females need to be up-scaled. This recommendation should also apply within the SLP;
- Increase the number of facilities similar to the Rainbow Centres/one-stop-shops for SGBV survivors and ensure access, through CSOs and other local bodies, for women even in very remote areas. In such cases, the SLP should plan for adequate allocation of human resources within the one-stop-shops;
- Government funding to FSUs needs to be increased in order to allow for the proper functioning of the institution;
- CSO partners working on SGBV issues must be provided with further capacity training to improve their skills in service provision, advocacy and documentation. In such case, the SLP should be active partners to ensure effective coordination with CSOs.

Source: [Assessing Sexual and Gender Based Violence during the Ebola Crisis in Sierra Leone](#) (UNDP and Irish Aid, 2015).



## CASE STUDY

# KOSOVO'S COLLABORATIVE RESPONSE TO DOMESTIC VIOLENCE CASES REPORTED DURING COVID-19 MEASURES

### Part I: Project 'Prevention of Domestic Violence' Kosovo Police Mitrovica South Region

By Colonel Afërdita Mikullovc, Regional Police Director - Mitrovica South Region

On April 29, after analysing some statistics on domestic violence during the COVID-19 pandemic, the senior leadership for the Regional Police for Mitrovica South Region initiated additional domestic violence (DV) prevention steps.

The key initiative announced was a multi-dimensional project titled 'Prevention of Domestic Violence', that would rely on support from local NGOs that mainly deal with women's rights, human rights, and gender equality in the Mitrovica region (South and North). The response by the local NGOs was overwhelmingly positive and led to the creation of the project's moto: 'Together against Domestic Violence' accompanied by a clear message that 'Family is not an important thing – It's EVERYTHING'

The project's partners and beneficiaries included:

- Kosovo Police
- Prosecutor of DV cases
- Religious representatives (Islamic and Christian)
- Victim Protection officials
- Office for Gender balance within the Municipality of Mitrovica
- High school students
- Pupils from primary school
- NGO 'Down Syndrome'
- NGO 'Little people of Kosova'
- NGO "DIAKONIA" - Traumacenter in Mitrovica
- NGO 'Mundesia' (Opportunity)
- NGO 'Zenska Pravo' (womans right) – Mitrovica North
- NGO 'REC' (Reconciliation Empowering Communities
- NGO 'MWAHR' (Mitrovica Woman and Human Rights)
- NGO 'CBM' (Community Building Mitrovica)



Photo courtesy of the Kosovo Police

The following month, and as a result of active collaboration from all the partners and beneficiaries, the project was able to implement the following activities:

- Online lectures with highschool students moderated by Kosovo Police and psychologists, about the DV topic and consequences from this negative phenomenon. This led to students cooperating with the Kosovo Police and the NGO partners of the project to distribute various sayings/quotes on domestic and gender violence. Additionally, students came up with their own sayings/quotes and pictures sharing them every day for one month;
- Victims/survivors of DV were contacted by the Kosovo Police by phone, showing interest in their well-being, and notifying them about accessing psychologists from the local trauma center in case of need. This included providing contact numbers of psychologists to victims/survivors, who are reporting contact with these outreached victims/survivors;
- Reaching out to religious representatives (Islamic and Christian) so they address the topic of DV and its consequences during their online meetings with communities and their social media contacts;





Promoting the project *Bashkë kundër dhunës*. Photo courtesy of the Kosovo Police

- Promoting material in both official languages (Albanian and Serbian) such as roll up banners, notebooks, leaflets, t-shirts, pencils containing the motto and message ‘Together against Domestic Violence’ – ‘Family is not an important thing – It’s EVERYTHING’. This promotional material was supported and distributed in both South and North Mitrovica by the Kosovo Police. The European Union Rule of Law Mission in Kosovo or EULEX<sup>65</sup> also supported the initiative by printing the materials;



<sup>65</sup> EULEX Kosovo was launched in 2008 as the largest civilian mission under the Common Security and Defence Policy of the European Union. EULEX’s overall mission is to assist the Kosovo authorities in establishing sustainable and independent rule of law institutions. See About EULEX <https://www.eulex-kosovo.eu/?page=2,60>

- A video<sup>66</sup> titled *Bashkë kundër dhunës* (Together against Violence) was prepared containing very important messages by key partners such as the Kosovo Police representative, State Prosecutor, Islamic and Christian Religious representatives, victim advocates, representatives from the Women’s rights NGO network and victim support experts as well as paintings and poems from children on the wellbeing of the family.

The success of this collaborative project was due to the dedication of Kosovo Police officers to the topic and, who had already worked exceptionally longer working hours as a result of the COVID-19 pandemic, combined with an array of highly motivated government and civil society actors. Particularly important was the sense of collaboration between various organizations and institutions and their different nationalities (Albanians, Serbians, Bosnians, etc.).

## Part II: International Support to Respond to VAWG during the COVID-19 Pandemic

By UN Women Kosovo

The first two cases of COVID-19 in Kosovo were identified in mid-March, when the isolation measures also started. As everywhere in the globe, this had implications for survivors of domestic violence (DV)/Inter-personal violence. From the start of isolation measures under the coordination of the UN Development Coordinator, in cooperation with the Agency for Gender Equality and Ministry of Justice, UN Women has been in daily contact with the eight DV/Gender-based Violence (GBV) shelters around Kosovo. UN Women collected the immediate requests by the shelters, and coordinated the UN Agencies response, where UNFPA, UNDP, UNHCR, and UNICEF distributed food, hygienic kits and PPE to shelters.

As a result of joint UN Kosovo Team (UNKT) efforts, in the first two weeks of isolation measures around 550 women/DV survivors in the shelters have been provided with supplies such as food and hygienic kits. UN Women monitored the situation of DV/GBV survivors from non-majority communities and was in contact with

<sup>66</sup> *Bashkë kundër dhunës* (Together against Violence). Kosovo Police Official Channel, at: [https://www.youtube.com/watch?v=L-SnomZVgD\\_w](https://www.youtube.com/watch?v=L-SnomZVgD_w)



UN Women Providing Body Cameras to Kosovo Police (May 13, 2020). Photo Courtesy of UN Women Kosovo

women's organizations and coordination mechanisms in non-majority municipalities. Items were distributed to one non-majority shelter in Novobrdó through joint UNKT efforts.

Additionally, to facilitate the online learning process for children in the shelters in Kosovo, UN Women supported by the UN Mission in Kosovo donated technical equipment such as TV sets, laptop computers and printers. Donations also consisted of items such as bed linen, pillows, blankets, towels, pajamas, underwear and other items. Such items were also provided to the shelter for children and to the shelter for survivors of human trafficking.

UN Women jointly with UNFPA assisted the Ministry of Justice in developing an emergency protocol for handling cases of DV during the pandemic. Also, UN Women and UNFPA delivered hygiene packages, clothes, bed linen, towels and other items to provisional quarantine facilities for DV cases prior to admission in the shelters. The establishment of the provisional quarantine facilities was made possible through a multi-sectoral dialogue, initiated by UNFPA, involving actors such as the Ministry of Health, Ministry of Justice, Ministry of Internal Affairs and Agency for Gender Equality/Prime Minister's Office.

UN Women has been in close contact with the Kosovo Police from the start of the pandemic, monitoring the situation of VAWG. Forty body cameras were donated to the Kosovo Police- Domestic Violence Units, aiming to increase safety and security of both first responders and DV victims/survivors through latest technologies.



UN Women Providing Supplies and Equipment (April 29,2020). Photo courtesy of UN Women Kosovo

With the aim to raise awareness and encourage reporting of cases of DV, in March 2020, UN Women launched an awareness raising campaign which included video messages in three languages from Kosovo Prime Minister, Speaker of the Parliament, Minister of Justice, Minister of Health, Minister of Internal Affairs, Kosovo Police, UN Development Coordinator and UN Women Head of Office and by sharing on screen the three phone numbers provided by Kosovo institutions available online 24/7 . The campaign, was published in local TV channels and social media, aiming to ensure the DV victims/survivors receive the needed support from institutions. In the first two weeks the campaign reached more than one million individuals.



UN Women Providing Shelter Assistance (April 29,2020). Photo courtesy of UN Women Kosovo

# ANNEX 1

## TOWNSLEY CIRCLES

### Gender-Responsive Planning and Delivery of Police Response to VAWG During a Public Health (Pandemic/Epidemic) or Humanitarian Crisis

#### 1. Data Analysis

- VAWG data before and during crisis
  - Careful comparison of data\*
- Data related to crisis (what the science tells us?)
- Information - Government instructions/restrictions,
  - Intelligence - crime trends, victim/perpetrator profiles etc.
- Review existing standard operating procedures (SOPs), policies etc.

\*Lower numbers of reports of VAWG during lockdown or movement restrictions does not necessarily mean there are less incidents, either the crime types may have changed, or victims/survivors are not able to access normal reporting mechanisms.

#### 2. Impact Analysis

- Risk Assessment
  - Gender/Diversity Assessment
  - Business Continuity Assessment\*\*
  - Community Impact Assessment
- \*\* The business continuity assessment should relate to the ability to maintain an effective police response to VAWG during a crisis.

#### 3. Planning

- Identify Strategies & plans
- Are existing or new implementation plans 'fit for purpose'?
- Business Continuity – how to provide a 'business as usual' response to VAWG
- Emergency/Contingency Plans, review existing or develop new or enhanced plans depending on impact analysis
- Interventions – victim-centred approach, perpetrator-focused investigations
- Governance & Accountability mechanisms

#### 6. Review & Learning

- De-brief
- Were interventions 'fit for purpose'?
- No one left behind, were priorities correctly defined?
  - Accountability
  - Oversight
- Innovative Leadership
  - Lessons Learned
  - Revise plans
  - Training/Briefing

#### 5. Implementation

- Existing, new or revised plans:
- Victim-centered approach
  - Perpetrator focused investigation
    - Do no harm
  - Communication of plans/interventions, consistency of message across organisations and community
  - Briefing – clear and consistent



#### 4. Contingencies & Mitigations

- Identify options to cater for the 'what if's'
  - Collaboration with – other essential services, justice agencies, wider community such as religious leaders, neighbourhoods, media etc.
- Safe Spaces for victims/survivors to access justice
  - Identify other services/opportunities available during crisis such as shops, postal workers, pharmacists etc.
- New protocols/working practices between other service providers and/or justice agencies
- Personal Protective Equipment (PPE)

## GENDER-RESPONSIVE PLANNING AND DELIVERY OF POLICE RESPONSE TO VAWG DURING A PUBLIC HEALTH (PANDEMIC/ EPIDEMIC) OR HUMANITARIAN CRISIS

The model is a cyclic process and can be used for both pre-planned and spontaneous responses. It can be applied to an event/crisis of any size and is flexible enough to scale it up as a crisis develops, or down as the peak of the crisis has been passed and as you begin to return to normality, even if that is a new normality. At the core of the process, you must think about safety and protection measures and this needs to be considered at each stage of the process.

**1. Data Analysis** – This always takes place at the commencement of the process and is where information and intelligence are gathered to identify what the issue is you are trying to address. It is important to ensure that data is not misinterpreted as a result of the impact of the crisis. For example, lower numbers of reports of VAWG during lockdown or movement restrictions does not necessarily mean there are less incidents, it may signify that either the crime types have changed, or victims/survivors are not able to access normal reporting mechanisms.

**2. Impact Analysis** – Analysis of the data helps to identify the potential impacts of the crisis, more than one type of assessment is required, and some examples are provided under each type of *Impact Assessment*, but these are not exclusive. The impacts identified may be different in different contexts and are likely to change over time, hence why it forms part of the continuous process defined by the model.

### *Risk Assessment*

- Increased risk of VAWG
- Increased types of violence/abuse
- Decreased network support
- Personal safety for frontline police and lack of PPE

### *Gender/Diversity Assessment*

- Human rights violations
- How any proposed plans or changes can particularly affect women and girls, including those with disabilities and/or other needs
- Any disproportionate impacts of the crisis on the vulnerability of women and girls

### *Business Continuity Assessment*

- Ability to provide usual responses to VAWG
- Staff well-being and availability
- Victim/survivor-centred approach
- Perpetrator focused investigation
- Do no harm
- Sustainability

### *Community Impact Assessment*

- Are certain communities likely to be disproportionately affected by any changes of police responses to VAWG?
- What affect will the response to VAWG have on trust and confidence of communities both during and beyond the crisis?
- Where targeted community engagement needs to be implemented

**3. Planning** – This is the stage when new plans are developed and any pre-existing, emergency or contingency plans are reviewed based on the data analysis and impact assessments to ensure they are ‘fit for purpose.’ The aim of the plan must be to provide an overall victim/survivor-centred approach with a perpetrator focused investigation ensuring any response is in line with the concept of ‘do no harm.’

**4. Contingencies and Mitigations** – It is important to identify what may be needed if certain things happen once your plan is implemented. While contingencies and mitigations go hand in hand with planning, they can also be a distinct part of the process. During the planning stage, you should already be considering the ‘what ifs?’ and continue this through to implementation.

**5. Implementation** – Begin the delivery of plans, which may have been prepared as emergency response plans in advance, a new plan or existing plans that have been adapted dependent on the results from the previous 3 steps of the process. Communication is a key part of implementation with clear and consistent briefings and consistency of messages to external sources and across organisations and communities.

**6. Review and Learning** - This should always come last and informs the data analysis as the process continues, the cycle needs to be on-going until whatever the specific issue you are addressing has ceased. De-briefing should begin as soon as implementation takes place to enable findings to be included in this final stage, certainly when a more formal review takes place after the immediate crisis is over.

**Circumstances are likely to continually change throughout an event/crisis; this is why the process is designed to be a continuous cycle. In dynamic situations, each stage may need to be completed in even faster time.**



## NOTES AND SUGGESTED READING

- 1 Joint press statement Protecting Sexual and Reproductive Health and Rights and Promoting Gender-responsiveness in the COVID-19 Crisis (2020). Government Offices of Sweden, at: <https://www.government.se/statements/2020/05/joint-press-statement-protecting-sexual-and-reproductive-health-and-rights-and-promoting-gender-responsiveness-in-the-covid-19-crisis/>
- 2 Coronavirus Disease (COVID-19) Outbreak (2020). WHO Regional Office for Europe, at: <http://www.euro.who.int/en/health-topics/health-emergencies/coronavirus-covid-19/novel-coronavirus-2019-ncov>
- 3 Ebola virus disease: Key Facts (2020) WHO, at: <https://www.who.int/news-room/fact-sheets/detail/ebola-virus-disease>
- 4 Inter-Agency Standing Committee (March 2020). Interim Guidance; Gender alert for COVID-19 outbreak, at: <https://interagencystandingcommittee.org/inter-agency-standing-committee/interim-guidance-gender-alert-covid-19-outbreak-developed-iasc>
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**GLOSSARY AND  
BIBLIOGRAPHY**

# GLOSSARY

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**A rights-based approach** to the delivery of quality essential services recognizes that States have a primary responsibility to respect, protect and fulfil the rights of women and girls. Violence against women is a fundamental breach of women's rights, particularly their right to a life free from fear and violence. A human rights approach prioritizes the safety and well-being of women and treat them with dignity, respect and sensitivity. It also calls for the highest attainable standards of health, social, justice and policing services—services of good quality, available, accessible and acceptable to women. The achievement of quality, availability, accessibility and acceptability of services for survivors must be at the heart of this approach.<sup>1</sup>

**A survivor-centred approach** places the rights, needs and desires of survivors of violence at the centre of both service delivery and administrative data collection and use. This requires consideration of the multiple needs of survivors, the various risks and vulnerabilities and the impact of decisions and actions taken.<sup>2</sup>

**Dignity** is a fundamental value, principle and right, which is the basis and condition of all others. It implies regarding the person as a bearer and subject of rights who should not be subject to violence or arbitrariness by the State or individuals. In virtue of the human dignity of the victim, all state authorities are obliged, at all times, to respect the autonomy of the human dignity, and to regard and treat it as an end to their action. Likewise, all State authorities are obliged to ensure that the existential minimum to which the victim is entitled is not diminished, and that the essential core of their rights is not affected.<sup>3</sup>

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3 UN Office of the High Commissioner for Human Rights (2018), Integrating a Gender Perspective into Human rights Investigations: Guidance and Practice, at: <https://www.ohchr.org/Documents/Issues/Women/Publications/GenderIntegrationintoHR-Investigations.pdf>.

**Domestic violence** is a broad term involving different social and psychological dynamics and power differentials and covers various forms, such as child abuse, elderly abuse and interpersonal or partner abuse.

**Essential Services** encompass a core set of services provided by the health care, social service, police and justice sectors. The services must, at a minimum, secure the rights, safety and well-being of any woman or girl who experiences gender-based violence.<sup>4</sup>

**Formal justice systems** are justice systems that are the responsibility of the State and its agents. They include government supported laws, and institutions such as police, prosecution services, courts, and prisons that have the responsibility to enforce and apply the laws of the State and to administer the sanctions imposed for violations of laws.<sup>5</sup>

**Gender** refers to the social attributes and opportunities associated with being male and female, the relationships between women and men and girls and boys, as well as the relations between women and those between men. These attributes, opportunities and relationships are socially constructed and are learned through socialization processes. They are context/time-specific and changeable.<sup>6</sup>

**Gender equality** is the concept that all human beings, regardless of sex, are equal in dignity and rights and free to develop their personal abilities, pursue their professional careers and make choices without discrimination and the limitations set by stereotypes, rigid gender roles and prejudices.<sup>7</sup>

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4 UN Women (2015), Essential services Package for Women and Girls Subject to Violence: Core Elements and Quality Guidelines at: <https://www.unwomen.org/en/digital-library/publications/2015/12/essential-services-package-for-women-and-girls-subject-to-violence>.

5 Ibid., Module 1, p. 9

6 <https://www.un.org/womenwatch/osagi/conceptsanddefinitions.htm>

7 UN Women (2015), A Framework to underpin to prevent violence against women, at: [https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2015/prevention\\_framework\\_unwomen\\_nov2015.pdf?la=en&vs=5223](https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2015/prevention_framework_unwomen_nov2015.pdf?la=en&vs=5223).



**Gender identity** refers to a person's deeply felt and experienced sense of their own gender, which may or may not correspond with the sex they were assigned at birth. It includes the personal sense of the body and other expressions of gender, such as clothing, speech and mannerisms. Everyone has a gender identity. Transgender or trans are umbrella terms for people with a wide range of gender identities and expressions who do not identify with the sex they were assigned at birth. A transgender person may identify with different gender identities including man, woman, transman, transwoman, and with specific terms, including non-binary identities such as hijra, fa'afafine, two-spirit, among other terms. Cisgender is a term for people who identify with the sex that they were assigned at birth.<sup>8</sup>

**Gender inequality** refers to the gender norms, roles, cultural practices, policies and laws, economic factors and institutional practices that collectively contribute to and perpetuate unequal power relations between women and men. This inequality disproportionately disadvantages women in most societies.<sup>9</sup>

**Gender stereotype** is a generalized view or preconception about attributes or characteristics of what ought to be possessed by women and men, or the roles that are or should be performed by men and women.<sup>10</sup>

**Gender transformative approaches** encourage critical awareness of gender roles and norms. They include ways to change harmful gender norms in order to foster more equitable power relationships between women and men, and between women and others in the community. They promote women's rights and

dignity; challenge unfair and unequal distribution of resources and allocation of duties between men and women; and consider the specific needs of women and men. Such approaches can be implemented separately with women and girls, and with men and boys. However, they are also being increasingly implemented with both women and girls and men and boys together and across generations – either simultaneously, or in a coordinated way in order to challenge harmful masculine and feminine norms and unequal power relations that may be upheld by everyone in the community.<sup>11</sup>

**Gender-based violence** is violence directed toward, or disproportionately affecting someone because of their gender or sex. Such violence takes multiple forms, including acts or omissions intended or likely to cause or result in death or physical, sexual, psychological or economic harm or suffering, threats of such acts, harassment, coercion and arbitrary deprivation of liberty.<sup>12</sup>

**Gender-responsive criminal justice** means ensuring that laws, criminal justice institutions, criminal justice processes and criminal justice outcomes do not discriminate against anyone on the basis of gender. It necessitates taking a gender perspective on the criminal law itself, as well as an assessment of access and obstacles to the criminal justice procedures available for women and men and adopting gender sensitive strategies for protecting victims and promoting access to criminal justice.<sup>13</sup>

**ICT-facilitated VAWG and online violence against women** is any act of gender-based violence (GBV) against women that is committed, assisted or aggravated in part or fully by the use of ICT, such as mobile phones and smartphones, the Internet, social media

8 UN Office of the High Commissioner for Human Rights (2018), Integrating a Gender Perspective into Human rights Investigations: Guidance and Practice, at: <https://www.ohchr.org/Documents/Issues/Women/Publications/GenderIntegrationintoHRInvestigations.pdf>.

9 UN Women (2015), A Framework to underpin to prevent violence against women, at: [https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2015/prevention\\_framework\\_unwomen\\_nov2015.pdf?la=en&vs=5223](https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2015/prevention_framework_unwomen_nov2015.pdf?la=en&vs=5223).

10 UN Office of the High Commissioner for Human Rights (2018), Integrating a Gender Perspective into Human rights Investigations: Guidance and Practice, at: <https://www.ohchr.org/Documents/Issues/Women/Publications/GenderIntegrationintoHRInvestigations.pdf>.

11 WHO (2013b), 16 ideas for addressing violence against women in the context of the HIV epidemic – a programming tool, Available from [http://www.who.int/reproductivehealth/publications/violence/vaw\\_hiv\\_epidemic/en/](http://www.who.int/reproductivehealth/publications/violence/vaw_hiv_epidemic/en/).

12 UN Office of the High Commissioner for Human Rights (2018), Integrating a Gender Perspective into Human rights Investigations: Guidance and Practice, <https://www.ohchr.org/Documents/Issues/Women/Publications/GenderIntegrationintoHRInvestigations.pdf>.

13 Skinnider, Eileen. 'Towards Gender-Responsive Criminal Justice: Good practices from Southeast Asia in responding to violence against women' (2018: Thailand Institute of Justice).

platforms or email, against a woman because she is a woman, or affects women disproportionately”.<sup>14</sup>

**Intersectionality** is an analytical tool and a method of praxis that challenges the idea of ‘sameness’. It refers to “particular forms of intersecting oppressions, for example, intersections of race and gender, or of sexuality and nation. Intersectional paradigms remind us that oppression cannot be reduced to one fundamental type, and that oppressions work together in producing injustice”.<sup>15</sup> An intersectional approach to violence against women includes a consideration of where gender intersects with other inequalities/oppressions (sexuality, gender identity, race, ethnicity, indigeneity, immigration status, disability) to produce unique experiences of violence.<sup>16</sup>

**Intimate partner violence (IPV)** is any behaviour by a man or a woman, or a boy or a girl, within an intimate relationship, that causes physical, sexual or psychological harm to the other person in the relationship. This is the most common form of VAW. IPV may sometimes be referred to as ‘domestic violence’ or ‘family violence’, although these terms also encompass violence by and against other family members.<sup>17</sup> IPV disproportionately victimizes women more than men, whilst men are overrepresented as perpetrators. It is also strongly related to socially determined power differentials between men and women.<sup>18</sup>

**Meaningful participation** requires that individuals are entitled to participate in the decisions that directly affect them, including in the design, implementation, and monitoring of health interventions. In practice, meaningful participation may take on a number of different forms, including informing people with balanced, objective information, consulting the community to gain feedback from the affected population, involving or working directly with communities, collaborating by partnering with affected communities in each aspect of decision making including the development of alternatives and identification of solutions, and empowering communities to retain ultimate control over the key decisions that affect their wellbeing.<sup>19</sup>

**Police** is the generic word for all institutions with legal coercive powers.

**Sex** is the sum of biological and physiological characteristics that typically define men and women, such as reproductive organs, hormonal makeup, chromosomal patterns, hair-growth patterns, distribution of muscle and fat, body shape, and skeletal structure. This publication will often refer to women, men and others to include binary and non-binary self-identifications of sexual identity.<sup>20</sup>

**Sex disaggregated data** is data that is collected and presented separately on women and girls, men and boys. It contributes to reflect a more accurate picture of the roles, real situations and general conditions of women and men in every aspect of society, for instance literacy rates, education levels, business ownership, employment, wages, dependents, house and land ownership, loans, credit and debts. It is also important for data to be presented on the human rights situation of other individuals that do not use or feel represented in binary sex/gender categories.<sup>21</sup>

14 Report of the Special Rapporteur on violence against women, its causes and consequences on online violence against women and girls. A/HRC/38/47

15 Hill Collins, P., 1990. ‘Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment’. Routledge, New York; cited in Imkaan and UN Women (2019), ‘The Value of Intersectionality in Understanding Violence against Women and Girls’, at: <https://www2.unwomen.org/-/media/field%20office%20eca/attachments/publications/2019/10/the%20value%20of%20intersectionality%20in%20understanding%20violence%20against%20women%20and%20girls.pdf?la=en&vs=3339>.

16 Imkaan and UN Women (2019), ‘The Value of Intersectionality in Understanding Violence against Women and Girls’, at: <https://www2.unwomen.org/-/media/field%20office%20eca/attachments/publications/2019/10/the%20value%20of%20intersectionality%20in%20understanding%20violence%20against%20women%20and%20girls.pdf?la=en&vs=3339>.

17 UN Women (2015), ‘A Framework to underpin to prevent violence against women’, at: [https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2015/prevention\\_framework\\_unwomen\\_nov2015.pdf?la=en&vs=5223](https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2015/prevention_framework_unwomen_nov2015.pdf?la=en&vs=5223).

18 Council of Europe, Committee of Ministers, 1037 Meeting, 8 October 2008 European Committee on Crime Problems Feasibility study for a convention against domestic violence.

19 WHO, Social Participation, at: <https://www.who.int/social-determinants/thecommission/countrywork/within/social-participation/en/>.

20 UN Office of the High Commissioner for Human Rights (2018), Integrating a Gender Perspective into Human rights Investigations: Guidance and Practice, at: <https://www.ohchr.org/Documents/Issues/Women/Publications/GenderIntegrationintoHRInvestigations.pdf>.

21 UN Office of the High Commissioner for Human Rights (2018), Integrating a Gender Perspective into Human rights Investigations: Guidance and Practice, at: <https://www.ohchr.org/Documents/Issues/Women/Publications/GenderIntegrationintoHRInvestigations.pdf>.

**Survivor** refers to women and girls who have experienced or are experiencing gender-based violence to reflect both the terminology used in the legal process and the agency of these women and girls in seeking essential services.<sup>22</sup>

The **do no harm** principle requires a proper assessment of gender dynamics and cultural norms that may result in victims and witnesses being exposed to further harm, including re-traumatization or stigma, violence and marginalization at the hands of alleged perpetrators or the victims' families and communities.<sup>23</sup>

**Victim** refers to persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of criminal laws operative within Member States, including those laws proscribing criminal abuse of power.<sup>24</sup>

**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”.<sup>25</sup>

**Vulnerable people** are defined as those who, due to reasons of age, gender, physical or mental state, or due to social, economic, ethnic and/or cultural circumstances, find it especially difficult to fully exercise their rights before the justice system as recognised to them by law. The following may constitute causes of vulnerability: age, disability, belonging to indigenous communities

or minorities, victimisation, migration and internal displacement, poverty, gender and deprivation of liberty. The specific definition of vulnerable people in each country will depend on their specific characteristics, and even on their level of social or economic development.<sup>26</sup>

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22 UN Women (2015), Essential Services Package for Women and Girls subject to Violence, <https://www.unwomen.org/en/digital-library/publications/2015/12/essential-services-package-for-women-and-girls-subject-to-violence>.

23 UN Office of the High Commissioner for Human Rights (2018), Integrating a Gender Perspective into Human rights Investigations: Guidance and Practice, at: <https://www.ohchr.org/Documents/Issues/Women/Publications/GenderIntegrationintoHRInvestigations.pdf>.

24 UN Office of the High Commissioner for Human Rights (2018), Integrating a Gender Perspective into Human rights Investigations: Guidance and Practice, at: <https://www.ohchr.org/Documents/Issues/Women/Publications/GenderIntegrationintoHRInvestigations.pdf>.

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