ELIMINATING GENDER-BASED VIOLENCE, ENSURING EQUALITY

UNIFEM/ECLAC Regional Assessment of Actions to End Violence Against Women in the Caribbean
UNIFEM is the women’s fund at the United Nations. It provides financial and technical assistance to innovative programmes and strategies to foster women’s empowerment and gender equality. Placing the advancement of women’s human rights at the centre of all of its efforts, UNIFEM focuses its activities on four strategic areas:

- Reducing feminized poverty;
- Ending violence against women;
- Reversing the spread of HIV/AIDS among women and girls; and
- Achieving gender equality in democratic governance in times of peace as well as war.
Eliminating Gender-Based Violence, Ensuring Equality
Acknowledgements

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**Acronymns and abbreviations**

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<th>Description</th>
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<tr>
<td>ACCP</td>
<td>Association of Caribbean Commissioners of Police</td>
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<tr>
<td>AWOJA</td>
<td>Association of Women’s Organizations in Jamaica</td>
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<td>CAFRA</td>
<td>Caribbean Association for Feminist Research and Action</td>
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<td>CARICOM</td>
<td>Caribbean Community</td>
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<td>CDCC</td>
<td>Caribbean Development and Cooperation Committee</td>
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<td>CEDAW</td>
<td>Convention on the Elimination of All Forms of Discrimination against Women</td>
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<td>CIDA</td>
<td>Canadian International Development Agency</td>
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<td>CIM</td>
<td>Inter-American Commission of Women</td>
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<td>CISO</td>
<td>Centre for Investigation into Sexual Offences</td>
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<td>DNCW</td>
<td>Dominica National Council of Women</td>
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<tr>
<td>ECLAC</td>
<td>Economic Commission for Latin America and the Caribbean</td>
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<td>ECSC</td>
<td>Eastern Caribbean Supreme Court</td>
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<td>FAMPLAN</td>
<td>Jamaica Family Planning Association</td>
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<td>IDB</td>
<td>Inter-American Development Bank</td>
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<td>ILO</td>
<td>International Labour Organization</td>
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<td>ILSA</td>
<td>Inter-American Legal Services Association</td>
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<tr>
<td>NGO</td>
<td>Non-governmental organization</td>
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<td>OAS</td>
<td>Organization of American States</td>
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<td>OECS</td>
<td>Organization of Eastern Caribbean States</td>
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<tr>
<td>PAHO</td>
<td>Pan-American Health Organization</td>
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<tr>
<td>PALS</td>
<td>Peace and Love in Schools</td>
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<td>PAREDOS</td>
<td>Parent Education for Development in Barbados</td>
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<tr>
<td>STICRIS</td>
<td>Crisis Centre for Women Foundation</td>
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<td>STOP</td>
<td>Foundation Stop Violence Against Women</td>
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<td>UNESCO</td>
<td>United Nations Educational, Scientific and Cultural Organization</td>
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<td>UNFPA</td>
<td>United Nations Population Fund</td>
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<td>UNICEF</td>
<td>United Nations Children’s Fund</td>
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<td>UNIFEM</td>
<td>United Nations Development Fund for Women</td>
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<td>UNV</td>
<td>United Nations Volunteers</td>
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<td>UWI</td>
<td>University of the West Indies</td>
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<td>WHO</td>
<td>World Health Organization</td>
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**1. Introduction**

For the better part of the 1990s, Caribbean women’s organizations, national machineries for women, the courts and the police have been engaged in dialogue and action to ensure protection and justice for victims of violence against women. A combination of public education, advocacy, the extension of services and law reform has led to changes in cultural attitudes. Freedom from violence is now understood to be a human right to which women are entitled and that the State has an obligation to guarantee.

However, in spite of the progress made, there is a widespread perception in the region that violence against women is on the rise. More and more women are being killed by their partners (although the rate varies considerably from country to country). Some studies have also suggested an increase in rapes and sexual offences. Given the intense resource allocation (particularly by women’s organizations) on the one hand, and the perception of an increase in all forms of violence on the other, it became clear that an assessment was needed of how effective the approaches and actions taken have been.

This study represents a collaborative effort by the Economic Commission for Latin America and the Caribbean (ECLAC) Subregional Headquarters for the Caribbean and the United Nations Development Fund for Women (UNIFEM) to make such an assessment. It aims to inform the future work of these agencies around gender-based violence. It has two main components:

a) a broad overview of actions that have been taken towards ending all forms of violence against women in the Caribbean between 1992 and the present; and

b) an in-depth assessment of these actions in three countries.

An important part of the mandate of the ECLAC Subregional Headquarters for the Caribbean is to provide technical advice to governments upon request to inform policy-making. It conducts research and organizes intergovernmental and expert group meetings. The Third Economic Commission for Latin America and the Caribbean/Caribbean Development and Cooperation Committee (ECLAC/CDCC) Ministerial Conference on Women, held in October 1999 in preparation for Beijing +5, identified violence against women as a barrier to achieving gender equality. The recommendations from the conference highlighted the need not only to extend services to victims but also to take actions based on an understanding of the root causes of violence. This assessment forms one component of the work in this area that the ECLAC Subregional Headquarters for the Caribbean has been engaged in since that meeting.

For UNIFEM, this Caribbean evaluation of activities towards ending violence against women is an integral component of a global review of its work on gender-based violence, where the focus is on generating information to strengthen its programmes and priorities. The assessment realizes two
of the identified objectives of the broader global overview:

a) to scan the regions in which UNIFEM works; and
b) to engage in an in-depth assessment of selected countries in each region.

**Regional review**

The primary goal of the regional review was to provide an overview of the wide range of initiatives to end violence against women that have been undertaken in the Caribbean over the last 10 years. This was achieved through:

a) A literature review, drawing primarily on country reports prepared regarding implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Beijing Platform for Action;

b) An analysis of questionnaire responses from non-governmental organizations (NGOs) about country initiatives, their perspective on the outcomes of the initiatives and their identification of priorities for future action. NGOs also made recommendations for strengthened policy and programmatic approaches to end violence against women; and

c) A legal review, which highlighted legislative developments in the law relating to domestic violence, sexual offences and sexual harassment.\(^1\)

The regional review provided the broader context for identifying many of the issues and themes surveyed in the study as well as for the ultimate recommendations. It also explored the specific objectives identified for the in-depth country assessments. This approach allowed for the findings gathered through the country-specific research to be more broadly applied.

**In-depth country assessment**

The in-depth country assessment was conducted in Dominica, Jamaica and Suriname. These countries were selected based on several factors, including the vibrancy and history of state and NGO activism around violence against women, regional representation, ethnic diversity and socio-economic conditions.

The two major objectives of the country assessment were:

a) To identify the institutional changes across key institutions, with particular emphasis on the administration of justice; and

b) To identify strategies, focuses and alliances that have contributed to progress in the area of violence against women and that could guide the future work of UNIFEM and other key actors.

The methodology for this component of the study relied heavily on loosely structured interviews and focus group discussions with key persons and agencies (see Annex VI). A review of legal developments, especially in the area of domestic violence, was also critical.

To help pave the way for a comprehensive and integrated multisectoral approach to violence against women, the assessment focused on interventions in each country – whether legal, social service oriented or advocacy based – that drew on a varied selection of responses.

Violence against children and the resulting care and protection issues were recognized as inextricably linked to the broader issue of domestic violence. Given the significant importance of child welfare to the larger anti-violence struggle, the study sought to include violence against children in both the regional overview and the in-depth country assessment.

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Endnote

\(^1\) For the purposes of this report, the review of legal developments has been set out as a separate section.
2. Regional review

Attention began to be paid to gender-based violence in the Caribbean in the mid-1980s through the efforts of women’s organizations concerned with the fundamental inadequacies of the legal system to deal with violence against women, especially sexual violence. Responding to a study done on legal services for women, the Caribbean Association for Feminist Research and Action (CAFRA) brought together police, social service practitioners, lawyers and women’s organizations in a conference on Women, Violence and the Law in January 1991, the first of its kind in the region. The meeting’s main focus was on sexual and domestic violence. At the time, programmatic responses were fledgling. There were crisis centres in five Caribbean countries and a special police unit in Jamaica. Research on domestic violence was practically non-existent, and only Puerto Rico had enacted domestic violence legislation.

The conference made the case that violence against women stems from unequal power relations between men and women. It issued a series of recommendations that not only called for strategic coordination between crisis centres, the police, Women’s Bureaux, NGOs, Commissions on the Status of Women and Bar Associations, but also took account of the differences of women’s experiences and needs because of race, class and culture. These recommendations called for:

a) The development of supporting mechanisms to encourage women to speak out publicly about the incidence of violence;
b) A more systematic approach to the collection and compilation of statistical records;
c) Women’s organizations to develop strategies to sensitize policy makers and to lobby for effective legislative reform; and
d) The provision of practical support such as shelters, crisis lines, counselling and special units at police stations for victims of abuse.

Since this meeting, much has changed in the region. The 1990s were marked by widespread attention to gender-based violence by both national machineries for women and women’s organizations. This attention was focused on domestic violence and, to a lesser extent, on sexual violence.

The question of prevalence and causation

The quality of data on violence against women in the Caribbean is generally agreed to be inadequate. This is partly because such violence is more difficult to measure than other kinds of criminal offences. Many women do not report incidents of violence because of shame, fear or an expectation that agencies will be less than effective or responsive in dealing with their complaints. Combined with technical inefficiencies in capturing and recording reports of violations, this essentially means that the data that exist are not reliable indicators of how widespread these incidents are.
While there is at least a formal understanding among the police of the need to collect and compile statistics on domestic violence, there are few agreed procedures for recording suspected cases of domestic abuse by social workers, health-care workers or the courts. In addition, NGOs such as shelters, hotlines and women’s advocacy groups, while appreciating the need to keep records, are crippled by inadequate technical and financial resources. There is also the problem of harmonizing data sources because of the different methodologies being used by the various agencies and the absence of coordination needed to avoid record duplication (for example, women who go to the police and also to a crisis centre).

As a result of these data inadequacies, it is very difficult to maintain with any certainty that violence against women has increased. Certainly there are more reports made to agencies such as the police and child welfare bodies. However, it would be reasonable to expect such an increase in the context of widespread consciousness-raising and improved policing and social service delivery. Thus, whether this growth reflects increased reporting as a consequence of a developing belief in the right to protection and redress – as opposed to increased incidence – is unknown and perhaps unknowable.

Still, although it is difficult to make definitive statements on the level of violence over time, an examination of statistics on domestic homicides – the killing of women by their partners – suggests that in some countries this form of violence is increasing. In the Bahamas, for example, domestic homicide accounted for 42 per cent of all persons killed in 2000 and 53 per cent of all persons killed in 2002. In general, this research has not been undertaken by research institutions within or outside of government. Rather, it has mostly been accomplished on small budgets by women’s organizations wishing to get a handle on the incidence of and attitudes towards violence as one component of their advocacy strategy to increase State services devoted to domestic violence.

These studies undertaken in a number of countries suggest that a high level of women in unions in the region have experienced some form of domestic abuse. For example, research in Antigua and Barbuda and Barbados indicates that 30 per cent of adult women experience physical abuse in intimate relationships. Research in Guyana suggests that one in four women in a union there experienced physical abuse. A sample survey of approximately 6 per cent of women between 15-44 years old in the British Virgin Islands found that over one quarter (28.5 per cent) of women in the study had been physically abused. A survey conducted in Trinidad and Tobago in 1996 found that about 30 per cent of the women in the sample had experienced domestic violence. Out of line with the other countries, research from Suriname suggests that 69 per cent of women there had experienced violence in a conjugal relationship. Legally married women seemed to have a lower risk of domestic violence than those in common-law marriages, but otherwise the incidence of domestic violence was consistent regardless of ethnicity, geography (urban/rural) and employment status.

The great disparity in the level of abuse found in these studies – ranging from 25 per cent in Guyana to 69 per cent in Suriname – raises questions about the methodologies used and tends to undermine the credibility of the studies as a barometer of the prevalence of gender-based violence in Caribbean societies. These disparities support the need for a coordinated approach to
research on prevalence in selected countries across the region.

In the first study of its kind on violence in conjugal relationships, Danns and Parsad found that domestic violence in the Guyanese context was experienced across class, race, ethnicity and age differentials. But that study also pointed to differences in women’s experiences that are important for policy and programmatic interventions. The first was that socio-economic status affected the experience of abuse as well as its corollary, the use of violent behaviour. That survey found that the greater the dependency of the woman and the poorer the circumstances of the household, the more violent was the nature of the abuse. The possibility that poverty and its related variables catalysed or made women more vulnerable to domestic violence was supported by the 1996 survey in Trinidad and Tobago mentioned above, which found that while women of all educational levels were represented among those abused, abuse was worse among those with only primary school education. In addition, 76 per cent of those abused were either homemakers or were unemployed – in other words, they were in relationships of economic dependency.

In an examination of conflict, gender relations and women’s health in two low-income areas in Jamaica, the researchers found that (a) women were more likely to be the recipients of physical abuse and (b) this abuse had its origins partly in the struggles of status-deprived males to cope with poverty and inner-city conditions. That research supports the contention that wherever there is evidence of gender inequality and male alienation, violence against women will increase and the health of women is likely to be negatively affected.

Research into gender socialization in children – i.e., the learning of gender roles and what the different expectations are for males and females in society – has also produced some understanding on the connections between gender identity and violence. A study on girls and boys between 8-20 years old in Barbados, Dominica and Jamaica suggests an uncompromising gender ideology of ‘a boy is boy and girl is girl’ and that the socialization of boys produces at a very early age an identification of maleness with strength and aggressive behaviour. Boys expected that the course of male/female relationships would be fraught with difficulty, while girls felt that the use of physical violence by men against their partners, while regrettable, was inevitable.

This level of expectation and even acceptance of interpersonal abuse was also found in a 2001 survey conducted in Dominica. That research showed, firstly, that insecurity was one motivator of violent behaviour in men. This insecurity arose out of difficulties in fulfilling prescribed gender roles. Money had a practical importance in the establishment of ‘maleness’ and the male gender role. In this context the researchers suggested that males attempted to maintain their position by way of ‘compensatory’ violence: violence was perpetrated by males who were or felt financially insecure and thus felt their masculinity was being challenged.

Secondly, the researchers identified male violence as being motivated by the belief that gender identity was defined by physical power and that certain challenges to male power (such as disrespect or ‘nagging’) ought to be met by violence. A third reason for the perpetration of male violence was related to concerns about female infidelity and the male need to control females as necessary for male self-esteem.

The studies that have been undertaken employ a range of different methodologies, reducing the comparability of the results. Still, there are some threads that have
emerged. While domestic violence as one form of gender-based violence expresses unequal power relations between women and men, there are other catalysts of domestic violence – cultures of violence, including substance abuse, high levels of acceptance of corporal punishment as a form of discipline of children and experience of violence as a child.

**The policy context**

By the end of the 1990s, almost all Caribbean countries had signed and ratified the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (known as the Convention of Belém do Pará for the place where it was signed). A multiplicity of actions was taken, particularly on domestic violence. Legislation was reformed and the adequate implementation and enforcement of laws was strengthened through programmes of police training and judicial sensitization. Women’s organizations – usually with some governmental assistance, either through subventions or allocation of space – established safe houses, crisis centres and hotlines. These actions were largely focused on victim support.

However, these considerable efforts were generally not the result of a coordinated and integrated national planning process. The national machineries for women carried the State sector response. It was in these departments that public education efforts were located as were initiatives aimed at deepening the understanding of gender-based violence on the part of other State actors, particularly the police, the judiciary and health workers.

Critiques of the role of the national machineries in attaining broad gender equality goals are equally relevant to their work around gender-based violence. While these divisions in the gender and development framework were supposed to act as policy creating and monitoring mechanisms, many remained engaged in the delivery of social services and small-scale projects. In relation to gender-based violence, many machineries functioned as drop-in counselling and referral centres. Very few were able to engage in the data collection, research and analysis so necessary for policy formulation. Except for Belize, there were generally no established and ongoing mechanisms for surveillance of violence against women. As a result, in order to obtain minimal information on incidence and prevalence policy makers relied on data systems (police, courts, shelters, etc.) that were not set up to monitor the scope of the problem.

These multiple data systems were inadequate for the task of establishing incidence and prevalence estimates of violence against women since they were created and maintained for other purposes. The police collected information about violence against women for the purpose of apprehending and bringing charges against the perpetrator(s) of the violence; they therefore recorded few details about the victim. Hospitals, on the other hand, collected information primarily in order to provide optimal patient care and recorded little, if any, details about the perpetrator of the violence. Courts collected statistics for the purpose of showing the outcome of cases.

The result of this has been that in most countries the responsibility for the fostering of zero tolerance values for gender-based violence has remained primarily that of the women’s departments, which have few institutional linkages across the range of sectors whose involvement is pivotal to social service delivery as well as to preventative approaches.

**The police response**

The police are at the core of efforts to foster zero tolerance to all forms of gender-
based violence. Given the historical inadequacies of police responses, both institutionally and culturally, a great deal of effort has gone into building partnerships between police and women’s organizations. Sporadic police training initiatives spearheaded by women across the Caribbean were significantly strengthened by a multi-agency collaboration between CAFRA, the Association of Caribbean Commissioners of Police (ACCP) and donor agencies. This collaboration led to the training of over 4,000 police across the region in 2000-2002. In some countries over 50 per cent of all police have received training designed to increase their understanding of the dynamics of domestic violence and, to a lesser extent, to address policing deficiencies in dealing with sexual offences.

In addition to the training, some efforts have been made to establish dedicated units for domestic violence and/or sexual offences. These units are staffed by specially trained officers and, in the case of sexual offences, by female officers. This was premised on the idea that it would lead to more sensitive handling of victims of gender-based crimes. The support to these units varies from country to country, and in some resources are so minimal that the assertion of the existence of a special unit is more notional than real.¹²

Despite training, the police throughout the Caribbean have remained resistant to the idea of law enforcement as applied to the domestic context. The purpose of domestic violence legislation was to increase the options of abused women, and it has been acknowledged that the Acts have given women a degree of autonomy and control as opposed to the police-driven criminal justice system.¹³ But the legislation was never meant to supplant the criminal justice system – the former focuses on protection and the latter on punishment. Yet, very few persons were arrested or charged with conduct that amounted to domestic violence even where there was substantial physical injury.

On the one hand, women’s organizations challenged police practice as reproducing societal complacency and complicity in ignoring abuse against women and children. They accused the police of being unable to extricate themselves from the webs of kinship and friendship that, in small societies, could inhibit them from performing their policing role. They maintained that, notwithstanding training, police continued to trivialize domestic violence, treating it not as a crime but rather as a private matter to be solved within the family. For their part, the police spoke of their frustration with women who refused to prosecute, whether on their own behalf or on behalf of children. They said in their defence that, over time, this frustration hardened into inaction.

There is no doubt that the low levels of victim reporting have complicated the policing of domestic violence. In a study in Jamaica of persons who attended the women’s crisis centre, it was found that some 71 per cent of women who had received injuries as a result of assaults did not report these assaults to the police.¹⁴ This statistic mirrored earlier findings from Guyana showing that women went to the police in very limited cases, preferring to go for assistance to the clergy, community leaders, friends and family.

The police training developed and implemented by CAFRA in collaboration with ACCP seems to have made increasing police sensitivity its main objective on the assumption that more supportive policing over time would increase victim confidence in the police. Some gains have been made in this direction, and the emphasis on community policing and social service support within the police services is noticeable. At the same time, however, the role of the police in law enforcement has also been
highlighted. There have been increasing calls for the development of a mandatory arrest policy that would have the advantage of reducing individual police discretion and ensure a consistent policy of zero tolerance for domestic violence.

There has been less work and reflection around the treatment of sexual offences, even though there are clear indications that the incidence of rape has increased across the region. Little law reform has been undertaken in this area, and evidentiary requirements that impede and frustrate victim support in the justice system continue to exist in the law in many countries.

**Services for victims**

The services developed for the support of victims are typically shelters, hotlines, psychological and legal counselling and education. Still, the level of services is woefully out of proportion to the need for them. Apart from Trinidad and Tobago, shelter services are very limited – for example, in the whole of Jamaica there is only one 12-bed facility for victims of domestic violence. In several countries there is no shelter at all.

The shelters typically provide for short stays and are run by the NGO sector. In no country has the ministerial sector that deals with housing been drawn into the development of an integrated support network for victims, despite the existence of public housing programmes throughout the Caribbean.

National machineries for women across the region have also developed support programmes for victims, with many of their staff acting as counsellors or as victim advocates in court. This response is most developed in Trinidad and Tobago, where a Domestic Violence Unit has been established in the Division of Gender Affairs of the Ministry of Community Development and Gender Affairs. This Unit operates a hotline service and has started initiatives targeted at strengthening data collection on domestic violence.

Social service or family service departments also provide support to the court process, particularly when parties are referred for counselling. An ECLAC review of the law found that the circumstances under which counselling will be ordered and the purpose of the counselling is ambiguous. It has been attributed to an emphasis on the maintenance of family structures. Thus, in some cases counselling is ordered when the magistrate deems that the marriage or union is retrievable rather than for the primary purpose of holding the perpetrator accountable and changing behaviour.\textsuperscript{15}

**Services for perpetrators**

Although courts throughout the Caribbean have the power to order counselling in relation to domestic violence, psychological support services targeted at abusers are in short supply. Only a few countries (e.g. the Bahamas and Jamaica) have developed special programmes aimed at batterers. In the case of Trinidad and Tobago, there is a men’s organization that focuses on violence – Men against Violence against Women. In addition, in the Division of Gender Affairs in Trinidad and Tobago there is a programme for men that promotes conflict resolution skills.

The need for such programmes was underscored at a meeting convened by ECLAC in 2003 in collaboration with the Canadian International Development Agency (CIDA). The meeting recommended that there should be a clear philosophical approach to batterer intervention programmes based on victim protection and perpetrator accountability. It was stressed that work with violent males should aim at an examination of gender stereotypes
underlying the male systems of beliefs that legitimize violence toward women.

**Health sector**

The health system occupies a strategic position in identifying victims of violence and referring them to other institutions for help. However, its response to domestic violence has focused almost exclusively on immediate care for injuries. There is currently a thrust towards the development of greater collaboration between health workers and social services.

In Belize, for example, a coordinated surveillance system for domestic violence has been established through the efforts of the Pan American Health Organization (PAHO) in partnership with the Women’s Desk and the Ministry of Health. In Dominica and St. Kitts and Nevis there have been efforts to formulate a set of rules for health sector/social service collaboration in the case of child abuse. Mandatory reporting by health workers of child abuse applies in Trinidad and Tobago.

**Prevention**

For the most part, both State and non-State actions have targeted service delivery. With regard to prevention, the principal tools used to date have been media campaigns and popular education through the production of booklets, brochures and short films. These educational materials have advised on how to recognize and avoid gender-based violence and provided information on legal rights. They have raised awareness of the problem and no doubt have increased reports of all forms of gender-based violence. They have also fuelled demands for increased services to both victims and perpetrators. However, there are few evaluations to measure their impact on changes in power relations between women and men. Recognizing this, a call was made at the Third ECLAC/CDCC Ministerial Conference on Women for an increased understanding of how women and men are socialized and how this impacts on the promotion of peace. This work on gender socialization would allow for a better understanding not only of the causes of violence but also of the strategies necessary to change the culture.

In this regard, there has been some work on gender socialization in the education system that has produced important insights into the construction of gendered identities. These studies are concerned with violence even when the researchers do not specifically raise the issue. So, for example, they have shown that by age 10, boys begin to recognize the importance of masculine traits and that physical dominance is seen as an important aspect of masculinity. This work provides the base from which more targeted work is to be implemented by a number of agencies, including the Centre for Gender and Development Studies and the ECLAC Subregional Headquarters for the Caribbean.

**NGO analysis of actions taken to address violence against women**

To inform the regional scan, a questionnaire was widely distributed across the region. It targeted the NGO community and was designed to elicit NGO assessments of both State and non-State initiatives in respective countries. It was also intended to solicit recommendations for strengthened policy and programmatic approaches to end violence against women. Unfortunately, the analysis of the research findings was compromised by the poor response rate. Despite the wide distribution of the questionnaire, only nine organizations responded.

There was striking commonality in the questionnaire responses received. The perceived strengths and weaknesses of the struggle to eradicate violence against...
women were broadly the same across the region. Although there were some distinctions, the shared experiences among Caribbean States revealed the following common themes:

- The continued prevalence of domestic violence and sexual assault;
- Inadequate attention given to sexual harassment;
- A lack of commitment from the State;
- Insufficient collaboration;
- The need to address child abuse; and
- The need for gender mainstreaming.

The continued prevalence of domestic violence and sexual assault

All of the respondents identified these two forms of violence as receiving the most attention in their respective countries because these were the areas that were most reported. Public awareness initiatives, advocacy, social service responses and research all centred around these two forms of violence.

Sexual assault was viewed as the more challenging form of violence, largely due to the lower reporting rates, the shame and embarrassment still experienced by most victims and the lack of confidence in the legal outcome of sexual assault cases. Incest was viewed by most respondents as deserving of special attention. It was seen as a growing social problem, but resistant to intervention given its taboo nature.

Several countries made note of marital rape as an area that had been marginalized in the advocacy approaches. It was seen as a particularly difficult issue to address because of prevailing social attitudes about marriage and weak legal responses.

Inadequate attention given to sexual harassment

Every country identified sexual harassment as an area deserving of more attention. Many felt that this issue received limited attention because it was accepted as the norm and very rarely viewed as abusive conduct. One organization reported that:

“Sexual harassment is still socially acceptable and as such treated lightly. Policy makers themselves (inclusive of females) have not yet begun to analyse or place themselves in a position to understand the physiology of sexual harassment.”

Legislative responses to sexual harassment were perceived as weak or non-existent. Even in the Bahamas, where sexual harassment was covered by law, the coverage was reported as ‘superficial’. Public education and awareness were also viewed as weak in this area.

A lack of commitment from the State

The NGO community across the region held the view that governments had not given any priority to violence against women and had demonstrated a general lack of commitment to addressing the abuse of women and children. NGOs complained of carrying a disproportionate share of the responsibility for meeting the needs of victims and were often doing so with very limited budgets. One of the major problems identified was the incapacity of NGOs to solve systemic challenges such as poor economic conditions, insufficient housing and unemployment. Commenting on the limitations of NGOs, one respondent stated that:

“Only government has the capacity to influence education and other reforms. We need more political will and effective action.”

Given the hands-on approach of NGOs in the area of violence against women, it was widely felt that their work was deserving of more attention and resources. International organizations came under some criticism for failing to deal more directly with NGOs as opposed to forging close ties mainly at the government level.
Insufficient collaboration
Collaboration between NGOs and government was described by most organizations as weak. This was cited as the major contributing factor to the current disjointed, non-integrated approach to gender-based violence. Non-collaboration was also viewed as a shortcoming in the NGO community itself. Organizations reported duplication of projects and services among themselves, despite the fact that there were notable gaps still existing in some crucial areas of service delivery. NGOs offered limited resources as the primary reason for a lack of collaboration. One organization wrote:

“The reason for little collaboration is mostly lack of adequate and sufficient resources.... Organizations use their few resources to deal with and focus on their own problems.”

All of the organizations recognized the importance of a comprehensive, systemic response to violence against women and were fully aware of the need for better collaboration if such an approach was to be implemented. Nevertheless, important sectors like education and health were frequently identified as working independently and not facilitating the multisectoral, integrated approach recognized by most as critical to the anti-violence struggle.

The need to address child abuse
Several organizations made special note of the lack of attention given to child abuse or violence against children. Sexual abuse of young girls, in particular, was highlighted as an area deserving of greater State attention. Child protection services were viewed as sadly lacking, with places of safety for child abuse victims being a very scarce commodity. The legal responses to child abuse were seen as lagging behind the advancements that had been made on behalf of women, especially through the creation of Acts on domestic violence.

The need for gender mainstreaming
The research results demonstrated an appreciation for several of the broader, more deeply rooted challenges to the campaign against gendered violence. Mention was made of disadvantageous cultural practices, traditional gender ideology and a global culture of violence. It was generally felt that, in the face of these pervasive challenges, there was the need for gender mainstreaming that would put women’s issues on the agenda in every sector.

The non-prioritization of violence against women was seen as a by-product of a larger problem that had to do with the general marginalization of women’s issues. There was also a recurring sentiment throughout the region that men needed to be involved in the work on violence.

Regional initiatives
The work of the agencies
Responding to the demands of the international and regional women’s rights movement, towards the end of the 1990s UNIFEM, in partnership with CAFRA, coordinated and implemented a United Nations campaign on women’s human rights. The campaign, which lasted from November 1997 to November 1998, took as its theme ‘A Life Free of Violence: It’s Our Right’. Twenty-one countries participated, and emphasis was given to activities to promote police education and public education. The public education and advocacy activities were both national and regional in scope. A Regional Tribunal was held in Barbados in November 1998 to bring to the public arena women’s testimonies of violations of their rights.

One of the intended outcomes of the campaign was the development of a procedure for cooperation between crisis centres and the police in the treatment of victims of domestic and sexual violence. The cam-
The campaign was intended to foster and strengthen institutional links between the police, crisis centres and national women’s machineries. Since it ended UNIFEM has continued its focus on rights and gender-based violence and in 2000 held a training seminar for magistrates on women’s rights.

In an evaluation of the campaign,\(^16\) the major weakness identified was the absence of monitoring and follow-up activities because of resource restraints. Importantly, the report concluded that collaboration with most United Nations agencies was not at the level anticipated.

One key UN collaborator, however, was the United Nations Development Pro-gramme (UNDP). It participated in the campaign through the preparation of national reports on the situation of gender-based violence against women in Jamaica and Trinidad and Tobago. These reports outlined in great detail the activities to end violence against women and made recommendations for national level initiatives to strengthen programmes to deal with gender-based violence.\(^17\)

UNDP Jamaica also implemented campaign activities in Jamaica. The agency took the lead in raising donor agency commitment to the campaign, for which the Association of Women’s Organizations in Jamaica (AWOJA) was the executing agency, and participated in an inter-agency coordinating committee. Other partners included the United Nations Children’s Fund (UNICEF), UNIFEM, the United Nations Population Fund (UNFPA), CIDA, the United Nations Volunteers (UNV) programme and the Royal Netherlands Embassy.

Since the end of the campaign, however, UNDP’s work on gender-based violence has not been sustained. Apart from UNDP, UNICEF and the United Nations Educational, Scientific and Cultural Organization (UNESCO) also participated in the campaign.\(^18\) These agencies have continued to contribute to end violence against women programmes in various ways, with a focus on research, technical assistance and advocacy.

At the Third ECLAC/CDCC Ministerial Meeting on Women in 1999, a number of recommendations were made on violence against women. The resulting Port of Spain Consensus documents the region’s ongoing concern with the widespread nature of this violence and urges the conduct of research on its root causes. The meeting called for policy and programmatic interventions based on an understanding of the nature and types of violence against women and of how this violence in all its manifestations is constructed, perpetuated and reproduced. The importance of data collection was also emphasized.

Highlighting the connection between gender-based violence and the culture of violence generally, the Port of Spain Consensus called for a review of policies concerning corporal punishment in schools and other institutions for children. It recognized that corporal punishment as a dominant means of discipline was often abusive and might be one of the roots of violence against women.

The meeting also recommended that gender training be given to caregivers of children, and particularly to teachers, to enhance an appreciation of their role in the socialization of boys and girls, given that certain socialization practices contributed to the perpetuation of gender violence. It called for studies on the construction of undesirable forms of masculinity and the ways in which violence against men and boys in, for example, educational and penal institutions contributed to such construction.

Beyond prevention programmes, the Port of Spain Consensus addressed the need to...
strengthen the justice system through appropriate training, advocacy and awareness programmes for judicial, legal, medical, social sector, educational, media and police personnel to sensitize them to the nature of gender-based acts and threats of violence.

Arising out of these recommendations, the ECLAC/CDCC Secretariat has undertaken a number of activities. Drawing on the work of PAHO in Central America, it has developed a Model Data Collection Protocol for Domestic Violence. The Division of Gender Affairs, with CIDA support, is currently implementing this ECLAC model in Trinidad and Tobago.19

UNIFEM and ECLAC have also provided technical assistance and support to the Eastern Caribbean Supreme Court/Organisation of Eastern Caribbean States (ECSC/OECS) on the Family Law and Domestic Violence Legislative Reform Project. ECLAC undertook an evaluative study of the implementation of domestic violence law as well as a review of the law in Turks and Caicos. These reports are to be used to inform the legislative agenda in the OECS and Turks and Caicos. This project is also supported by UNICEF and NCH Action for Children.

The findings of the work in support of the ECSC/OECS project informed the content of a Regional Conference on the Administration of Justice and Gender-based Violence convened by ECLAC and CIDA in February 2003. At this meeting both police training and social service support to the justice system were considered.20 Attention was paid for the first time to the social and psychological programmes that were being implemented or were needed to assist victims and to help batterers take responsibility for their abusive conduct. Despite the attention of agencies such as CIDA’s Gender Equality Programme, ECLAC, UNIFEM and UNICEF on the issue of gender-based violence.

The Caribbean Community (CARICOM) Secretariat

Violence against women has not been a priority area for policy and programmatic actions in the Caribbean Community (CARICOM) Secretariat in the last five years. At the follow-up meeting to Beijing +5 held in Jamaica in December 2000, CARICOM made a proposal for its Gender and Development Desk to focus on three areas: (a) health, with an emphasis on HIV/AIDS, (b) education and (c) poverty and the economy. At that meeting, representatives of national women’s machineries expressed concern that this agenda did not capture their work on violence against women. Still, violence has remained outside of the mainstream of CARICOM’s work because it was suggested that this area is already the focus of the work of UNIFEM and ECLAC.

Endnotes

3 Reported at an ECLAC/CIDA Regional Conference on Gender-based Violence and the Administration of Justice, 3-5 February 2003.
7 CAFRA, ‘A Pilot Survey on the Incidence of


12 In Antigua, for example, one person staffs the Domestic Violence Unit.


17 These reports are accessible online at www.undp.org/rblac/gender/natreport.htm

18 See Dunn report (note 16 above) for an outline of activities.

19 In December 2002 the Division, in collaboration with ECLAC and CIDA’s Gender Equality Programme, hosted a one-day workshop at which the ECLAC model was presented to a range of stakeholders from the police, court system, Central Statistical Office, social services and non-governmental sector. The model was critiqued and a recommendation was made at the meeting that further discussions be held to tailor the model protocol so that it could be implemented in Trinidad and Tobago.

20 ECLAC/CDCC, see note 15.
3. Legal review: Developments in the law since 1992

Early analyses of the law showed that throughout the Caribbean it was largely unresponsive to the forms of harm women experienced, particularly violence in the ‘private sphere’ and sexual violence. Legislative reform therefore came to be prioritized as a concrete way of ensuring the equal protection of women by the law. In support of this, the CARICOM Secretariat drafted model legislation on women’s human rights in eight areas, including domestic violence, sexual offences and sexual harassment. To varying degrees, these models have been used as the basis for law reform in the region.1

Domestic violence

Since 1991 all the countries in the Caribbean have enacted legislation that is intended to protect persons who are abused in the domestic setting.2 Prior to the enactment of this specialized law, women who were abused in interpersonal relationships were forced to rely on the police and criminal justice system for protection. The virtual non-existence of police prosecutions of domestic violence, however, strongly suggested that the police were often indifferent to this type of crime, sharing the general view in society that what happened between men and women in the privacy of the home was their own business and that women were subordinate to men. On the other hand, women themselves were often reluctant to pursue criminal charges for a variety of interconnecting reasons, including fear, shame, intimidation (both by the abuser as well as by the criminal process), economic dependency on the abuser and reluctance to criminalize their partner or the father of their children.

The CARICOM model legislation was drafted with the intention of increasing women’s legal options to ensure protection from further abuse. The draft model did not create criminal offences except where an order of the court was breached. It was meant to be complementary to the existing criminal justice system, as all forms of physical abuse and threats of physical abuse, whether against a partner or a stranger, already constituted crimes in the Caribbean. States have all generally followed the thrust of the model though, over time and with assessments of the workings of earlier Acts, changes have inevitably been made and new directions taken to strengthen the protection of victims of domestic violence.

What the legislation does is give certain persons who are abused in the household or family context the right to apply to the Magistrates’ Court for non-molestation, exclusion, occupation and tenancy orders. The law is part of the civil as opposed to the criminal process. Thus the person applying for protection need only prove her case on the civil standard of proof, that is, on the balance of probabilities. In all the countries efforts have been made to ensure anonymity and confidentiality in domestic violence...
The persons protected by the law are the spouse of the respondent (person who has perpetrated the abuse), a parent or a child or dependant of that person, the de facto spouse and a former de facto spouse (de facto means ‘in fact’ or ‘in practice’ and is commonly used in contrast to de jure, meaning ‘by law’). ‘Child’ is defined to include:

(a) A child of both parties to a marriage;
(b) A child (whether or not a child of either party to a marriage) who is or has been living in the household residence as a member of the family;
(c) A child of a man and a woman who, although not married to each other, are living or have lived together in the same household; and
(d) A child (whether or not a child of the man and woman referred to in paragraph (c) or either of them) who is or has been a member of their household; or who resides in that household on a regular basis; or of whom either the man or woman is a guardian.

Noticeably absent from this list of protected persons are those in visiting or former visiting relationships or otherwise in close interpersonal relationships. Also omitted from the scope of the legislation are family members such as siblings. This is the model that has been adopted in most of the territories with the exception of Belize, Dominica, Guyana and Trinidad and Tobago.

Many women in Caribbean countries do not live with their partners, despite maintaining long-term relationships. Confining eligibility for protection orders to those who live together therefore leaves out a large number of people. In more recent legislation in Trinidad and Tobago, whose 1991 Act was repealed and replaced by the Domestic Violence Act, the range of protected persons was increased to include those in visiting relationships and those who have a child in common even though the parties have not lived together. Similarly, in Dominica, following the Trinidad and Tobago model, persons in visiting relationships are allowed to make an application, though the relationship must have lasted more than 12 months at the date of the application. Parents and siblings may also make applications whether or not they are members of the household of the respondent.

Recognizing that many persons in abusive situations are unable or unwilling to make applications for their own protection, the approach in the Caribbean has been to enable other people to apply for protection orders. Police officers or the parents of an abused adult can apply in most cases. In the case of children the legislation also tends to give approved social workers the power to make applications on their behalf. In St. Vincent and the Grenadines, this power has been extended to include the Solicitor General.

However, despite the existence of these broad powers to act on behalf of children and abused adults, they are rarely used. In relation to children, it has been suggested that child protection legislation, which allows the child to be removed from a situation of danger and placed in the custody of court-appointed guardian, is a more responsive regime and one that is more familiar to child welfare officers. With regard to adults, the lack of exercise of police powers has been attributed to an under-appreciation of what these police powers and duties are.

The CARICOM model provided general guidelines on the nature of the conduct that would be sufficient grounds to apply for a protection order. The main ground specified is that the respondent had used or
threatened to use violence, or caused physical or mental injury, and was likely to do so again. More broadly an order could also be obtained where, having regard to all the circumstances, it was necessary for the protection of a prescribed person. Many, though not all, of the countries that enacted legislation went on to highlight the types of behaviour that would cause mental injury. The laws enacted in Belize and Trinidad and Tobago in 1991 speak of “conduct of an offensive or harassing nature”. Belize and Guyana refer to “intimidation”, “persecution” and “psychological abuse”.

Under the 1999 Domestic Violence Act (Trinidad and Tobago), which was followed in Dominica and Grenada, domestic violence was redefined to include “physical, sexual, emotional or psychological or financial abuse”. In the case of emotional or psychological abuse, this is defined in Trinidad and Tobago as:

“A pattern of behaviour of any kind, the purpose of which is to undermine the emotional and mental well being of a person including:
(a) Persistent intimidation by the use of abusive or threatening language;
(b) Persistent following of the person from place to place;
(c) Depriving that person of use of property;
(d) Watching and besetting of the place where the person resides, works, carries on business or happens to be;
(e) Interfering with or damaging the property of the person;
(f) Forced confinement;
(g) Persistent telephoning; and
(h) Making unwelcome and repeated or intimidatory contact with a child or elderly relative of the person.”

Financial abuse in those three countries is defined as a pattern of behaviour with the purpose of exercising coercive control over, or exploiting or limiting a person’s access to financial resources so as to ensure financial dependence.

The usual types of orders that the court is empowered to make are non-molestation or restraining orders, exclusion orders and occupation and tenancy orders. These orders can be made ex parte (i.e. on behalf of only one party, without notice to any other party) if there is sufficient urgency to justify this route. Under its jurisdiction to make non-molestation orders, the court may restrain the respondent from engaging in a range of conduct that is harassing or intimidating – from following or stalking the applicant to making persistent telephone calls or using abusive language.

In making exclusion orders, the court is empowered to exclude an abuser from the home of the applicant, as well as to limit his movement in places where the applicant usually spends time, such as the workplace, educational institutions and households of family members.

Apart from such orders that aim at protecting the victim, the Acts also provide for counselling for both applicants and respondents. The content or purpose of the counselling, however, is not detailed and neither is it linked to the final disposition of the case. There is no obligation for an account and assessment of the counselling to be presented to the court.

In more recent legislation (Dominica, Grenada and Trinidad and Tobago) the court can order the respondent to pay certain costs and fees, such as rent or mortgage payments, child support payments, medical expenses, expenses for shelter, court costs and attorneys’ fees. The court also has the power to make orders for reimbursement of losses suffered as a result of the abuse, including medical and moving expenses, loss of earnings or support, and other expenses for injuries sustained and damage to property.
This development has been advantageous. The ECLAC study on the implementation of the domestic violence Acts has highlighted most clearly that one of the limitations of the legislative scheme is the inability of the magistrate to grant custody and maintenance orders. The broadening of the powers of the court to deal with maintenance means that the judicial officer will have the power to consider all relevant matters that arise in a family dispute and make integrated orders that meet the needs of the parties. It also means that the applicant does not need to move between a number of different courts to obtain effective relief.

In all cases, the breach of a protection order amounts to a criminal offence punishable by imprisonment or a fine. In Belize the court may, in lieu of a punitive sentence, require the convicted person to undergo probation in a re-education or rehabilitation programme. Such a ‘rehabilitation order’, however, can only be made where the convicted person is a first-time offender.

In a few of the Acts, the court is given the power to accept an undertaking on the part of perpetrators that they will not engage in any further acts of domestic violence. This undertaking was meant to facilitate, where appropriate, the resolution of the issue by the parties so that the victim does not need to give evidence and therefore relive the trauma. It was introduced in the 1991 legislation in Trinidad and Tobago and was much contested, with battered women’s advocates asserting that it would have the effect of giving abusers a ‘second chance’. The undertaking, however, has the effect of an order with the same consequences for a breach. In Belize and Guyana undertakings cannot be given where there has been physical abuse or where there has been a previous protection order or undertaking.

Police powers

Many of the actions that may be a sufficient basis for an application for protection orders do not amount to criminal conduct, or at least to criminal conduct of such a serious nature to allow for the police to exercise their powers of arrest in the absence of a warrant. Similarly, many types of breaches of protection orders would also not constitute criminal offences. Arrests without warrants are usually confined to cases of relatively severe offences. Arrests without warrants are usually confined to cases of relatively severe physical abuse that have either already taken place, are taking place or are being threatened.

Many of the Acts attempt to plug this gap to ensure strict enforcement and therefore respect for the protection orders. This is done by the attachment of powers of arrest to the orders at the time that they are made. As such, wherever there is a breach of an order of whatever nature in those countries, the police are empowered to arrest the respondent.

Apart from providing these powers, some countries have also tried to strengthen the police response by stipulating in the law what their obligations are on receiving a complaint of domestic violence. For example, police officers are obligated to give assistance to victims in order to prevent further abuse. Such assistance includes obtaining medical attention, getting the victim to a place of safety or accompanying her when she removes her personal belongings from a place where the abuser resides. Police officers are also called on to give advice to victims on the importance of preserving evidence and on their rights and the services available.

Police accountability is also strengthened in Belize, Dominica, Grenada, St. Kitts and Nevis and Trinidad and Tobago, where the duties of the police as law enforcers is set out. Police are mandated to respond to every complaint or report alleging domestic violence whether or not the complainant is the victim. They are called upon to complete a domestic violence report, which
forms part of a national Domestic Violence Register.\(^9\)

Victim reluctance to go to the police because of shame, humiliation and fear of loss of privacy is also addressed in Belize and Guyana, where the police are required to interview persons involved in domestic violence cases in a private area of the police station and to ensure that confidentiality is maintained with regard to the identity of persons.\(^10\)

In the most recent Acts (Dominica and Grenada) provisions have been made that seek to meet the challenges of ensuring evidence in matters before the court. Where the complainant refuses to give evidence or gives inconsistent evidence, Dominica makes admissible into evidence statements by complainants given under oath to the police. Grenada allows for videotaped evidence.

**Other State obligations**

In a few of the countries (Belize, Guyana and St. Kitts and Nevis), the legislation sets out the role of social services in mapping out national policies to prevent domestic violence and to extend services to victims of domestic violence. In all three countries, the relevant ministry has the mandate to develop strategies to encourage changes in the policies and procedures in government agencies in order to improve their response to the needs of victims.

**Use of the legislation**

There have been only a few studies on the implementation of the domestic violence legislation. These suggest that the court process may be invoked only reluctantly. So, for example, of the 1,036 reported cases of domestic violence in Barbados in 1997, only 450 were brought to court.\(^11\) The Directorate of Gender Affairs in Antigua and Barbuda, which has a court support programme for victims of domestic violence, estimates that only 40 per cent of the persons who seek their services make applications to the court.\(^12\) Similarly, in St. Lucia the court process is used only as the last resort and usually after long periods of previous abuse.\(^13\) In the case of Jamaica, the limited use of the Act is particularly striking. In 2002 there were only 335 applications made in the Kingston Family Court, which serves Kingston and St. Catherine with an estimated population of over one million people (see table 1).

The ECLAC study suggests that the limited use of the legislation in comparison with the incidence of domestic violence is partly due to the prevailing ‘culture of discouragement’. There is a stigma attached to taking one’s spouse to court. This acts as a deterrent to many women, as do webs of emotional and financial ties/dependencies on the batterer. Fear of batterer anger and retaliation (physical, financial or emotional) also impede the use of the court process. In addition, the limited use of the Acts has been blamed on insufficient knowledge of the legislation.

<table>
<thead>
<tr>
<th>Year</th>
<th>No. of Applications</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Antigua and Barbuda</td>
</tr>
<tr>
<td>1996</td>
<td>-</td>
</tr>
<tr>
<td>1997</td>
<td>-</td>
</tr>
<tr>
<td>1998</td>
<td>-</td>
</tr>
<tr>
<td>1999</td>
<td>-</td>
</tr>
<tr>
<td>2000</td>
<td>67*</td>
</tr>
<tr>
<td>2001</td>
<td>11</td>
</tr>
<tr>
<td>2002</td>
<td>335</td>
</tr>
</tbody>
</table>

* This figure is for 1999-2000.

Source: Court records.
been most used, its passage was preceded by years of heated national dialogue around the Sexual Offences Act on whether there should be any immunity for men who raped their wives. The Domestic Violence Act of 1991 was also attended by heightened women’s rights activism. By the mid-1990s a total of 8,297 applications for protection orders had been filed. And between 1999 and 2001 over 8,000 applications were made in that country. The Act is also well used in Belize, where there has also been sustained attention to the issue by both State and non-State agencies. Since the inception of the Domestic Violence Act in 1993 up to April 1999, over 2,000 applications for protection orders were filed in the Family Court.

However, apart from the use of the court process, the statistics on the number of orders made in response to the applications require closer attention. The ECLAC study found that, on average, over half of all applications were either dismissed because of non-appearance of the applicants or withdrawn by the applicants. One study of Trinidad shows that in the period 1991-1994 only 39 per cent of applications resulted in protection orders.

This low ratio of awards in relation to applications was also observed in St. Lucia as well as in St. Vincent and the Grenadines (see tables 2 and 3). Between 1996 and April 2001, of 940 applications made for protection orders in St. Vincent and the Grenadines, 39 per cent resulted in the granting of an order. Court records for Jamaica suggest that only 32 per cent of the applications made between 2000 and 2003 resulted in the making of a protection order. Similarly in Belize approximately 50 per cent of the applications made between 1993 and 1999 were dismissed or withdrawn.

It has been suggested that these withdrawals are the result of a number of factors, including reconciliation of the parties and withdrawal because of fear of and intimidation by the abuser and frustration with the court process.

Despite the power given to the police to make applications for protection orders, they rarely initiate these. In the only study of its kind, Oral Reid notes for Barbados that during the period January-December 1995, a total of 136 protection orders were recorded by the police, four being initiated by them. For the corresponding period in 1996, 142 orders were recorded, of which seven were initiated by the police. Reid suggests that police powers are underutilized because of lack of knowledge on their part.

### Table 2
Outcome of applications for protection orders – St. Lucia

<table>
<thead>
<tr>
<th>Year</th>
<th>Cases Lodged</th>
<th>Interim and Permanent Orders Granted</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No.</td>
<td>Occupation</td>
</tr>
<tr>
<td></td>
<td>No.</td>
<td>%</td>
</tr>
<tr>
<td>1997</td>
<td>106</td>
<td>9</td>
</tr>
<tr>
<td>1998</td>
<td>310</td>
<td>10</td>
</tr>
<tr>
<td>1999</td>
<td>447</td>
<td>16</td>
</tr>
<tr>
<td>2000</td>
<td>472</td>
<td>31</td>
</tr>
<tr>
<td>TOTAL</td>
<td>1,335</td>
<td>66</td>
</tr>
</tbody>
</table>

Source: ECLAC.

### Table 3
Outcome of applications for protection orders – St. Vincent and the Grenadines

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>No.</td>
<td>%</td>
<td>No.</td>
<td>%</td>
<td>No.</td>
<td>%</td>
<td>No.</td>
<td>%</td>
</tr>
<tr>
<td>Withdrawn/ dismissed/ struck off for non-appearance</td>
<td>1</td>
<td>8</td>
<td>35</td>
<td>26</td>
<td>111</td>
<td>54</td>
<td>92</td>
</tr>
<tr>
<td>Order</td>
<td>1</td>
<td>8</td>
<td>22</td>
<td>16</td>
<td>60</td>
<td>29</td>
<td>79</td>
</tr>
<tr>
<td>Unknown</td>
<td>10</td>
<td>84</td>
<td>77</td>
<td>57</td>
<td>33</td>
<td>16</td>
<td>11</td>
</tr>
<tr>
<td>TOTAL</td>
<td>12</td>
<td>100</td>
<td>134</td>
<td>100</td>
<td>204</td>
<td>100</td>
<td>182</td>
</tr>
</tbody>
</table>

Source: ECLAC.
While the evidence suggests some unevenness in the implementation of the domestic violence legislation, there is no doubt that progress has been made in the Caribbean in building confidence in the judicial system around domestic violence. The use of the Acts by women is highest in countries where there has been sustained education around the cycle of domestic violence and the availability of the legal system as a tool of justice. The use is also greater where there are NGOs and governmental agencies committed to supporting women in asserting their rights to protection.

The court experience can be most effective where the court signals unambiguously the seriousness with which applications for protection will be treated. In Antigua and Barbuda, for example, the practice has developed for a very speedy ex parte hearing with the granting of an interim protection order where appropriate. An inter partes hearing (with both parties before the court) quickly follows. The legal process also works best where flexibility is adopted in relation to court procedures, the guiding principle being the guarantee of due process for both applicant and respondent.\(^{21}\)

In the countries reviewed, there was a sustained effort to ensure victim-friendly proceedings without compromising the impartiality of the court, a necessary component of due process. Still, in this regard, a study by an anthropologist, Mindie Lazarus-Black, showed a trend towards giving a ‘second chance’ to offenders.\(^{22}\)

In some Caribbean jurisdictions there is a hesitancy to grant exclusion orders and police reluctance to assist in the enforcement of such orders. Despite the fact that the legislation is clear that exclusion orders do not affect legal or equitable interest in property, there is still a recurring concern for property rights. Additionally, there continues to be a concern for family preservation rather than zero tolerance for domestic abuse. In both cases, the prioritization of victim protection can be undermined. These cultural attitudes on the part of the police and judiciary may enable the continued use of violence as a mechanism for control over women and children and have fuelled calls for more sustained training.

**Sexual harassment**

Relatively few countries have developed regimes to combat sexual harassment, despite the availability of the CARICOM model. Presumably, however, if there is a physical assault or a threat of an assault, the victim can bring an action in tort and get an injunction to further restrain such behaviour. Of course the heart of sexual harassment is that tolerance of it is a prerequisite for the maintenance of the employment relationship. As such, access to routine civil remedies would not protect a woman from losing her job.

The Bahamas, Belize, Guyana and St. Lucia all have laws that address sexual harassment.\(^{23}\) Belize is the only country that has enacted legislation that deals exclusively with this issue. Guyana, St. Lucia and Trinidad and Tobago address sexual harassment as a feature of sex discrimination while the Bahamas does so in the context of sexual offences.

The Belize Act defines sexual harassment as an unwelcome sexual advance or an unwelcome request for sexual favours or other unwelcome sexual conduct, as a result of which the harassed person suffers any form of disadvantage in connection with employment or working conditions, or that has the effect of interfering unreasonably with the person’s work performance or that creates an intimidating, hostile or offensive working environment. Unwelcome sexual advances or conduct as a precondition for obtaining accommodation are also defined as acts of sexual harassment under the Act.
The [Belize] Act prohibits sexual harassment in the workplace and in educational institutions, prisons, places of custody of minors and the elderly and medical and mental institutions. Both employers and employees have an obligation to desist from behaviour that amounts to sexual harassment. Employers also have an obligation to take immediate and appropriate action to correct any act of harassment when they know about or are informed of such conduct.

Allegations of sexual harassment are heard at the Magistrates’ Court, which has broad powers to undertake an investigation and/or to effect a settlement by way of conciliation. The court may make a range of orders, including an injunctive type order requiring that the respondent should not repeat or continue such conduct. The court may also order damages by way of compensation for any loss or damage suffered, action to ensure the discontinuance of harassment by a co-worker and/or the performance of any reasonable act or course of conduct to redress any loss or damage.

In the Bahamas, sexual harassment is a criminal offence punishable by a fine of $5,000 and/or imprisonment for a maximum of two years. This legislation is applicable when a prospective employer, employer or co-worker solicits sexual favours by the promise or threat of the grant or imposition of any favour, benefit, advantage or disadvantage and when advantages are sought by the promise of sexual favours. However, no prosecution can be commenced for the offence of sexual harassment without the consent of the Attorney General. While sexual harassment is thus criminalized in the Bahamas, no remedies such as reinstatement are provided to a woman dismissed as a result of resistance to such harassment.

An important feature of the law in Guyana and St. Lucia is the explicit prohibition of sexual harassment committed by an employer, managerial employee or co-employee as constituting unlawful discrimination. Sexual harassment is defined as “Unwanted conduct of a sexual nature in the workplace or in connection with the performance of work which is threatened or imposed as a condition of employment on the employee or which creates a hostile working environment for the employee.”

The definition captures both quid pro quo harassment (imposed as a condition of employment) as well as the hostile or offensive environment. By definition the first can only be perpetrated by someone in a position of power over another. The law does not require proof of actual harm as the mere threat is sufficient to the imposition of liability. An example of the second is the presence of pornographic material in the workplace. This form of sexual harassment can be perpetrated by co-workers or third parties, not just by employers or supervisors.

Whether what constitutes ‘unwanted sexual conduct’ is to be determined by the subjective test (that is, acts that are unwelcome by the complainant) as opposed to the objective test (that is, acts that could reasonably be regarded as being sexually or otherwise offensive) is unclear. It is arguable that the use of the subjective criterion in determining sexual conduct of an unwanted nature leaves less room for the introduction of prejudicial or stereotypical views on sexual conduct that is offensive.

Sexual offences

There have been some positive developments in legislation as it relates to sexual offences, despite the obvious scope for further improvement. Laws with respect to rape and incest have undergone some reform, as reflected in recent amendments to sexual offences legislation in several countries across the region. Antigua, the Bahamas, Barbados, Belize, Dominica and
Trinidad and Tobago have not only made changes to the substantive law but have also made necessary modifications to the procedural law, making court proceedings in relation to sexual offences more sensitized to the needs and interests of both adult and child victims. Many of these same types of changes are found in Jamaica’s Offences Against the Person Amendment Bill, which has been drafted and awaiting passage for several years.

Although rape and incest are particularly noteworthy offences, there are also criminal sanctions for a wide range of other sexual offences. Indecent assault, sexual intercourse with a female under 14 years, procuration and abduction of females are all criminal offences. In fact, amendments since 1992 have added new categories of sexual offences such as grievous sexual assault and unlawful sexual connection.

Some of the amendments, particularly as they relate to the Trinidad and Tobago legislation, have gone beyond the developments contemplated by the CARICOM Secretariat in its model legislation on sexual offences. However, most of the islands in which changes have occurred since 1992 have followed the CARICOM model and have now made changes that comply with the recommended provisions on the criminalization of rape in marriage; the removal of certain evidentiary requirements, including the law in relation to recent complaint and the need for corroboration; the barring of the introduction of evidence as to the sexual history of the complainant; and reform of court procedures.

In those jurisdictions that follow the common law, the law on rape arguably has been significantly affected by the House of Lords decision in R v. R [1991] 2 All ER 257, which is now a landmark case on the marital exemption to rape (see below under ‘Rape’).

**Incest**

Across the Commonwealth Caribbean, it is unlawful for a man to have sexual intercourse with a woman whom he knows to be his daughter, granddaughter, sister or mother. Suriname stands out in this regard, as it does not recognize incest as an offence, although it does prohibit sexual relations with minors. Accordingly, consensual sexual intercourse between adult family members in Suriname is not unlawful. In those countries that have now adopted the CARICOM model, or some variation on it, the provisions are gender neutral and define the offence of incest as sexual intercourse between parent and child, brother and sister, uncle and niece or grandparent and grandchild. It is immaterial that the sexual intercourse occurred with the consent of the other party, but it is a defence by a person charged that the offence was committed under restraint, duress or fear of the person with whom they had sexual intercourse.

Legislation in the Bahamas, Barbados, Grenada and Trinidad and Tobago makes it a criminal offence for an adult to have sexual intercourse with a minor who is the adult’s adopted child, stepchild, ward or dependant.

Some legislative schemes, such as those in Belize and Jamaica, have incorporated a specific provision stating that where there is the conviction of any male for the offence of incest against any female under 18 years of age, the court has the power to remove all authority that the offender may have over the young victim, including guardianship rights, and to vest that authority in an appointed guardian. The Bahamian legislation, although embodying a similar provision, has ensured gender neutrality and applies to male and female victims under the age of 16.

The Trinidad and Tobago Sexual Offences Amendment Act (2000) has recently added a mandatory reporting provision that will be
The main objective of the mandatory reporting provision that will be extremely useful in cases of incest and other sexual offences. It requires a parent and others in authority to report the commission of a sexual offence on a minor, with sanctions of a $15,000 fine and/or seven years imprisonment for failure to do. There has been compelling anecdotal evidence of mothers failing to report cases of incest involving biological fathers or stepfathers who are sexually abusing their daughters. This provision responds to this situation, and mothers who turn a blind eye to the sexual violation of their young daughters can now be held legally accountable. The new provision was utilized for the first time in an incest case, reported in The Trinidad Guardian newspaper, where a mother was charged for failing to report that her 14-year-old daughter was being sexually exploited by the child’s stepfather. In this case, the child was pregnant and the mother readily confessed to the police that she was well aware of the sexual relationship but had done nothing to prevent it. The mandatory reporting requirement is also present in the St. Kitts Child and Welfare Board Act (1994).

The sentencing range for incest is wide and varied, and legislative schemes differentiate between incest with a young person as opposed to an incestuous relationship with an older person. In Grenada, for example, the Criminal Code (s.183) punishes incest with a female under 13 years old with imprisonment for 15 years, as compared to five years if the female is over 13. In the Bahamas incest is generally punishable with 10 years imprisonment, but if committed on a dependent child is possibly punishable by a life sentence. Under new mandatory life sentence provisions in the revised criminal code in Belize, repeat offenders of sexual offences, including incest, are now punishable by life imprisonment. The new Trinidad Act has significantly increased the sentence for incest from 10 years to life imprisonment whether the victim is under or over 14 years old (the age of consent).

The sentence for incest in Jamaica’s dated Incest Punishment Act (1948) is still comparatively low, with a maximum custodial term of five years increasing to 10 years only if the female is under 12 years of age.

Court proceedings and procedure in incest cases and other sexual offence matters play an integral role in establishing the complainant’s comfort level with the legal process. In cases of incest, Anguilla, Barbados, Belize, Dominica, Grenada, Guyana, St. Kitts and Nevis, St. Lucia and Trinidad and Tobago all provide for in camera proceedings. Trinidad’s new Sexual Offences Act allows admission of a minor’s written statement where the court is satisfied that s/he is being prevented from giving evidence, thereby allowing a case to proceed in the absence of oral evidence by the minor. Under domestic violence legislation, which may also be triggered in incest cases, there are special measures that the court can take in cases involving vulnerable witnesses. The Grenada Domestic Violence Act (2001) specifically states that the recording of evidence by video camera and the cross-examination of witnesses by video unit or use of screens are permissible. Of course, the legal provision for these measures is rendered almost meaningless in the absence of the necessary technological support.

Recent legislation aimed specifically at protecting and preventing abuse of children will play a vital role in cases of incest. This kind of legislative initiative has occurred in Belize, Grenada, St. Kitts and Nevis and Trinidad and Tobago. The main objective of all these laws is the protection of the child victim as opposed to criminal sanctions for the perpetrator. In cases of physical, emotional and sexual abuse, protection orders permit the abused child to be removed from the home environment and placed in a place of safety, whether that is a relative’s home, a foster home or a childcare home.
These more recent laws, unlike pre-existing legislation, recognize the importance of therapeutic interventions for victims of sexual and other forms of abuse and expressly provide for counselling of victims and their families. This is a positive development that demonstrates some recognition of the multidisciplinary approach that ought to be taken in cases involving violence against women and children.

**Rape**

The actus reus (wrongful act) of rape was once generally legally defined as sexual penetration of the vagina. Hence, forcible buggery, oral sex and other invasive sexual acts were not considered rape. Recent amendments in a few countries, however, have addressed this situation by either broadening the definition of rape itself or creating an alternative offence that recognizes the gravity of other offensive sexual acts.

In Barbados, the Sexual Offence Act, 1992, defines rape to include not only the “introduction of the penis of a person into the vagina of another” but also the introduction of the “penis of a person into the anus or mouth of another person” or “an object not being part of the human body, manipulated by a person into the vagina or anus of another.”

The Bahamas has also expanded the definition of rape, and Section 4 of the Sexual Offences and Domestic Violence Act states that sexual intercourse for the offence of rape includes:

(a) Sexual connection occasioned by any degree of penetration of the vagina of any person or anus of any person, or by the stimulation of the vulva of any person or anus of any person, by or with

i. any part of the body of another person or

ii. any object used by another person,

except where the penetration, or

stimulation is carried out for proper medical purposes; and

(b) Sexual connection occasioned by the introduction of any part of the penis of:

i. any person into the mouth of another person.

A similar approach is also contemplated for Jamaica once their Sexual Offences Bill is enacted.

Trinidad and Tobago has opted to create the offence of grievous sexual assault under their Sexual Offences Amendment Act, which includes penetration of the vagina or anus by a body part or object other than the penis, as well as the act of oral sex. Similarly, Dominica’s legislation has created the offence of unlawful sexual connection, which speaks to the same types of sexual acts.

**Marital exemption**

Under the common law, rape is generally defined as sexual intercourse by a male with a female who is not his wife without her consent. Even in those jurisdictions where rape is more loosely defined as the carnal knowledge of any female without her consent, this intercourse must be shown to be unlawful. In the Commonwealth Caribbean, this has traditionally excluded intercourse in the context of marriage, thereby providing immunity to husbands.

The legal justification for this spousal immunity is based on a statement made centuries ago by the well-known legal commentator and Lord Chief Justice of England, Sir Matthew Hale (1609-1676) that:

“The husband cannot be guilty of a rape committed by himself upon his lawful wife, for by their matrimonial consent and contract the wife has given up herself to this kind unto her husband which she cannot retract.”
One of the major strides that has been made with respect to the offence of rape has been the modification of the marital exemption rule that has traditionally plagued the laws in the region.

Several islands within the past 10 years have been guided by s.4 of the CARICOM model legislation, which provides that a husband can be deemed to have committed the offence of unlawful sexual connection with his wife where there is in existence in relation to them the following:

(a) A decree nisi or divorce;
(b) A decree of judicial separation;
(c) A separation agreement; or
(d) An order for the husband not to molest his wife or have sexual intercourse with her.

Antigua and Barbuda, the Bahamas, Barbados, Belize and Dominica have all brought their sexual offences legislation in conformity with the CARICOM model and have modified the marital exemption principle accordingly.

Trinidad and Tobago is leading the way on this issue, and the marital rape exemption has been repealed under the new Sexual Offences Act. The new law does not distinguish rape committed by a husband from that committed by any other person. This effectively removed any qualifications on marital rape that previously existed under the 1986 Sexual Offences Act. In fact, the law in Trinidad and Tobago has expressly included in the definition of wife or husband a cohabitant within the meaning of the Cohabitation Relationships Act 1998, and it will therefore also extend to couples living together but not married.

Belize is also worthy of special mention because, although it has followed the CARICOM model, it expressly creates the offence of ‘marital rape’ (thereby distinguishing it from rape), although both are punishable on the same terms. In contrast, the Bahamas has differentiated in the sentencing for rape by a spouse, imposing a 15-year maximum as compared to a maximum of life imprisonment for rape outside the context of marriage.

In those islands where the law of rape has not been codified and the interpretation of the law is therefore informed by developments in the common law, the question of the exemption to rape has also evolved. The landmark case of R v. R [1991] 2 All ER 257 has arguably transformed the common law and, if boldly applied in the Caribbean, will drastically change the traditional view on marital exemption. In that case, the English Court of Appeal found that:

“Since the rule that a husband could not be guilty of raping his wife if he forced her to have sexual intercourse against her will was an anachronistic and offensive common law which no longer represented the position of a wife in present-day society it should no longer be applied.”

The court was of the view that the principle to be applied was that “a rapist remained a rapist subject to the criminal law irrespective of his relationship with the victim”. The Caribbean should be encouraged to follow this ruling and subsequent case law.

**Modified court proceedings and rules of evidence**

Rape trials, like all other sexual assault cases, can be extremely traumatic for victims. Unless court practice and procedures are sensitized to the needs of a rape victim, the trial process can result in a revictimization of the complainant.

Under the common law, there are rules of evidence that can exacerbate the trauma already experienced by a rape victim. The three major challenges confronting the victim in this regard are: (i) the corroborating warning; (ii) the admissibility of the com-
plainant’s sexual history; and (iii) the recent complaint requirement.

The corroboration warning was designed to ensure the truthfulness of the victim’s allegation. The allegation of rape, without corroborating evidence, was viewed as sufficiently dangerous that the judge was required to warn the jury of its potential unreliability. Barbados has expressly removed the need for a corroboration warning. Despite Trinidad and Tobago’s major strides with its recent amendment of their 1986 legislation, the revised Act is silent on this issue.

The CARICOM model legislation clearly states that no evidence shall be introduced concerning the sexual activity of the complainant (s.23). Similarly, the model legislation (s.24) abolished the common law rules relating to recent complaint. Nevertheless, several islands have still not addressed either of these issues. A passive reliance on these old common law principles sends the damaging message that someone with a sexually active history is more likely to have consented to intercourse and that delay in reporting sexual assaults implies fabrication of the complaints. The Bahamas, Barbados, Trinidad and Tobago and now, more recently, Antigua and Barbuda and Dominica are leading the way on positive amendments to these rules of evidence and have set the stage for change across the region.

In the area of legal procedure, one of the remaining obstacles for sexual assault victims is the need for them to give evidence twice. At present, a preliminary inquiry at the Magistrates’ Court level is required before the matter is sent to the High Court for trial. Even where accused persons have expressed a desire to plead guilty, the preliminary inquiry is still conducted because magistrates have not been given the jurisdiction to accept guilty pleas on indictable or serious matters. The net result of this system is that victims must give their evidence – and experience the pain and trauma of doing so – twice, even in those circumstances where the perpetrator has accepted responsibility for his unlawful conduct. Despite the obvious hardship that this can cause to victims, little has been done to address this concern.

The need for in camera proceedings for sexual offences, including rape, has gained widespread recognition across the region. In addition to those countries – including Anguilla, Belize, Dominica, Guyana, St. Kitts and Nevis and Trinidad and Tobago – that have legislated in camera proceedings of sexual offences, there are a growing number of child-centred legislative schemes that have contemplated holding proceedings in private. The Belize Families and Children Act of 1998 is progressive in this respect and dedicates a section to procedural matters in child abuse cases. The Act expressly provides, among other measures, that: “the court may decide to sit in private for the whole or part of any proceedings – with respect to any child”.

Other innovative developments in the law

Apart from the areas previously outlined, there have been other developments in the law that are worthy of particular mention. Most of these developments have arisen in the Trinidadian context because of the implementation of that country’s progressive Sexual Offences (Amendment) Act, 2000. These developments include:

a) Increased penalties, including penalties for rape committed in aggravated circumstances;
b) Removal of the common-law presumption that a boy under the age of 14 is incapable of committing rape;
c) The authorization of a police officer,
without a warrant, to take into custody a person who has committed a sexual offence;

d) The criminalization of the obstruction of minors from giving evidence in sexual offence areas;

e) Special provision for the admissibility of minors’ statements;

f) The fulfilment of notification requirements of convicted sex offenders at police stations in the district in which they reside;

g) The use of screens for minors so that they are hidden from the view of the accused;

h) Mandatory medical examination of the accused. Should the accused be found to be suffering from HIV, that information is to be promptly given to the complainant; and

i) Compensation for victims who contract HIV or another communicable disease as a result of a sexual offence.

Other interesting developments, particularly as they relate to the sentencing of sexual offenders, have taken place in Belize. Belize’s amended criminal code has special provision for mandatory life imprisonment of repeat sexual offenders and the provision for treatment and reporting of sexual offenders. The treatment in this case can include mandatory counselling and medical and/or psychiatric intervention.

The Bahamas has also captured a therapeutic objective in its legislation, where it expressly permits the court to impose, in lieu of or in addition to any other penalty, a ‘psychiatric assistance order’ requiring the offender to attend a psychiatrist.

Acknowledgement of the gravity of HIV/AIDS has also been reflected in some of the modern legislative schemes. In the Bahamas, for example, sexual offence legislation makes it a criminal offence for an infected person to knowingly have sexual intercourse with any other person without disclosing the fact of the infection. The offence is punishable by a period of detention of up to five years.

Summary

Law reform has proceeded unevenly in the region since 1992. While there was relatively rapid action to enact domestic violence legislation, in other areas the achievements are more modest.

In relation to domestic violence, the law has developed somewhat. By the end of the decade Trinidad and Tobago was in a position to enact a revised law based on an intensive consultative process. Such a review is recommended for other countries to ensure that (a) the range of persons covered by the law includes all those in a close and intimate relationship with the abuser; (b) protection is generally extended to all household members; and (c) the law speaks more directly to the duties of the police. The law should also consider institution of a mandatory arrest policy, which in its implementation, would transform the culture around policing of domestic violence.

More generally, countries need to be supported in ongoing monitoring of how the legislation is used. This would include strengthening court records and the compilation of annual reports. In addition, both the legislation and the courts should be evaluated on an ongoing basis by the users of the court as well as by social service providers to the court system.

Less consistent reform has taken place in relation to sexual offences. Where progress has been made, the courtroom is a more sensitive place for victims and their families. Also of note are the new provisions for mandatory reporting of child abuse. As with domestic violence, countries need to keep records on the disposition of sexual offences cases, such as how many reports...
are made and the rate of attrition from reporting to conviction. This monitoring exercise will provide guidance not only for law reform but also for the components of support needed by victims, including legal assistance. Access to the court through legal representation is critical to the exercise of rights. Many in the Caribbean are unable to meet the expenses of legal representation and it is here that the provision of legal aid has become critical.

There is a notion that sexual harassment is not a serious obstacle for women and that Caribbean women have their own ways of dealing with harassers in the workplace. It is perhaps this sense that has allowed for sexual harassment to remain on the backburner of the legislative agenda. However, this notion does not take account of the experience of many women who are in very unequal power relations with their male employers because of an interplay of gender subordination and economic need. Policy makers, trade unions and women’s organizations need to engage in more sustained dialogue on the prevalence and forms of sexual harassment and push for legislation to be enacted that makes it clear that this form of exploitation will not be tolerated.

The CARICOM model legislation programme has allowed for a relatively harmonized approach to law reform in the Caribbean in the areas that are covered. It provides a template for discussion and for change. Consideration should be given to the development of a follow-up to this programme that would include a review of implementation as well as a plan for assisting governments to monitor and evaluate the legislation on an ongoing basis.

Endnotes

1 This project is an outstanding example of inter-agency collaboration around mapping relevant policy approaches to gender equality.


3 This broad definition is used in Jamaica.

4 Domestic Violence Act 1999.


6 Belize s.4(3), Guyana s.5 (4). The 1999 Act in Trinidad appears to have removed such restrictions to the acceptance of undertakings.

7 Antigua and Barbuda s.4(2), Belize s.33, Dominica s.4(2), Grenada s.4(2), Guyana s.34, Jamaica s.5(2), St. Kitts and Nevis s.7(3), St. Lucia s.4(2), St. Vincent s.4(2), Trinidad and Tobago (s.24).
8 Belize s.40, Dominica s.30, Guyana s.42, St. Kitts and Nevis s.35 and Trinidad and Tobago s.23A speak generally of the police duty to give assistance to the person who has suffered injury, to ensure the safety of children and other vulnerable persons and to prevent further breaches of the law.

9 Belize s.41, Dominica s.27, Guyana s.43, St. Kitts and Nevis s.36, Trinidad and Tobago s.21.

10 Belize s.41 (3), Guyana s. 43(3), St. Kitts and Nevis s. 36(3).

11 www.un.org/av/special/womspser.htm

12 ECLAC/CDCC, see note 5.

13 Ibid.


16 Merri Creque, see note 14.


18 ECLAC/CDCC, see note 5.

19 Ibid.


21 ECLAC/CDCC, see note 5.


24 Guyana s.8, St. Lucia s.8.

25 Sexual Offences Amendment Act, 2000, s.3, Trinidad and Tobago.

26 Sexual Offences Act, 1998 s.4(1), Dominica.

4. In-depth country assessments of actions to end violence against women

The problem of violence against women is complex and requires a coordinated response that moves beyond the justice system. Such a response should weave together a number of sectors, including law enforcement, health, the judiciary, education, social services, housing and community advocacy.

While early coordination efforts mainly focused on criminal justice agencies, a ‘second generation’ of responses is developing to encompass health-care providers, child welfare agencies, substance abuse services, the clergy and business. Some responses have also involved the community as a whole responding to domestic violence through prevention and education efforts aimed at raising awareness and reshaping attitudes.

In developing and/or strengthening a comprehensive and integrated multisectoral approach to violence against women in the Caribbean, it is important to identify and assess the independent responses that must ultimately be integrated to achieve optimum results. Three main interventions, which draw on a varied selection of sectoral responses, were identified for review in the in-depth country assessment:

a) Legal interventions;
b) Social service interventions; and
c) Public awareness and advocacy.

This chapter looks at actions to end violence against women in Dominica, Jamaica and Suriname.

**DOMINICA**

Dominica is a relatively small country with a population of approximately 71,000. The combination of falling birth rates and sustained levels of migration has resulted in a significant decrease since the 1981 census when the figure was 73,795. Approximately 38 per cent of the population is under 19 years old.

A decline in the banana industry, the mainstay of the Dominican economy, has exacerbated the economic crisis facing the country, resulting in governmental cutbacks in employment as well as in public sector wages and services. The unemployment rate is very high, particularly among young people. Among those 15-24 years old, 46.3 per cent of the women are unemployed. The corresponding figure for young men is lower but still very high at 36.4 per cent. A 1995 poverty assessment survey for Dominica showed that 27 per cent of households live in poverty and are unable to adequately meet their basic needs, including their nutritional needs.

The incidence of violence against women

Given the extent of underreporting, very little can be concluded from police records on the prevalence of all forms of violence against women. The data from the police is generally not broken down or analysed in such a way as to capture the extent of interpersonal violence in the family or house-
holding setting. Police records mainly only reflect the nature of the offence as opposed to the relationship between perpetrator and victim.

However, over time there has been an increase in reports and there are strong indications that this is an achievement based on increased advocacy and support for victims. For example, largely due to the growing proactive approach towards child sexual abuse, there has been a dramatic increase in reports of child abuse from five cases in 1985 to 416 in 1994. At the same time, there is also a widespread perception, which is difficult to verify, that child sexual abuse is on the rise and that young boys are now also victims of such assaults.

Qualitative studies have been used to fill in the knowledge gaps on the extent of domestic violence in Dominica. The most recent study, undertaken in 2001, found that 32 per cent of those interviewed had experienced abuse in a spousal or intimate relationship. Two thirds of that group were female and while the men reported experiencing verbal abuse, the vast majority of women had been physically abused. In many cases this abuse was inter-generational as a significant number of abused women (36 per cent) had also witnessed the abuse of their own mother.

The persons so abused offered a variety of reasons to explain why they stayed in the abusive relationship, including for the sake of children, financial need, fear of losing property and contrition of the abuser. Abusers were seen as being largely unapologetic and unreflective, unable to communicate, having low self-esteem and having substance abuse problems.

This survey was not the first one of its kind in Dominica and two previous surveys obtained similar results. It is with an appreciation of the magnitude of the issue that much of what exists by way of a programme to address violence against women was formulated. Such programming in the State sector has been and remains the responsibility of the Women’s Bureau. This Bureau, however, works closely with the NGO sector and in particular with the Dominica National Council of Women (DNCW). With these agencies as the catalysts, laws have been reformed, services strengthened and advocacy and education undertaken.

Legal interventions

Legislation

A number of significant changes have occurred in this area. The law on sexual offences was updated and important amendments were made to reflect the seriousness with which society views that class of offences. Dominica was the last country in the English-speaking Caribbean to enact domestic violence legislation with the Protection against Domestic Violence Act 2001. The structure and content of the Act loosely follows the CARICOM model and incorporates some of the developments

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Source: Child Abuse Prevention Unit, Social Welfare Unit, Dominica.
from the Trinidad 1999 Act. Among all the countries, Dominica is the only one where an application for a protection order can be made either to the Magistrates’ Court or the High Court. The legislation also confers jurisdiction on a Family Court in anticipation of the establishment of such a mechanism.

**Sexual offences**
The Sexual Offences Act was passed in 1998 and addresses not only substantive law but also evidential and procedural matters. It is noteworthy that despite the newness of the legislation, the immunity from prosecution by a husband for rape in marriage has not been abolished completely. Under the Act, a husband loses his immunity only if there has been a judicial process leading to the separation of the parties, either in the form of a decree nisi, decree of judicial separation, separation agreement or non-molestation order.

In relation to incest, sexual intercourse is prohibited between people in a relationship of consanguinity. The Act, however, also goes on to create an offence of sexual intercourse with an adopted minor, child in foster care or child who is living with the adult as a member of his family or is under the adult’s care or protection. This provision is a significant advance given the social structure and family forms present in Dominica (as elsewhere in the region), where many women live with or have visiting relationships with men who are not the biological fathers of their children.

The law has also addressed a number of evidentiary and procedural burdens that acted as a deterrent to the reporting and prosecution of sexual offences. Firstly, all trials of sexual offences are to be held in closed court except at the sentencing stage, which is to take place in public. Anonymity of both complainant and accused is assured during and after the trial, though in the case of the accused this is lost upon conviction. Secondly, the need for a corroborating warning has been abolished as well as the admissibility of the sexual reputation or history of the complainant other than with the accused (except where a special application is made for such evidence to be admitted in the interest of a fair trial).

The Act also allows for the admissibility of video-recorded evidence on the part of minors. Such evidence may be given not only by a victim but also by a minor witness to a sexual assault.

**Domestic violence**
The Protection against Domestic Violence Act allows applications to be made by spouses and former spouses, whether married or common-law, and by a person who has a child in common with the respondent. It also allows persons in visiting unions to make an application, though the couple must have been in the relationship for longer than 12 months at the date of the application. Parents and siblings may also make applications, whether or not they are members of the household of the respondent.

The Act specifies in great detail the types of applications and therefore types of orders that can be made by the Court. The orders include non-molestation, exclusion, occupation and tenancy orders. It is an advance on the CARICOM model in that it allows the court to grant a range of financial relief, including interim maintenance awards for the benefit of the applicant or any child. The respondent may also be ordered to pay rent or mortgage for premises occupied by the applicant or to pay compensation for monetary loss as a result of domestic violence (e.g. medical bills, loss of wages, repair to property, etc.).

The court may order counselling for both applicant or respondent, and the Act specifies a reporting back obligation on the part of the counsellor in relation to attendance at counselling sessions as well as a report on the progress of the counselling.
The Act spells out in some detail the powers and responsibilities of police officers and mandates that there shall be a police response to every complaint of domestic violence, whether or not the complainant is the victim. The Act establishes a Domestic Violence Register to be kept by the Commissioner of Police.

The police can make an arrest without a warrant when there is reasonable cause for believing that a person is engaging or attempting to engage in conduct that amounts to physical violence. Police powers of entry are limited to circumstances where police officers need to enter premises to intervene and protect a person from physical violence.

Unlike other legislation in the region, the Dominica Act gives the court the power to require the respondent to enter into a bond of good behaviour for a period not exceeding six months. This, however, can only be done with the consent of the applicant or complainant.

Finally, the Act contemplates the possibility of non-cooperation on the part of victims in the prosecution of breaches of the order or in the making of the application. It makes admissible into evidence a written statement given or made by a victim to the police once it is contained in the form of a statutory declaration. Such a statement may only be admitted where a complainant refuses to be sworn in as a witness or where the complainant gives evidence that is contradictory to the statement given to the police.

**Law enforcement**

**Police responses**

It is reported that very few applications have been made under the Domestic Violence Act. Reasons given for this include the newness of the legislation, the lack of knowledge by women of the Act and a general unwillingness to invoke the legal process to resolve what is seen as a family matter. Despite the power given to the police to make applications on behalf of children and to respond to complaints of abuse, there is still reluctance on their part to intervene. This has been attributed to a number of factors, the main one being cultural attitudes around the sanctity of the spousal union. Additionally, Dominica is a very small society and the networks of kinship and friendship support the perception that abusive men often have close relationships with police officers. This problem is even more magnified where the perpetrator is another police officer. In the words of one lawyer: “Friendship is the biggest impediment to justice in Dominica”.

With regard to the criminal process, Dominican police – like police in other small Caribbean countries – are seen as authority figures in communities. They are called upon to be not only law enforcement officers but also problem solvers and arbiters. This expectation holds true especially for ‘family disputes’ and has been advanced as one of the primary reasons why the police do not arrest or charge perpetrators of domestic violence. Traditionally, police officers in Dominica do more mediation in these situations than prosecution, except when very serious injury arises.

The invocation of the community culture around the use of the police as mediators in relation to domestic violence is one that is questioned and deprecated among women’s organizations and those who provide services to victims. Police are judged as not understanding or as executing their law enforcement role selectively. In the words of one interviewee, “There is a kind of casualness by police officers, particularly about spousal abuse”.

This view is supported by survey findings from research undertaken in 2001 by the Dominica is a very small society and the networks of kinship and friendship mean that abusive men often have close relationships with police officers.
Women’s Bureau on family violence. About half of the respondents who had sought help from the police expressed dissatisfaction with the results because of improper evidence gathering and little follow-up.

Given the centrality of policing to eradicating gender-based violence, some attention has been paid to police training. The current police force is made up of around 450 officers. Of these some 250 participated in the two-day CAFRA training over a five-week period between January and February 2001. The ranks trained ranged from constables to sergeants. CAFRA has not been able to follow up or monitor police action as this was not part of the project design and the resources are not available to do this.

While it is widely acknowledged that the police response to domestic violence has improved markedly since the training, this is an area in which further work is needed. There is a consensus that training needs to be ongoing, and the topic of domestic violence has recently been added to the core curriculum at the Police Training Facility. There have also been widespread calls for the police to be trained in counselling and for a determination of the context in which it would be acceptable for police to give preliminary counselling, to whom and with what objective in mind.

Proctorial and judicial responses

Very few applications for protection orders under the Protection against Domestic Violence Act have been made. Most of these concern allegations of mental abuse as opposed to physical abuse. Given the limited number of applications, no trends can be discerned. In the case of counselling, the practice varies between courts. Consideration should be given to the development of guidelines on the situations in which counselling is indicated and on its purpose in the context of the determination of an application for a protection order.

In sexual offence trials, the new law goes quite a long way in combating cultural stereotypes about women’s sexuality and about the perceived propensity of women to fabricate allegations of rape. It also alleviates many of women’s fears about public humiliation and loss of privacy, which can be a paramount concern in small societies such as Dominica. Notwithstanding the law reform, however, the research revealed that trials involving sexual offences are heard in open court except where minors are involved or where the details of the offence are ‘horrific’. This seems to be in clear breach of the terms of the Act.

The CAFRA/ACCP training did not address sexual offences as a major topic. However, this is an area that the police have great difficulty dealing with. Throughout the Caribbean the level of reporting of sexual offences is low and the level of detection and successful prosecution even lower. One of the main impediments to detection cited in Dominica was the absence of a forensic facility or easy access to such a facility in the region. This has meant that in some cases even when the police have a suspect, their inability to do forensic analysis on bodily fluids in a timely fashion has resulted in the non-prosecution of cases.

Legal aid

As part of the OECS Judicial Reform Project, a Legal Aid Clinic has recently come on stream in the Ministry of Legal Affairs. The target beneficiaries are young persons in need of care and protection, young offenders, domestic violence victims and the disabled. The legal aid will mainly be available for criminal matters, though matters in relation to land, family and will probate will also be eligible for legal assistance.

Social service intervention

Social service intervention in Dominica concentrates on public education, advocacy, professional and peer counselling and, to a very limited extent, crisis housing.
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The Women’s Bureau is the central point in the public sector with responsibility for gender-based violence. This does not appear, however, to be the outcome of a coordinated policy decision but rather the assumption of responsibility for an area affecting women that no other sector has prioritized.

The Women’s Bureau is located in the Ministry of Community Development and Gender Affairs. It is responsible for advancing gender mainstreaming and is both a site of policy oversight around gender equality goals and a project implementer. The Bureau sits on a number of Advisory Committees and participated in the Committee that drafted the Act on domestic violence.

The Bureau in turn has its own Advisory Committee, which is comprised of a number of ministerial representatives (education, health, finance, planning) as well as members of the NGO sector, in particular the DNCW and church organizations.

The Bureau offers a variety of services such as counselling, education and outreach. It sees its role as being primarily an advocacy one, a role that was key in propelling law reform in the area of violence against women. The Bureau organizes various activities around, for example, International Women’s Day and the International Day for the Elimination of Violence against Women.

While it has not been able to assess its work formally, there are a number of indications that the role played by the Bureau is one that is seen as necessary by the public. It receives a great many requests to address schools, community-based organizations and NGOs. The majority of these advocacy and education engagements are around the theme of domestic violence.

There is both an institutional as well as an informal connection between the Bureau and women’s organizations, perhaps inevitable because of the small size of the country. However, the Bureau was not part of the planning or executing body on the CAFRA police training project.

Social service delivery around gender-based violence is located in the Social Welfare Division. Like the Women’s Bureau, this forms part of the Ministry of Community Development and Gender Affairs. The Division has seven professional staff, that is, persons with social work duties. Despite staff and resource limitations, it has a heavy portfolio and is responsible for:

a) Administering (including monitoring) public financial assistance to indigent persons;

b) Childcare, including foster care (assessment, placement, monitoring of foster care arrangements);

c) Child abuse;

d) Adoptions; and

e) Probation services, including preparation of inquiry reports to support the court processes.

In addition, there are increasing demands on the Division to supply inquiry reports to the court in applications for protection orders. It is expected to provide counselling for both the victims and perpetrators of domestic violence. These expectations place a further burden on the Division, given the limited size of its staff. In addition, the Division does not have staff trained in counselling or psychological interventions with perpetrators or victims of domestic abuse.

The Division works mainly with child victims of sexual and physical assault. Its Child Abuse Prevention Unit has a staff of one social worker, who is responsible for public education programmes on the issue as well as counselling child victims of
abuse. As in the rest of the Caribbean, there is great concern for child sexual abuse and incest in Dominica. Sexual abuse was the most prevalent form of child abuse in 1998, comprising 41.6 per cent of cases registered in the Child Abuse Register. The concern is heightened by a pervading sense of the inability of the social services and the police to adequately protect children and to ensure the apprehension and punishment of perpetrators.

The Division refers all cases of sexual abuse to the police. However, the need for greater coordination and collaboration among the police, health sector and social services is well acknowledged. In March 2003 the Division conducted a two-day workshop with police officers to examine and strengthen the respective roles of the agencies. From the point of view of the Division, the police have a tendency to focus on arrest and prosecution, sometimes to the detriment of the mental or emotional stability of the child victim.

While reporting of suspected cases of child abuse is not mandatory, the Division developed guidelines on child abuse in 2002. These guidelines are meant to inform the work of the Division, health sector workers and teachers. They outline signs of abuse that should trigger the making of a report to the Division and the police. The guidelines also include directions to medical workers on the treatment of suspected victims in order to collect and preserve important evidence. The development of these guidelines has allowed for the ongoing development of closer inter-agency collaboration in the interest of the protection of children and the punishment of perpetrators.

The Division has not been using the Protection against Domestic Violence Act but rather is guided by the Children and Young Persons Act, which also gives social welfare officers the power to remove children from situations of abuse and to bring them before the court for care and protection orders. This Act is perceived as a more responsive legislative scheme because it allows the court to place children in long-term and therefore more stable care arrangements.

There is general agreement by the Division, as well as by the Women’s Bureau, that the establishment of a Family Court would advance an integrated system response. It would harmonize the social service delivery systems and make more effective use of the limited capacity of the respective agencies. The inability to intercede effectively in all cases to protect children is blamed on resource deficiencies but more so on the complicity or lack of vigilance on the part of primary caretakers in relation to abused children.

**Health**

Dominica has one general hospital, seven health centres and 44 clinics located throughout the island. There is a Health Education Unit in the Ministry of Health.

Health policy development around violence against women is in its early phases. The Ministry of Health is a collaborator in the reporting protocol developed by the Social Welfare Division in relation to child abuse. There are plans to start a community mental health programme to address dysfunctional families at the community level. The proposed programme does not address domestic violence directly, nor at this stage has it been informed explicitly by gender analysis. Still, it offers opportunities for collaboration with the Women’s Bureau, the police and the Social Welfare Division.

Like the Division, the focus of the health sector initiative seems to be on children in the context of families. This may be because a study on child abuse undertaken by a team of doctors in 2001 found that a number of psychosocial factors predisposed children to abuse. These included the loss...
of one or both parents, not living with both parents or not sharing social activities with parents. That study also reported that substance abuse (alcohol or drugs) increased the risk of abuse of children. It made a number of recommendations, including that health and social workers should be sensitized to the risk factors associated with child abuse in Dominica and that intervention strategies aimed at decreasing the risk of childhood abuse should focus on the social integration of families at risk.\(^3\)

**Counselling**

There are reported to be nine professionally trained counsellors in Dominica and four psychiatrists. However, persons who may be referred to as ‘para professionals’ also operate within the NGO sector, in the police service and in social departments such as Youth Affairs.\(^4\) Generally the extent of counselling for sexual offences and domestic violence does not meet the demand. In a consultation on justice issues in Dominica, it was agreed that there were inadequate numbers of trained personnel and that counselling interventions among agencies lacked coordination. However, counselling is seen as a priority, particularly counselling for victims of domestic violence and family therapy in general.\(^5\)

DNCW currently offers a counselling service and is a major reference point for police officers seeking guidance on the treatment of victims of domestic violence. It is run by volunteers and has one person working with it on a part-time basis. It also runs a small shelter where persons can stay for no more than five days. The shelter has only three beds. It does not receive a subvention from the Government, though its services are frequently used by the Women’s Bureau or by the police seeking refuge for a woman and her children from domestic violence.

The DNCW also works closely with government departments (Women’s Bureau and the police) as it does with the Catholic Church (see below). The other major non-governmental actor around this issue is CAFRA. Not surprisingly, a number of CAFRA members are also members of the DNCW.

**Public awareness, education and advocacy**

Dominica is a country with a history of a vibrant developmental NGO movement in which women’s rights advocacy has had a central place. Agencies such as the Small Projects Assistance Team, Movement for Cultural Change and the Dominica chapter of CAFRA all have histories of advocacy around violence against women. This is also partly due to the inevitable networking flowing from overlapping membership in the various organizations.

The DNCW, which is widely perceived as the agency with a primary mandate to deal with the issue, has taken the lead role. It has been at the forefront of counselling and advocacy on behalf of abused women for the last 15 years. It is this agency that first collaborated with ECLAC on the strengthening of data collection around both domestic violence and rape in 1989. In the early 1990s, DNCW conducted research on the incidence of domestic violence and was a central collaborator in CAFRA’s Women and the Law Project.

The collective work of individuals and agencies in Dominica, along with the close-

<table>
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<th>Youth</th>
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<td>85</td>
<td>12</td>
<td>6</td>
<td>103</td>
</tr>
</tbody>
</table>
knit nature of that country, has also resulted in the issue being adopted by the Catholic Church locally as a pressing social issue on which it is committed to working. Given the institutional strength and influence wielded by the Church, this is a significant development.

**Summary**

Tangible achievements have occurred on the issue of violence against women in Dominica. It is also worth stressing that these gains are the outcome of sustained activism, networking and lobbying on the part of a few committed persons. The law reform, police training and reporting protocols are the direct outcome of increased awareness of the magnitude of the problem and, perhaps more importantly, an express rejection of the complicity that silence signifies. The involvement of the Catholic Church ushered in a new era of a wider engagement with the issue beyond women's organizations.

What is still needed, however, is the articulation of an integrated approach to gender-based violence, in which all the agencies have a defined and complementary role to play in both policy formulation and service delivery. In this regard, there is need for the development of a National Plan of Action that not only maps out the objectives but also considers an efficient re-deployment of the resources (human, financial, administrative) system-wide. This coordination is even more imperative now given the severe resource constraints being felt both in the public and private sectors.

Due to the country’s small size, much of the networking in Dominica exists at an informal level, based on personal connections between persons involved in the work. This is advantageous from the point of view of creating effective collaborating on an ad hoc basis. However, where these networks are not institutionalized, they break down when a person leaves or is reassigned to another position.

The development of the Child Abuse Guidelines is meant as a mechanism to ensure continuity and consistency in inter-agency collaboration. It should be treated as a model to be elaborated on and extended for all forms of violence against women.

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**JAMAICA**

Jamaica is the largest of the English-speaking Caribbean territories. It has a population of approximately 2,600,000 people. As in other parts of the Caribbean, the population is a young one with the median age being 26. Some 18 per cent of the population is 15-24 years old. Life expectancy in 1995 was 72 for men and 77 for women. It has a relatively low birth rate of 2.2.

Since the 1970s Jamaica has been undergoing a sustained economic crisis. Its engagement with structural adjustment policies led to a precipitous decline in the value of its currency, an increase in the cost of living (given the import orientation of the economy), an increase in unemployment and heightened poverty levels. There are also clear gender differentials in the workings of the economy. In 1999 the adult economic activity rate (14 years and over) was 55 per cent for women and 73 per cent for men. When combined with the significant levels of female-headed households in Jamaica, this means that women and their children are among the poorest of the poor.

In addition to gender disparities, there are also substantial income disparities. The lowest 30 per cent of the population enjoys 9.95 per cent of national income, whereas the highest 30 per cent enjoys 72.8 per cent of the income. One third of the population lives below the national poverty line.
Accompanying the economic crisis have been political and social crises. One manifestation of these crises that is difficult to ignore is crime and violence. The homicide rate in Jamaica is among the highest in the world. There seems to be a general consensus, although it is practically impossible to substantiate, that all forms of violence against women have increased. This violence is linked to unequal power relations between women and men; and factors such as poverty, substance abuse, the rise of gangs and community breakdown have increased the vulnerability of girls and women.

**Incidence and causes of violence against women**

Violence is a major problem in Jamaica and gender-based violence is experienced by a significant number of girls and women. In 1997, 21 per cent of all murders were domestic related. This number increased to 33 per cent in 2000 and was 28.7 per cent in 2001. Indeed domestic-related murders account for the highest rate of homicides in the country after those committed as reprisals. In 1998, for example, it is reported that some 100 women were murdered and that most of the deaths occurred as a result of domestic violence.

As in other countries in the Caribbean, the data collection systems for violence against women, particularly domestic violence, are under-developed. Reporting is hampered not only by victim reluctance to go to the police or other agencies for assistance but also by a reporting system that is not harmonized among agencies. Data sources include the police, the Crisis Centre, the Family Court and health centres. Police reports are still not routinely broken down according to the relationship between perpetrator and victim, with published statistics speaking only to the types of crime – wounding, assaults, etc. It is therefore practically impossible to state with any authority the incidence or prevalence of domestic violence across time, using police records.

The Woman Inc/Crisis Centre has experienced a steady increase in reports of domestic violence since 1985. While in that year there were no reports of domestic violence, by 1999 there were 1,151. A UNDP study on gender-based violence in Jamaica presents data provided by the Emergency Unit of the Kingston Public Hospital indicating that every day approximately 20 women are treated on an outpatient basis for wounds requiring stitches, and that 90 per cent of these injuries are the result of domestic violence. This is in sharp contrast to the data on applications made to the Family Court for protection orders by victims of domestic violence: only 275 applications were made in 2000 and this increased to 335 in 2001. This suggests that the official figures available may tell less about incidence or prevalence than they do about women’s perceptions of the utility or effectiveness of social and legal services.

In relation to rape, a longitudinal study on crime in the Caribbean conducted by de Albuquerque and McElroy shows that the incidence of reported cases of rape increased significantly in Jamaica between the 1980s and 1990s – from 35.0 per 100,000 in 1980 to 71.4 per 100,000 in 1996. This may represent an actual increase in the number of rapes or in the number of reports or a combination of the two factors.

Police statistics on rape reveal that a significant number of reports go unresolved. In 1993, 773 rapes were reported of which 57 per cent were not solved. In 1997, 73 per cent of all reported rapes went unresolved. The reports rose slightly in 2001 to 776 and 767 in 2002.

Throughout the research process, concern
was expressed over the phenomenon of ‘carnal knowledge’. This phrase covers a number of different types of situations, from rape of minor girls, to transactional sex between older males and young girls, to consensual sex between young persons of relatively equal ages. Generally, the police report that consensual sexual relations between young people of relatively similar ages are rarely if ever prosecuted. The more typical cases of carnal abuse are rape of a minor or sexual relations between a very young girl and an appreciably older man. Reports of carnal abuse increased over the 1990s, going from 583 in 1993 to 745 in 1997.

More indirect data also points to the problem of child sexual abuse. In 1996 Marjorie Taylor, then a Member of Parliament, reported to Parliament that in the area of sexually transmitted diseases, children were major casualties, with seven boys and 17 girls being infected with syphilis in 1993. There were also 327 cases of gonorrhoea in children 0-14 years old during 1993. That figure fell to 204 in 1994 and rose again to 245 in 1995.

Violence against children in Jamaica is a growing concern, and yet the concern cannot be adequately substantiated by empirical data because reliable statistics are simply unavailable. Individuals and agencies involved in the care and protection of children cited poor record-keeping as one of the major gaps in the struggle to eradicate child abuse.

While the incidence and forms of child prostitution are under-researched, an International Labour Organization (ILO) rapid assessment suggests that this form of abuse is not insignificant in Jamaica. According to the study, children are exploited as street prostitutes, seasonal sex workers, go-go dancers, massage parlour workers, ‘sugar daddy’ girls and porn production workers. The majority of children interviewed or studied in this work were girls, though there were groups of boys who were also exploited. The study found that some of the children were as young as six and most were from poor backgrounds and were out of school. It suggests a number of causes for child prostitution including economic poverty, low levels of literacy on the part of the children, inadequate parental supervision and fear of reprisals from community ‘dons’, which forced some women to tolerate situations that affected the rights of their children. The study also points to inadequate enforcement of the law relating to sexual offences.\(^1\)

A few studies have been done that suggest a number of causes for violence against women in Jamaica. The phenomenon has been explained as an outcome of male impotence and frustration at the lack of opportunities for economic well-being and status. The culture has also been described as one that reproduces an “uncompromising gender ideology” in which masculinity is associated most readily with being in control and with aggression.\(^2\)

Women’s vulnerability to abuse has been linked with economic dependency. Bailey reports that men are seen as gatekeepers to resources and that women may be forced because of this relationship of transaction and dependency into a subservient role. It has also been asserted that Jamaican

<table>
<thead>
<tr>
<th>Year</th>
<th>1993</th>
<th>1995</th>
<th>2001</th>
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</tr>
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<tbody>
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<td>174/54</td>
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<tr>
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Source: Police records. |
society gives tacit and legal approval to the use of violence that carries over into the domestic sphere. Child beating as a form of discipline is sanctioned both in the home and in schools. Violence is an integral component of the penal system and is glorified in the media and popular culture.\textsuperscript{14}

**Responses to gender-based violence**

A UNDP Civic Dialogue Workshop on Crime and Violence, held in 2002, had among its objectives (a) to discuss the current situation and develop a shared understanding leading to consensus on the critical issues and challenges relating to violent crime; and (b) to develop strategies and lines of action on how to implement some of the recommendations of the Report of the National Committee on Crime and Violence.

What is striking about both the UNDP Civic Dialogue and the Report of the National Committee is the complete absence of any gender analysis on the root causes of crime and violence in the Jamaican context. The report of the Civic Dialogue finds that crime and violence are caused by destabilized family structures (poor parenting), a decline in attitudes and values, urban drift, economic instability, illiteracy, political tribalism, etc. There is no analysis of how the dominant values around masculinity make men more likely to use or resort to violence as a method of resolving conflict situations, whether in the home or in the community. This is so despite research undertaken in Jamaica that has elicited that by age 10, boys begin to recognize the importance of masculine traits and, in this context, physical dominance is seen as an important aspect of masculinity. By age 14, this recognition became very clear in the minds of the boys being studied.

The recommendations that flow from the Civic Dialogue and the Report of the National Committee exclude any work on the area of gender socialization, the empowerment of women and the understanding of masculinity. The closest the Report comes to looking at socialization practices and inter-personal relationships is in its Recommendation No. 2, which urges the inculcation of proper values and attitudes in young people and the strengthening of parenting skills.

In general, the links between gender socialization and violence remain unexplored at an influential policy level in Jamaica. There is no acknowledgement that violence, whatever may be its other causes, is fundamentally gendered in two distinct ways: firstly, a significant proportion of violence experienced in the country is an expression of unequal power relations between men and women; and secondly, violence as an expression of aggression is seen as central to the experience of masculinity.

There is therefore little cross-sectoral responsibility for the eradication of gender-based violence. Work in this area has been located very much in the Women’s Bureau. Apart from the enactment of the domestic violence law, which was a product of the office of the Attorney-General working closely with the Bureau, it is not too evident that other sectors of the public service have made violence against women a policy and programmatic priority.

**Legal interventions**

**Legislation**

**Domestic violence**

The Domestic Violence Act was passed in 1995. In the judicial system, applications for protection orders can be made only at the magisterial level. The Family Court (the first in the Caribbean region) has a lower court jurisdiction. The Act is patterned on the CARICOM model legislation and has several gaps that have been plugged...
in later legislation in other parts of the region.

For example, protection orders can only be made in favour of a spouse, parent, child or dependant of the respondent. Spouse, as defined, does not include former common-law spouses, nor does it include persons who were in a close and intimate relationship but had never lived together (i.e. those in a visiting relationship). This is a significant omission given the notable proportion of Jamaicans who are in visiting relationships and who have children for persons with whom they have never resided. The Act also does not extend to other family and household members who fall outside the stipulated categories.

In addition, the Act only sketches in very limited terms the nature of the conduct that would be a sufficient basis for an application for a protection order. The Court may make an order where the respondent has used or threatened to use violence or caused physical or mental injury and is likely to do so again. The Court is also given the more general power to make an order where this is necessary for the protection of the prescribed person.

While the definition of the conduct seems wide enough, it might be preferable to be more explicit on the kind of conduct that is prohibited, especially since the Act is meant to be used by persons without the requirement of legal representation. As pointed out in an ECLAC study of domestic violence, this approach is less a legal advantage and more a method of assisting possible applicants in deciding whether their own experiences amount to domestic violence. In that sense a more expansive definition has an educative and re-socializing function.\textsuperscript{15} So, for example, under the 1999 Domestic Violence Act (Trinidad and Tobago), domestic violence includes “physical, sexual, emotional or psychological or financial abuse”. The inclusion of financial abuse is based on the understanding that many batterers use the withholding or the taking away of money as a method of control over the victim.

The Jamaica Act gives the court the power to make non-molestation, exclusion and occupation orders. One of the limitations of the legislative scheme is the absence of power of the magistrate to grant custody and maintenance orders on the hearing of an application for a protection order. A separate application has to be made to bring such matters before the court. The court can also order counselling, though the Act does not say how counselling will affect the eventual disposition of the case.

These gaps are currently the focus of a Bill that has been developed to amend the Domestic Violence Act.

\textbf{Sexual offences}
The Offences Against the Person Act makes provision for the offences of rape, indecent assault, defilement, procuration and abduction of females. Rape is not defined in the statute, but under the common law prior to 1991 it was defined as sexual intercourse by a male with a female who is not his wife without her consent, or with consent if it is extorted by threats of bodily harm, or is obtained by impersonating her husband or by false representations of the nature and quality of the act.

From the definition of rape given above, a husband was not generally held to be legally capable of committing rape. A man’s immunity for the rape of his spouse would only be lost under the common law if there were a separation agreement between the parties, a decree nisi or a non-molestation order. As noted above, however, the 1991 House of Lords decision in \textit{R v. R}\textsuperscript{16} finally abolished what remained of the marital rape exemption in England and Wales, confirming the Court of Appeal’s conclusion that “the time has now arrived
when the law should declare that a rapist remains a rapist subject to the criminal law, irrespective of his relationship with his victim.” This ruling would be applicable to Jamaica and therefore husbands’ immunity from prosecution has been removed.

In addition, specific provisions are also made for carnal knowledge of female children. The age of consent is 16 years, and the Act provides that carnal knowledge of any girl under 16 years constitutes an offence whether or not there is consent. There are no provisions made for exceptions where there is consent and sexual intimacy occurs between two minors of relatively equal age.

The law on incest is to be found in the Incest (Punishment) Act No. 13 of 1948. A male person who has carnal knowledge of a female person who is his daughter, granddaughter, sister or mother commits the crime of incest. Such conduct amounts to a misdemeanour punishable by a term of imprisonment not exceeding five years, or 10 years if the victim is under the age of 12. An attempt to have carnal knowledge of someone related by consanguinity is also punishable by a term of imprisonment not exceeding two years. Sexual relations with minors with whom the adult male has an adoptive or guardianship relationship are not included in the definition of incest.

The legal responses to violence against children are viewed as particularly weak. Organizations such as the Coalition on the Rights of the Child have vigorously advocated for the implementation of the Child Care and Protection Act, which at the time of writing was still in draft form. That legislation, once enacted, is expected to go a long way in providing the legal protection that is currently so lacking for children. Similar to several other specially-created child protection Acts in the region, the legislation will allow for the removal of perpetrators from the home, provide for mandatory reporting of child abuse, create a child abuse register, alleviate burdensome evidentiary rules and mandate therapeutic interventions whenever necessary. The Government Children Services Division is also anxiously awaiting passage of the new legislation and is already undergoing a restructuring in anticipation of the Act.

As in other Caribbean countries, the Domestic Violence Act extends to young victims who can have a protection or occupancy order sought on their behalf. Nevertheless, this legislation has proven ineffective for abused children and is still perceived as designed to assist only adult women in abusive relationships. This is unfortunate, given the obvious advantage of domestic violence court orders that can protect a victim in his or her own home environment as opposed to the traditional apprehension orders granted under Juvenile Acts that permit the removal of children from the family home.

**Sexual harassment**

There is no law in Jamaica that addresses sexual harassment specifically, although it is reported that this subject is under consideration by the Ministry of Legal Affairs. As such, an abused employee must seek redress in the criminal law if there has been physical abuse. Otherwise, an employee can seek injunctive relief in the High Court. These are, however, only theoretical possibilities because there is nothing to prevent an employer from dismissing a worker who asserts her rights to protection. The possibility of retaliation combined with the cost of legal services would act as a complete deterrent to most, if not all, employees so abused.

**Law enforcement**

**Police responses**

The Jamaica Constabulary Force participated in the CAFRA police training project. Over 100 persons, including 33 police officers from the Jamaica Constabulary
Force, were trained as trainers in July 2001. Since then two-day modules have been conducted in a number of policing districts. These were implemented with collaboration from Woman Inc., an NGO. The topic of ‘domestic violence intervention’ was also added to the training syllabus of the Jamaica Police Academy Basic Training and Probationer Training. It is estimated that approximately 10 per cent of the police force has been trained.

As a result of the training, spin-off programmes have been initiated in some police districts. In the St. Catherine South Police Division (Portmore), a Domestic Violence Desk has been instituted that is staffed by trained officers and is dedicated to responding to all complaints of domestic violence. Another offshoot of the training has been the creation of additional police units at all rural divisional heads to deal with sexual offences.

It has been reported that there is heightened awareness on the part of the police of the need to respond effectively to all complaints of domestic violence. Still, the level of arrests and prosecutions has not increased measurably and it would appear that the training has taken police officers in the direction of mediation and counselling as opposed to law enforcement. So, for example, in the Portmore Division – where it is reported that there are on average approximately 250 reports of a domestic violence nature monthly – less than 15 per cent of alleged perpetrators are arrested or charged.

A study undertaken in 1999 of 187 women who sought help from the Women’s Crisis Centre sheds some light on the impediments to police reporting. Only 24 per cent of the women had reported the incident to the police, with the majority going elsewhere for help. Eight per cent indicated that they did not want to get the offender in trouble. Another 10 per cent said that they feared for their safety if they reported the incident. Eighty-nine per cent of the victims had been physically injured and still only 26 per cent of that number went to the police.

The police attribute the low level of arrest and prosecution largely to victim reluctance to report and/or cooperate with them, particularly after a significant lapse of time. They also report that the sheer volume of work inhibits them from pursuing uncooperative victims. This is a serious challenge to ensuring victim safety in the future, as a woman who has not cooperated with the police will be reluctant to make a subsequent report because of shame, embarrassment and an anticipation of police hostility.

In 1989 a special department for the treatment of sexual offences – the Centre for Investigation into Sexual Offences (CISO) – was established in the Jamaica Constabulary. It was set up in response to advocacy around the need for more police sensitivity to victims of sexual assault and for improved confidentiality and privacy in the taking of reports from victims. It is staffed by women police officers, and all reports of sexual offences are received by women police officers throughout the police districts and divisions.

CISO is made up of seven units that are located across Jamaica. All the police officers who work in these units have received specialized training, and members of CISO staff are also responsible for training in the investigation of sexual offences at the Jamaica Police Academy.

To ensure consistency in the interviewing of victims and in investigative procedures, CISO has developed a manual that addresses the law on sexual offences, ethics, stress management, gender relations, forensic science and interviewing techniques.
Besides taking statements and pursuing investigations and prosecutions, CISO provides a basic crisis counselling service to victims in the immediate period after reporting. It only has one trained social worker on staff, but works closely with the Victim Support Unit in the Ministry of Social Welfare and with the Child Guidance Clinic, to whom victims are referred for longer-term and more extensive counselling.

It is widely understood that detection and prosecution of sexual offences are at a level significantly below the incidence of this type of abuse. CISO reports that only 50 per cent of the reports of rape at most result in prosecutions. Many of the rapes that are not cleared up are perpetrated by persons unknown to and unidentifiable by the victim. There are many deterrents to persons pursuing prosecutions, including frustration with the delays in the judicial process. The Centre has tried to develop supportive approaches to victims where the trial is drawn out, including keeping in regular contact and doing follow-up.

Fear of reprisals and retaliation also act as a deterrent to persons pursuing sexual offence cases, particularly when the perpetrator is known to the victim, either as a family member or as someone in the community. While social service support can offset or mediate such fear (and other emotions of pain, humiliation and shame) to facilitate the cooperation of victims, there is an inadequate coverage of such services. Those that do exist tend to be centralized in Kingston. There is no doubt that the victims of sexual abuse risk further injury to themselves and to their families when they pursue prosecution of allegations of rape. Even with victim support provided through the Witness Protection Programme and with counselling, a victim and her family cannot be completely insulated from retaliation or from severe psychological and economic dislocations (see box 1).

In the police service a number of recommendations have already been made to strengthen the police response. These include:

a) Police training;
b) The establishment of rape investigative centres at divisional headquarters across the island;
c) Additional facilities to provide a safe and secure environment for victims at stations of first contact;
d) More community support for victims, including community education programmes; and
e) Improvement of witness protection programmes for victims and their families.

Other special police services
Apart from CISO and the Domestic Violence Desk, a Police Mediation Unit was created as a response to the problem of domestic violence. The Unit’s purpose is twofold: to mediate disputes before they

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Box 1: Negative repercussions from reporting a rape

In August 2002 a 34-year-old man known to Michele raped her six-year-old granddaughter. Michele took the child to the Rape Unit, where a doctor examined her and confirmed that she had been raped. The granddaughter was also able to describe in sufficient detail what had happened to her and who had done it.

Over time, to deter the prosecution, members of the perpetrator’s family beat Michele and her daughter. Michele was chopped on her upper arm with a cutlass, an injury for which she required hospitalization. She was also hit in the head with a big stone and her house was shot up.

Michele sought relief from many sources and was eventually directed to the Witness Protection Programme. She now lives in a house outside of her community that is provided by the Government while she awaits the trial of the rape charge. The relocation has meant that she can no longer access her land for farming, from which she earned an income. Her husband has also been forced to give up his job because the perpetrator knows where he works.

*Based on an interview with the victim that took place at the Women’s Bureau in the course of the research.
escalate to severe violence and to train each police officer in conflict resolution techniques. It is now part of the Community Relations Programme. Police officers assigned to the Unit are trained as mediators, and it is reported that in the first four months of its establishment 300 cases were dealt with. Mediation training will be mandatory for officers completing the two-year training in general policing.

Along with its mediation duties, the Unit also participates in community educational activities through lectures and seminars at schools, training institutions, churches, neighbourhood watch groups, police youth clubs and other police departments.

**Use of the Domestic Violence Act: the Family Court experience**

There are two divisions of the Family Court – one in Kingston and the other in Montego Bay. Two judicial officers who have magisterial jurisdiction are assigned to the Court in Kingston, which is also staffed by intake counsellors and probation officers. It hears the range of family matters as well as issues of child protection. The emphasis of the Court is on resolution and often matters are referred for mediation.

The Court in Kingston hears all domestic violence applications for Kingston and St. Andrew. Relative to the population of this area, and bearing in mind the reports made to women’s organizations such as the Crisis Centre, the number of applications made to the Court are very few – 275 in 2000 and 335 in 2002. This is in sharp contrast to statistics from Trinidad and Tobago, for example, where in the 12-month period from August 1999 to July 2000, some 6,836 applications for protection orders were made. The under-utilization of the Act is attributed to women’s lack of awareness and also to persistent feelings of shame and humiliation on the part of victims. The physical structure of the court and its location may also act as a deterrent to use.

On average, approximately one third of the applications made annually that relate to domestic violence result in an order being made. Others are referred for counselling, are withdrawn or are dismissed. Here as elsewhere in the Caribbean there are no legislative guidelines on the circumstances under which counselling is to be ordered. As such, it is reported that the court would not send just one party to counselling but rather the couple.

Throughout the research, the need for continuous judicial training and dialogue on violence against women was reiterated. While there is a Judicial Education Institute, to date it has not developed any training programmes on gender-based violence. However, it does have a mandate to improve the work of actors in the justice system. In this regard, the Institute has run courses for police officers and probation officers on juvenile justice issues.

**Prosecution of sexual offences**

Trials for charges of rape, carnal knowledge and incest are held in camera pursuant to the Criminal Justice Administration Act. Additionally other jurisprudential developments have made rape trials somewhat less harrowing. For example, there is no longer the need to give a corroborating warning. Still, there is some delay in the hearing of rape cases that is not true for other types of cases in the justice system.

Although CISO reports a fairly high rate of convictions for sexual offences, others find that cultural stereotypes around women’s sexuality continue to impede conviction rates for rape. It is reported that, on average, conviction rates for sexual offences are much lower than for other violent crimes. In addition, in relation to carnal knowledge or rape of young girls, conviction is less likely where the girl is not very young or where the man charged is not much older because of the cultural view that a man should not be imprisoned for his sexuality.
... the Centre estimates that less than half of the sexual offence cases involving children are actually prosecuted.

Incest and other sexual offences against children are also underreported. In the absence of any formal record-keeping, CISO estimates that approximately 80 per cent of their child abuse cases are of a sexual nature, with the other 20 per cent being cases of physical abuse and neglect. Unfortunately, the Centre estimates that less than half of the sexual offence cases involving children are actually prosecuted. Fear, embarrassment, inordinate delay and burdensome evidentiary rules have all reportedly contributed to young abused victims avoiding the legal process.

Still, a collaboration has developed between health workers and CISO, and child sexual assault victims are taken to the Bustamante Hospital. Children are examined promptly and doctors have come to understand the need to provide comprehensive examinations of and treatment for child victims. Health workers have received no specific training, however.

**Victim Support Programme – Ministry of National Security**

Established in 1998, the Victim Support Programme provides support to victims of crime, particularly as they traverse the criminal justice system. The programme assists in the preparation for court, accompanies victims to court and makes referrals to other agencies as required. It is offered in all 14 parishes. With the exception of St. Catherine and Kingston and St. Andrew, which have larger offices, each parish has on staff a parish coordinator and a social worker. The programme also relies heavily on a cadre of about 4,000 volunteers for counselling and court support. Apart from individual counselling and support, there is group counselling for sexually traumatized persons and for the parents of child sexual abuse victims.

**Legal aid**

There is both a State-run as well as an NGO-run legal aid service in Jamaica. The NGO-operated clinic, Kingston Legal Aid, was established in 1971 by a group of attorneys concerned to increase access to legal services by persons unable to pay for a lawyer. There are three full-time lawyers and one part-time lawyer on staff. The clinic provides assistance in criminal as well as family and certain civil matters and probate. Its clientele is from Kingston and the majority are women seeking assistance for divorce, declaration of paternity or maintenance matters.

Many women come to the clinic for assistance related to domestic violence. It is reported that at least half of all family matters directly concern applications for protection orders, or more indirectly in the case of divorce are based on domestic violence. The clinic considered the Family Court to be very responsive to applications for protection orders, and invariably it was their experience that women got the orders that they sought. Given that legal representation is not required at the Family Court, most persons who come to the Kingston Legal Aid for assistance in relation to domestic violence are advised of their rights and remedies and referred on to the Court. Women will also be referred to the Family Life Ministries or to church groups for counselling.

The Norman Manley Law School also runs a legal aid clinic as an adjunct to its training programme for law students. The clinic is staffed by three attorneys, whose primary role is to facilitate the studies of final year students. It deals with civil matters such as torts, estates and family matters. However, its workload contains only a small proportion of domestic violence applications. Based on the experience of the clinic, the main problem associated with the legal response is one of enforcement of orders. Police do not exercise their powers of arrest but prefer instead to engage in mediation. Where there are prosecutions, women are under tremendous pressure to drop the case.
and police units have not developed strategies for victim-less prosecutions.

Social service interventions

The Women’s Bureau has become the de facto lead agency in the State for programmes to eradicate violence against women. Its efforts are concentrated in public advocacy, inter-ministerial lobbying for legislative change and counselling and support to victims.

The UNIFEM Inter-Agency Campaign fed into the work of the Bureau since the campaign’s major theme was building awareness and sensitization around the issue of domestic violence. As an advocate, the Bureau has concentrated its efforts on awareness building in the health and judicial sectors. It has run workshops on domestic violence for judicial officers in the magistracy (the Family Court and the resident magistrates) as well as for persons working in health care. The focus of these workshops was on increasing sensitivity and awareness of the complexities of domestic violence in order to strengthen the State response. The training was therefore service oriented as opposed to policy oriented. In pursuing its advocacy role, the Bureau has produced two educational videos, ‘Starting Over’ and ‘Hope Deferred’. The second, which addresses incest, has been used not only in Jamaica but also throughout the Caribbean region.

In their own analysis of the impact of the training sessions, Bureau staff report that the early programmes elicited a wide-ranging critique of service delivery around violence against women. Throughout these sessions, special emphasis was given to the police, who were widely viewed as being insufficiently aware of the contents of the Domestic Violence Act and therefore not understanding the parameters of their duties and powers under the Act.

The Bureau has a powerful public profile because of its work around gender-based violence. While it has not attempted to develop indicators to measure impact, the usefulness of its work can be seen from the sustained level of requests that it receives for outreach and education. The Bureau responds to requests from schools, communities, women’s organizations and church groups. Members of the Bureau have also been approached by an employer to assist in developing a manual on sexual harassment.

For all its work on this issue, the Bureau staff considers that social service deficits limit the impact of its work. Beyond the 12-bed shelter run by Woman Inc., there are no safe houses in Jamaica for victims of domestic violence or sexual assault. The Bureau is currently involved in developing a proposal for the establishment of a shelter.

In addition, in its own assessment, the issue of child sexual abuse is one that remains “in the closet”. The Bureau considers there to be community complicity and silence around child pornography, child labour, child prostitution and child exploitation. The incidence of these forms of harm are unknown but there is a strong perception that many children are vulnerable to sexual abuse and are situated, because of class, colour and geography, in places where social services and the law have not been able to intervene.

Despite the fact that the Bureau sits on a number of committees, it acknowledges that there is an insufficient level of institutional linkages between the Bureau and other actors in social service delivery and the justice system. This absence of effective networking is apparent not only in programme delivery but also in the formulation of policy approaches to gender-based violence.

It is in this context that women’s organizations, while acknowledging its important
What is seen as lacking in the public sector response is the analysis from causation to prevention that is essential to the formulation of different levels of strategic responses.

Like the Women’s Bureau, women’s organizations in Jamaica have been at the heart of building a movement against violence against women in the Caribbean. Jamaica set up one of the first crisis centres and hotline services for women. It is also here that strategic thinking around the role of the media is most developed. The SISTREN Theatre Collective found new ways of breaking women’s silence and bringing their individual and collective experiences of harm to the public domain. More recently, Jamaica has pioneered the development of a batterer intervention programme.

**Shelters/crisis centres**

Institutional crisis housing is practically non-existent in Jamaica. The primary service provider to victims of domestic violence is Woman Inc., which operates out of Kingston and Montego Bay. It receives an annual subvention from the Government that amounts to approximately a quarter of its annual budget.

The Kingston chapter runs a Crisis Centre, a shelter and a hotline. The shelter, established in 1988, is the only one in the country. It offers very limited services as it has only 12 beds. All the persons who stay there are referred by the Crisis Centre. The Centre operates a 24-hour hotline that is staffed by a team of volunteers, of whom 38 are women and two are men. The Montego Bay chapter operates a Crisis Centre that provides walk-in and telephone counselling. It has produced a video on domestic violence and rape with funding from UNIFEM.

Like other NGOs that act as service providers with limited governmental support, Woman Inc. has faced severe funding difficulties, to the extent that it was forced to close for several months in 1997.

There are a number of children’s homes in Jamaica that are used to house children with behavioural problems as well as those with problematic family situations or experiences of abuse. The Children’s Services Division of the Ministry of Health is responsible for providing services to children from birth to 18 years who are in difficult circumstances. The areas of support offered by the division include:

a) Counselling;
b) Court work for children who are removed from the family under the Juvenile Act;
c) Foster care;
d) Home supervision;
e) Placement and supervision in children’s homes; and
f) Involvement requested by foreign child welfare agencies.

There are 13 children’s homes run by the State, and there are ongoing concerns about the need to ensure adequate levels of care and protection for children in these facilities. The Director was very critical of the fact that children in need of protection continue to be accommodated in the same
facilities as young offenders. ‘Mixed populations’, like the Glen Hope facility, have become necessary because of the general lack of suitable placements for children, especially adolescent girls.

Insufficient placement opportunities for children in need of care and protection is representative of a broader lack of general services for vulnerable children.

**Counselling for victims**

There are a host of agencies that extend counselling services to victims of violence in Jamaica. As is the case elsewhere in the Caribbean, many of these persons are not professionally trained as social workers or psychologists. Rather, the demands placed on them because of their institutional location force many to engage with their clientele as counsellors. So, for instance, more and more police officers report that they undertake counselling as do women’s organizations. The counselling given is largely directed at resolving crises and aiding in immediate problem solving.

The work of the Woman Centre Foundation of Jamaica is aimed largely at youth, and it has been involved for some time in working with adolescents identified as being at risk. It focuses on the continuing education of teenage mothers who are forced to withdraw from school. The Foundation’s programmes are aimed at remedial education and sensitization around positive lifestyles. It also works with the parents of incest victims.

There are limited counselling opportunities for young victims, and specialized training of police and other professionals in the handling of young victims is noticeably absent. Even the Centre for Investigation of Sexual Offences and Children Abuse (formerly known as the Rape Unit) does not have a special protocol for child victims. The Centre refers all child victims to the Bustamante Hospital, which is generally regarded as efficient, thorough and sensitive in its treatment of young patients. The Child Guidance Clinic is a referral point for counselling but is reportedly experiencing a reduction in referrals because of its inner-city location.

Recent initiatives, like the Victim Development Centre at the University of the West Indies (UWI), are providing valuable therapeutic intervention for chronic cases of child abuse. Through the use of art and play therapy, puppetry and other interactive treatments, the Centre assisted 30 young sexual abuse victims during the six-month period September 2002 to March 2003. The Centre remarked on the shortage of social workers in the system, which is perplexing given the presence of a strong social work department at UWI’s Mona Campus that graduates approximately 45 social workers every year. The shortage of social workers was attributed to the lack of priority that the State has given to the social service sector and the vital role it must play in the eradication of violence against women and children.

**Counselling for perpetrators**

While the Domestic Violence Act makes provision for counselling of abusers as well as victims, such services are not extensive. Responding to the need for socio-psychological interventions with batterers, and building on the model of two batterer intervention programmes, the Jamaica Family Planning Association (FAMPLAN) teamed up with the Department of Correctional Services and Probation Office in St. Ann’s Bay to create the Brothers for Change initiative. The object of the programme was to (a) encourage men to take responsibility for their own violence, and (b) to promote an understanding among men participating in the programme of the dynamics and ideologies of domestic violence as well as its consequences for women and children. Men brought to court on domestic violence charges were referred
The shortage of social workers was attributed to the lack of priority that the State has given to the social service sector and the vital role it must play in the eradication of violence against women and children.

In its assessment of the programme, FAMPLAN found that the behavioural changes did not come easily. They found dominant stereotypes among the participants of acceptable male behaviour: that men were supposed to be powerful, strong and aggressive, and that violence was a male instinct that could not be controlled. In this context, violence against women could be construed as ‘natural’ and as a way for a man to prove his masculinity. Many of the men who were referred to Brothers for Change did not initially see anything wrong in what they had done and there was significant absenteeism from the sessions.

The level of referrals from the court system was also low, with only 25 men referred in the first year of the programme’s operation. The programme ran for two years before responsibility for it was transferred entirely to the Probation Department. Since 2001, however, it has been discontinued.

Given the limitations of the counselling, FAMPLAN also undertook a community education drive to increase the awareness of gender-based violence among men and adolescent boys in five communities. It is estimated that this programme reached more than 3,000 men and adolescent boys.

Fathers Incorporated is a small organization of no more than 15 members that was established in 1991. The organization, which saw its most vibrant period in the mid-1990s. It has as its ideological mission the reclaiming of men’s self-esteem, seen as having been eroded by a confluence of factors but most particularly by economic deprivation. Fathers Incorporated sees men as victims of economic circumstances and lays blame on the economic structure for men’s inability to contribute to the financial and emotional care of their children.

The organization has developed training programmes for men around the topics of sexuality and fathering. In 1996 it launched a Model Father of the Year Award, and it has since tried to establish a counselling service with only limited success. Even though the organization’s focus is on men in the context of the family, it does not work on issues of child abuse or domestic violence.

**Alternative dispute resolution**

In an attempt to address extensive violence in the school system, the Ministry of Education developed the programme Peace and Love in Schools, with the engaging acronym of PALS. Through this programme, the Ministry aims to teach non-violent conflict resolution in schools and to incorporate peace education in the curriculum. PALS trains teachers in negotiation, communication, anger management and the delivery of peace education courses. Also, students in both primary and secondary schools are trained as peer mediators.

The question of socialization practices in the school system is not part of this programme and there is no deliberate effort to encourage students to address the gender issues behind the use of violence as a mechanism for conflict resolution.

Another Ministry of Education programme is Change from Within, which aims to enable young people to deepen their self-understanding. This is done through encouraging their participation in sports, music and the performing arts. The programme also involves leadership training and conflict resolution. Like PALS, however, the programme does not appear to have a specific focus on the understanding of gender roles and how such roles can contribute to or end cycles of violence. Both programmes have reported some success as
measured in decreased violence in the schools and, importantly, in increased parental participation in schooling.

Established in 1994, the Alternative Resolution Foundation is a private voluntary foundation set up to improve the conflict resolution climate. It offers mediation training to community members, the police, teachers, lay magistrates and youth. It has created Peace and Justice Centres in communities to provide a safe place for the discussion and resolution of conflicts in the community. These Centres accept referrals from the resident magistracy, the Family Court and local churches as well as walk-in clients from local communities. In that sense the Alternative Dispute Foundation stands out as offering, in the context of its limited resources, an island-wide network of services.

Approximately one third of all the matters in which the Foundation intervenes are family-related. It views family violence as well as violence against young girls as major issues. The Foundation aims to do more work with young men to assist them to move out of cycles of violence. It is already working on this in two communities and has found that young men lack the level of dialogue necessary to allow introspection. In the inner city, the Foundation has observed that young men act in very gender stereotypical ways in regard to communication, parenting and the division of labour. The caring father is not a role model to which many of them aspire. On the other hand, because of the national and global women’s movement, women have shifted their expectations of themselves and of men in some areas. They have high expectations of men, in ways traditional (as economic providers) and non-traditional (as caring and communicative partners and fathers). These clashing expectations lead, in the view of the Foundation, to men and women talking at rather than to each other, with the resulting rapid declines into hostility.

While the Foundation currently works closely with the Ministry of Justice and National Security, it sees the need to build partnerships and alliances all carrying one central message through a range of programmes.

**Public awareness, education and advocacy**

There are a number of very vibrant NGOs that have been engaged in advocacy using traditional and non-traditional methodologies.

**Women’s organizations**

Generally, the women’s organizations that work on this issue make explicit connections to systemic gender inequality and work on a multiplicity of issues with great commitment and few resources.

SISTREN Theatre Collective uses popular education techniques such as drama to build awareness around women’s rights issues. It works at the community level and was a participant in the Inter-Agency Campaign. One of the first popular education pamphlets produced in the region on gender-based violence was a SISTREN publication, *No to Sexual Violence*. This booklet has been reprinted at least three times. Currently, SISTREN is part of a team targeted to work in nine communities on crime and violence. This is an initiative spearheaded by the Ministry of National Security – Citizen Security and Justice Project. SISTREN’s role is to work with communities on violence against women.

Women’s Media Watch (WMW) has developed a reputation not only nationally but regionally and internationally as a pioneer in the monitoring and analysis of how the media can advance or impede gender equality goals. It aims to increase public awareness of the causes of sexual violence...
against women and girls, and of violence in general, and to draw links between violence in media images and sexual violence. WMW’s work includes an outreach programme based on popular education comprising discussions, workshops and seminars in schools and institutions, with community groups and with media practitioners locally and regionally.

WMW also attempts to work strategically on influencing media policy. It has attained credibility as a monitor of the media to the extent that it was invited to collaborate with the Broadcast Commission on a Code for Children’s Programming. The organization also teaches a module of gender awareness in the media for the Caribbean Institute of Media and Communications (CARIMAC).

In response to levels of violence against women, the Women’s Manifesto Committee was formed in 2002 during the lead up to the General Elections. The Committee put together a manifesto that was presented to the political parties. It stated that sexual violence was commonplace in Jamaica and occurred in every setting. It made the linkages between sexual violence, gender inequality and the HIV/AIDS epidemic and called on the political parties to take a number of steps, including national campaigns and the reallocation of budgets to fund programmes to end gender-based violence.

The Household Workers Association aims to improve the conditions of work for women employed in the domestic setting. This class of workers is historically among the most exploited and lowest paid in the economy. The organization, though small and with very limited resources, tries to act as a facilitator or supporter of workers who bring complaints against employers to the Ministry of Labour. While it has no doubt that sexual harassment is experienced by domestic workers, the association has been unable to undertake research in this area.

Women’s Media Watch aims to increase public awareness of the causes of sexual violence against women and girls, and of violence in general, and to draw links between violence in media images and sexual violence.

Support for children and young people
The Jamaica Coalition on the Rights of the Child was set up to monitor and implement the Convention on the Rights of the Child nationally. Established in 1990, it collaborates with both the governmental and non-governmental sectors in ensuring the human rights of children. The Coalition worked on the Child Care and Protection Bill, which has not yet been enacted. It also engages in community outreach and, through its young advocates programme, works with children in difficult circumstances: children in places of safety, in prisons and in children’s homes. The Coalition has produced booklets on child rights for use in the school system and for parents.

Youth Opportunities Unlimited works exclusively with persons aged 10-18 years. Its programmes are designed to help students complete their post-primary education and move on to higher education, employment or skills training. It receives support from both the Government and international donors. Through its outreach work and programmes, this agency attempts to build self-esteem among teenagers and increase their capacity for making choices that lead to self-empowerment. Although it does not have a specific focus on gender-based violence, it works collaboratively with women’s organizations on public education campaigns.

Research
The Centre for Gender and Development Studies is part of the UWI Mona Campus. Its mandate is teaching, research and outreach. The Centre has not done extensive work directly on gender-based violence, though it was responsible for the preparation of the UNDP country report as part of the Inter-Agency Campaign spearheaded by UNIFEM. The Centre has helped train the staff at the Jamaica Family Planning Association (FAMPLAN) on issues of violence and reproductive health. As part of that pro-
What is striking is that, despite over 15 years of advocacy around this issue in Jamaica, very few men or male-dominated organizations seem to consider that gender-based violence is centrally about the conduct of men. If it were otherwise, one would reasonably expect to see more men in the forefront of developing programmes aimed at changing violent behaviour. This is just not the case, either in Jamaica or elsewhere in the region. This deficit is the singular or determinant factor in the failure to make progress in lowering the incidence of violence against women. In the Jamaican context, the one organization that could reasonably have been expected to partner with women’s organizations on the issue has avoided it altogether in its pursuit of inculcating the image and value of the responsible father.

In Jamaica, very few men or male-dominated organizations seem to consider that gender-based violence is centrally about the conduct of men. If it were otherwise, one would reasonably expect to see more men in the forefront of developing programmes aimed at changing violent behaviour. This is just not the case, either in Jamaica or elsewhere in the region. This deficit is the singular or determinant factor in the failure to make progress in lowering the incidence of violence against women. In the Jamaican context, the one organization that could reasonably have been expected to partner with women’s organizations on the issue has avoided it altogether in its pursuit of inculcating the image and value of the responsible father.

What is also apparent is that, among the organizations that run outreach programmes on violence against women, there is very little institutional collaboration in mapping out a strategy to reach specified interest groups and geographic locations. As a result, these programmes are reaching only limited numbers of people and are very heavily concentrated in Kingston and other urban centres.

Services are NGO-driven and suffer from the funding deficiencies that typically challenge such organizations. Even with the emphasis on service delivery to victims, it is noteworthy that Jamaica has but one very small shelter located in Kingston.

Unlike domestic violence against adults, child sexual abuse remains under-addressed. There are no studies to document the prevalence of the various forms this abuse takes, and official police records mask rather than illuminate its extent. Children are in the greatest need of protection, yet the irony is that they are the most vulnerable to abuse that goes undetected and unpunished. There are a number of factors that contribute to this. At the level of the family, the gender ideology that makes the female body the property of men means that – despite societal taboos – fathers, step-fathers, relatives and other men are able to prey on young girls for sexual satisfaction. The research suggests a fairly widespread perception that some mothers or female guardians may fail to acknowledge or actively ignore such abuse because of fear, shame, humiliation and economic depend-
There is very little reflection on the role of male caretakers or guardians in interceding on behalf of abused children. Even when the abuse comes under police investigation, family support for prosecution cannot be ensured.

The complicity around child sexual abuse is also seen in the failure of caretakers, teachers, health workers, etc. to report suspected cases. Jamaica has no guidelines or laws on mandatory reporting of child sexual abuse. Interviewees lamented the absence of clearly defined protocols that could be used to guide the child protection process, despite the perceived growing incidence of child abuse, particularly of a sexual nature. Police officers, nurses, doctors, teachers and other professionals who have regular contact with abused children currently operate without the benefit of an established set of rules that clearly defines the course of action that should be followed in instances of actual or suspected child abuse.

Many in Jamaica recognize the need for the development of a more coordinated multi-sectoral approach to gender-based violence. It is an approach that would deepen the understanding of the causes and prevalence of all forms of such abuse and that would be able to outline goals and elaborate strategies for its eradication. The need for an integrated approach was also highlighted by the United Nations Committee on the Elimination of Discrimination against Women in response to Jamaica’s combined second, third and fourth periodic reports on the implementation of CEDAW. In its concluding comments, the Committee expressed its concern over the lack of a holistic government strategy to identify and eradicate the problem. It urged the Government to place a high priority on measures to address violence against women in the family and in society and recommended that the Government strengthen its activities and programmes to focus on sexual violence, sexual crimes, incest and prostitution, especially prostitution associated with tourism.

There is a clear need for a national approach to gender-based violence, one that locates it in the context of societal crime and violence and makes clear how these intersect. In a sense, gender-based violence must be mainstreamed and all ministries need to review to what extent their policies and programmes can be tailored to make a contribution towards the goal of cultural change and the empowerment of women and children.

**SURINAME**

Suriname, in the continent of South America, is divided into 110 districts, with the District of Paramaribo accounting for about 53 per cent of the total population (estimated at 438,144 people as of July 2005).

Suriname has a multi-ethnic population consisting of Hindustani (about 37 per cent), Creoles (about 33 per cent), Javanese (about 15 per cent), Maroons (about 10 per cent), indigenous people or Amerindians (about 2 per cent) and Chinese (about 2 per cent), with Lebanese, Jews, descendants of Europeans and Brazilian immigrant workers making up the remainder. At least 15 languages are spoken, but Dutch is the official language.

In 2000, life expectancy at birth was 67.5 years for men and 72.7 years for women. The under-five mortality rate was 39 per 1,000 live births in 2003. In 2000, the total fertility rate was 2.62 children per woman.

**The incidence of violence against women**

**Perceptions and statistical profiles**

Data collection was consistently identified
as one of the major gaps in the struggle to end violence against women in Suriname. All major institutions, whether government or NGO, experienced dissatisfaction with the poor, unreliable and often non-existent empirical data on domestic violence. Government ministries, hospitals, shelters, child protection agencies and counselling agencies all conceded that despite the recognized importance of data collection, they had very little, if any, empirical evidence of violence against women or children. Some measures have already been put in place to address this major shortcoming, including an initiative geared to developing a country-wide data monitoring system at all police stations that is funded by the Canadian International Development Agency (CIDA). It is hoped that the creation of standard intake forms and ongoing training will create the conditions for better data collection procedures.

Most agencies spoke of a perceived increased incidence of violence, including sexual offences, and mentioned the growing numbers of women who were seeking assistance. Most interviewees identified domestic violence as a prevalent social problem; however, they were not confident that the increased reporting rates could be attributed to a higher incidence of violence as opposed to growing social awareness.

The indisputable indicator of the prevalence of violence against women and young girls is the increased demand for services. The most renowned service provider for victims of gender-based violence in Suriname is Foundation Stop Violence Against Women (STOP). It provides counselling and intermediary services to battered women. This agency, like most that offer similar services, reported that there has been a significant increase in demand for their services. In 1997, the Foundation registered a total of 150 clients at their city office in Paramaribo. In 2000 they registered 117 new clients, and in 2002 the list of new clients grew by over 300. The client register for 1997 showed that most clients were 25-45 years old and were women with minimal education and low incomes. Fifty per cent had no or only primary school education, and 93 per cent earned an income below the poverty line.20

Quantitative studies
The first and probably most probing quantitative study of violence against women in Suriname was conducted in 1993.21 It studied data taken from first aid or emergency wards and police stations. The study confirmed that violence against women was a social problem.

The first aid or emergency ward findings showed quite clearly that whereas men were more likely than women to be victims of physical violence, most sexual violence victims were women (95 per cent) and most were under 20, with as many as 20 per cent being under the age of 10.

The police records covered 2,156 cases of violent and sexual offences. The records confirmed that women and young girls were the primary targets of sexual offences, with girls and women accounting for 88 per cent of sexual offences for the year 1990. Females represented 54 per cent of the total number of reported cases of violence for the period 1990-1997. The victims ranged between 15-40 years old and about half had been abused by a current or former male partner.22

In a 1998 study, 69 per cent of the women interviewed were found to have been victims of domestic violence.23 Police records showed that domestic violence was 17.3 per cent (703 cases) of all violent offences registered in 1997. Of these, 539 (76.7 per cent) of the victims were women.

Research gaps were identified by the 1993 Pro Health Report and provide an informed direction for the course of subsequent
research projects. Some of the follow-up research needs were:

a) The progress of cases reported to the police, in order to know how many reports result in conviction and with what types of sentence;

b) A study among the various sub-populations of political, historical, social, economic, cultural and religious aspects in order to consider violence statistics against a particular background;

c) A study of police records in rural areas, particularly in the Nickerie District; and

d) Periodic counts of reports of violent and sexual offences so as to monitor subsequent developments or trends.

Lastly, the report identified sound qualitative research as an essential supplementary contribution. Qualitative research was viewed as the most effective means to probe the nature and causes of gender-based violence. It was suggested that the combination of statistics with qualitative information was the only formula for identifying effective interventions and preventative measures.

Qualitative studies

Several recent studies have demonstrated in a very powerful way the experiences of victims and, in one study, offenders.

A study commissioned by the Moiwana '86 Human Rights Organization was completed in December 2002. The research involved a qualitative investigation through in-depth interviews over a five-month period. The expected number of 50 respondents was not met, with only 20 women responding to the request to be interviewed. Women reported emotional, sexual, physical and economic violence. Fear, loneliness and shame were the most widespread emotions of women who were being abused by their partners. Respondents reported staying in abusive relationships for financial reasons, fear of revenge, love, best interest of the children, pressure from the family, shame and lack of places from which to get help.

Perpetrators of violence against women are the subject of an ongoing study, sponsored by Foundation STOP, called ‘De Man in the House’, and conducted by two university students. A draft report was submitted in November 2002. An interview with the authors of the report revealed that all the perpetrators felt that their wife or girlfriend had tried to assert herself too much. They complained of feeling ‘inferior’ and lamented the fact that their women had more education than they did. One of the seven perpetrators felt very strongly about his inability to get help and guidance, especially from agencies where he could go and “speak as a man”.

Most of the perpetrators were regretful about their actions and experienced a great sense of shame that their children were aware of the violence. This shame was apparently rooted in the fact that most of them had themselves, as children, witnessed their mothers being abused and admitted to not wanting their children exposed to such an experience.

Legal interventions

Feedback from a range of stakeholders clearly suggests that the legal response to domestic violence is seen as perhaps the weakest link in the system. Domestic violence in Suriname has reportedly been put on the agenda only in the last 10 years, and while advocacy and public awareness have spearheaded the process, legal interventions have lagged behind. Legal interventions also fall more squarely in the direct control of the State as opposed to the NGO community, which has traditionally been very active in lobbying for and effecting positive change in the area of domestic violence. Nevertheless, the advocacy and lobbying on the part of key organizations in the non-
State sector have exerted considerable pressure on policy makers and some interesting developments have taken place in the last 10 years.

**Legislation**

Suriname has no legislation specifically dealing with domestic violence and is therefore the only country in the Caribbean Community that does not have a Domestic Violence Act.

The Law Commission on Domestic Violence, formed in July 2001, came into being for the specific purpose of drafting domestic violence legislation. The Commission is a branch of the Women’s Rights Centre and, although it is a NGO initiative, the Government is actively represented and has contributed the services of a public prosecutor and a legal draftsperson. The seven-person commission reported that they were still in the consultation stage but anticipated actual drafting to start shortly. They have studied other Caribbean models of domestic violence legislation and are being guided by existing legislative frameworks, although recognizing that modifications will be necessary given the unique nature of Suriname’s legal systems. The Commission anticipates that the new Act will combine criminal and civil jurisdiction, with criminal jurisdiction limited to those situations where there is a breach of an order.

At the same time, a senior government representative reported that a government committee on gender legislation has also been looking at the issue of stalking and domestic violence. Although he was aware of the NGO Commission, he advised that the Government, with the input of NGOs, was vested with the responsibility of pursuing domestic violence legislation and had in fact made considerable progress in that regard. The nature and status of the Government’s initiative on domestic violence legislation is unclear, but reports seem to suggest that some amendments will be made to the existing Criminal Code, as opposed to the creation of distinct legislation specifically designed to address the issue.

The present law addressing domestic violence or any other forms of violence against women is limited to the Criminal Code, which creates different categories of offences that must be relied upon for seeking legal redress in cases involving violence against women. These include assault, aggravated assault, assault causing death, threat of harm, indecent assault, rape, sex with a minor under 14 and destruction of property.

Notably, incest between consenting adults is not an offence in Suriname. However, there is a provision that prohibits sexual relations between a person in authority and a minor. The age of consent is notably low at age 14, although the Asian Marriage Law sets the even lower age of 13 for capacity to marry.

The Suriname CEDAW report (reporting period 1993-1998) noted in its response to Article 12 that some government initiatives had been started with regard to violence. At that time, for example, the Ministry of Home Affairs had publicized its intention to install a National Commission ‘Legislation on Violence Against Women’ with the task of making an inventory of and organizing national legislation with regard to this issue, and to examine it for compatibility with regional and international conventions to which Suriname is a party.

There is no specific legislation addressing sexual harassment, and legal precedents are almost non-existent. This void exists despite the findings of a recent study in Suriname suggesting that half of the female employees interviewed felt there was sexual harassment at work and one third of them

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There is no specific legislation addressing sexual harassment ... 
despite the findings of a recent study suggesting that half of the female employees interviewed felt there was sexual harassment at work and one third of them.
had experienced it themselves. One of Suriname’s most active unions, Employers Union C-47, reported the particular vulnerability of casino and hotel workers who are not unionized and are subjected to repeated harassment at the workplace.

Law enforcement

Police responses

Most agencies involved in gender-based violence acknowledge a considerable improvement in police sensitivity to violence against women but stress that many shortcomings still exist in the way that police officers handle domestic violence cases. They described police intervention as weak, with police officers not attributing enough seriousness to incidents of domestic violence. Interviewees suggested that complaints were not well documented by the police. In fact, one researcher doing a study on legal enforcement responses to domestic violence entitled ‘From the Kitchen Sink to the Court’ was dismayed by the sketchiness of the complaints written up by police officers, which she discovered were often no more than one- or two-line entries.

Investigation of complaints was another problem area. It was felt that the police were very slow to investigate domestic violence complaints and, when investigations were made, they were not done with a view to holding the abuser accountable for his actions but rather to facilitate reconciliation and harmony in the household. There was also the perception that a large number of reported cases were not sent forward by the police for prosecution. The study on law enforcement responses mentioned above confirmed that at one police station where 145 complaints were filed, only 20 of them had been sent forward to the Prosecutor’s Office.

Interviews with senior police officers strongly suggest that the police consider that a high percentage of women who report abuse do not wish to proceed with prosecution, but instead are seeking police intervention to diffuse the situation. The police noted that first- and second-time victims often want warnings to be issued or disputes resolved. Police officers were of the view that most victims did not want charges laid until after they had exhausted other types of interventions. Statistics compiled by the New Haven Police Station in Paramaribo confirmed that a large number of the reported cases of assault under s.360 of the Criminal Code were disposed of by way of mediation or conflict resolution. It also confirmed that close to 50 per cent of the assault charges were still to be investigated (see table 7).

Despite the obvious deficiencies in police responses to domestic violence, there was overwhelming consensus on the improvements that have been made by the police over the last 10 years. The CAFRA police-training project, which exposed over 500 officials to awareness training, was deemed successful. Police officials viewed the pilot project as the impetus for the prioritization that domestic violence has received on the policing agenda. Several noteworthy initiatives evolved from the awareness training, including the establishment of ‘domestic violence rooms’ at police stations and the implementation of data monitoring systems for the collection of reliable statistics on violence against women.

There are three domestic violence rooms, two in Paramaribo and one in Nickerie. These were specifically cited by many stakeholders as a measurable indicator of progress in this area. The rooms are specially created spaces for victims of domestic violence and are staffed by seven appropriately trained police officers. Police officials and others were reluctant to have this initiative viewed as the creation of domestic violence units because of the small scale of the exercise. Nevertheless, there was positive feedback on the effectiveness of
the rooms and definite support for wider-scaled implementation of this concept.

Police officials welcomed more training programmes and felt that it was important for them to receive the required technical training that would give meaningful effect to their enforcement of a Domestic Violence Act, once it came into being. Police officials were hopeful that such an Act would help structure their policing efforts in domestic violence, which they conceded was currently approached on a case-by-case basis. Police officials also identified the need for special training to deal with young victims and felt that this was a gap in their service delivery. Most importantly, however, police officials felt that the greatest challenge in their work was a cultural tradition that did not perceive violence against women as a grave social ill deserving of vigilant law enforcement. Public education and awareness was therefore viewed as crucial in paving the way for police officers to be more effective in their role.

Prosecutorial and judicial responses

Whereas there has been an improvement in the policing of domestic violence, the prosecutorial and judicial responses continue to lag behind and have contributed to the overall inefficiency of the system.

Suriname’s legal system is unique and thus does not share several of the features found in common law jurisdictions in the rest of the region. One major divergence is the lack of a jury system. Judges are vested with the sole power to hear evidence, issue convictions and determine sentences. Despite the undeniable importance of a strong judiciary, it is reported that there are currently just seven judicial officers to service the entire country, only one of whom is female. The incredibly small pool of judges seriously compromises the efficiency of the system and has a disproportionately negative impact on the prosecution of perpetrators of domestic violence. The inevitable result of having too many cases to be heard by too few judges is the prioritization of what are seen as the more ‘serious’ offences and the sifting out of those considered less serious. Domestic assaults, especially those involving threats of violence or minimal use of force, often fall into the latter category. In an earlier mentioned study, which followed 145 complaints of domestic violence made at one police station, of the 20 cases that were sent to the Prosecutor’s Office, only one was sent to trial. Six of these cases were not prosecuted, and in 13 cases the Office was still ‘undecided’ about how it was going to proceed.

The desperate need for more judges is widely recognized and it has already been determined that 21 judges is the minimum number necessary. Table 7 illustrates the New Haven police statistics for domestic violence in 2002.

<table>
<thead>
<tr>
<th>Code offence</th>
<th>Complaints filed</th>
<th>Detained</th>
<th>Released</th>
<th>Mediated</th>
<th>Alleged abuser still to be contacted</th>
<th>Reluctant victim</th>
<th>Still being investigated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assault s.360</td>
<td>218</td>
<td>25</td>
<td>24</td>
<td>59</td>
<td>9</td>
<td>3</td>
<td>98</td>
</tr>
<tr>
<td>Assault causing bodily harm s.362</td>
<td>7</td>
<td>3</td>
<td>2</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Threatening to assault s.345</td>
<td>60</td>
<td>1</td>
<td>10</td>
<td>9</td>
<td>8</td>
<td>5</td>
<td>27</td>
</tr>
<tr>
<td>Rape s.295</td>
<td>8</td>
<td>4</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sex with a minor under age 14 s.298</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Destruction of property s.414</td>
<td>7</td>
<td>2</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td>3</td>
</tr>
</tbody>
</table>

*This table is translated from the Dutch and does not reflect the complete table as provided in its original version.
Eliminating gender-based violence, ensuring equality

NGO efforts in Suriname to ensure service provision and advocacy have been seriously compromised by limited budgets. For example, there is no equivalent in Suriname of a Family Court such as the one in Jamaica, which offers a range of relevant services. In the absence of a Domestic Violence Act, there are no legislative provisions that address counselling, and batterer intervention programmes are non-existent. Nevertheless, especially as a result of the conscientious and determined efforts of many NGOs, service delivery to victims is playing its role in the overall scheme of measures available to female victims of violence.

Counselling

Some counselling is available to adult women but the demand for this service is growing and it is widely felt that more counselling services are needed.

The police departments are playing a crisis intervention role and report using conflict resolution techniques in many cases. Senior police officials stated that this type of intervention by officers, whether appropriate or not, was heavily demanded because many victims wanted the police to simply diffuse the situation and/or warn the offender to stop his abusive conduct. The specially trained officers assigned to the three domestic violence rooms are resource persons in cases requiring crisis intervention but do not offer full-blown counselling services. Where it is assessed that more specialized counselling would be appropriate, police officials stated that they relied on Foundation Stop Violence Against Women (STOP), the primary agency in Suriname offering individual care, guidance and counselling of female victims of violence.

STOP was founded in September 1992 and is the only professional organization involved in the counselling of female victims of violence. The agency has a Director, four full-time social workers, one part-time worker and one student. It offers individual and family counselling and operates out of a main office in Paramaribo and a new number required to effectively service the legal system. The 21-personnel Prosecutor’s Office has a better representation of women but is also hampered by the overwhelming volume of cases. In addition, the Office conceded that they have been forced to let go of domestic violence cases, which are not viewed as high-priority cases, because of the large number of detained people awaiting trial. Prison cells that were designed to accommodate 15 inmates are currently housing as many as 60, and this human rights concern has forced the Prosecutor’s Office to be very selective in what cases it can prosecute.

The Prosecutor’s Office is planning to establish special victims’ rooms similar to the domestic violence rooms available at three police stations. Training for prosecutors and seminars for judges have been organized by the Women’s Rights Centre.

Social service intervention

The NGO community in Suriname, as in most Caribbean countries, continues to provide the bulk of the support services offered to victims of violence. The one shelter in the country is run by an NGO with no funding assistance from the State. Those services that by their very nature require State involvement – such as medical, legal aid and housing services – are reportedly ill-equipped to respond to the specific vulnerabilities of abused women and children.

NGO efforts in Suriname to ensure service provision and advocacy have been seriously compromised by limited budgets, and frontline work has not reached the programmatic levels necessary to adequately service the growing demands for assistance to victims of violence against women and children. The linkages between existing social services and the legal system are also weak. Current legislation, legal procedures and the court structure do not facilitate the interplay of legal process with social services.
satellite office in the rural area of Nickerie.
The State has agreed to pay for three additional staff members for the Nickerie office.

Staff at STOP spoke of their growing caseloads and welcomed the involvement of other agencies to assist with the increasing demand for counselling services. They also identified the dire need for services in rural areas. STICRIS (Crisis Centre for Women Foundation), which is the only temporary shelter for abused women, offers very limited counselling because of a dire shortage of staff and must also rely on STOP as a referral agency for many of its residents.

Some counselling is offered through the churches, but it was generally felt that this was primarily geared at reconciliation and would not be appropriate in many cases of domestic violence.

There are currently no counselling or batterer intervention services for abusers. STOP has a discussion group of men, but no counselling is attempted in that gathering. The agency of Man meet Man, which has a Christian philosophy, is regarded as having the strongest outreach programme for male audiences. The Director of that programme confirmed the need for programmes that could work extensively with male batterers and regretted the fact that there was nothing available for men who were committed to changing their attitudes and behaviour. That agency offers limited counselling and does not have the capacity to do anything more because of funding constraints.

Counselling for young victims is reportedly very difficult to access. The Director of the Bureau of Family Affairs, which is the agency charged with the care and protection of children under age 21, was very critical of the lack of programming offered at children’s homes in Suriname. She explained that the homes operate strictly as shelters and do not offer necessary services like assessments or counselling. Foundation for Children, the only home for abused children, offers some counselling, as does the Foundation for Youth Development. The Bureau itself has 12 field workers but does not offer counselling services. There are no formal mediation services in the country.

Shelters/crisis centres
Suriname has only one shelter for women who are in crisis. The lack of sufficient emergency shelter, as well as of longer-term housing, was viewed as a serious deficiency in the social service network. Police, social workers, lawyers and advocates agreed that women often remained in abusive relationships because they had nowhere to go. In a study conducted by Moiwana ‘86, the leading human rights organization in Suriname, female victims expressly stated that a lack of alternative accommodation was a major factor in their decision to remain in an abusive household.

In the absence of a Domestic Violence Act that offers the possibility of an occupancy or tenancy order, victims in Suriname must seek refuge outside the family home. This is extremely problematic, not only as a result of the shortage of emergency shelters but also because of the more widespread social phenomenon of limited housing in the country generally.

These factors, along with a growing social awareness of domestic violence, has placed a heavy burden on the one shelter. STICRIS, founded in 1982, is located in Paramaribo. It houses women who are presented with any crisis situation, including those who have experienced fires, eviction and extreme poverty. The facility has recently expanded and now has 15 rooms with three beds to every room. The shelter is financially strapped and receives no support from the Government. It is extremely short-staffed, relying on one resident staff member and the volunteer services of the Board Members. The facility is unable to offer any programming for the residents.
and tries to limit the length of stay to three months. Many women return to their abusive partners because of lack of longer-term housing and general economic dependency. STICRIS receives some foreign funding but relies primarily on its own fund-raising ability including investments. It has explored the possibility of starting an independent living housing programme but simply cannot afford to carry this to the next stage.

The shelter is in high demand and at full capacity throughout most of the year. The staff were not surprised by the demand for their service because it was their perception that violence against women was prevalent, and they shared compelling anecdotes of women who had experienced brutality almost to the point of losing their lives.

Secure settings for children in need of protection are also sadly lacking. Although there are a number of children’s homes, as noted earlier there is only one for children who have suffered abuse, whether of a physical or sexual nature. None of the homes are government owned or operated and there are no regulations governing the standards at these facilities. Agencies involved in children’s rights, such as the National Network on Violence Against Children as well as the Government Bureau of Family Judicial Affairs, openly acknowledge several reports of abuse in the children’s homes.

Police officers reported having the greatest difficulty placing children between 14 and 18 years old. Whereas some placement opportunities exist for younger children, there is little to nothing available for children who fall in this age range.

Legal aid
Legal aid is offered by two entities in Suriname: the Bureau of Legal Advice for Women, an NGO that had its origin in the National Women’s Movement, and a State-funded legal aid service. The latter, however, does not encourage public confidence. It is reportedly barely functional and is not viewed as having the capacity to offer meaningful assistance to women in difficult situations.

The Bureau of Legal Advice for Women does not offer legal representation and only has one in-house lawyer who can provide legal advice and make appropriate referrals. At a charge of Sur$15,000, which can be reduced or waived, women can receive preliminary legal advice at the Bureau but will then be referred to a private lawyer if they require further legal services. The Bureau recognizes the limitation of this service but does not have the capacity to offer legal representation. However, it is able to draw on a small pool of lawyers who offer lower rates and are sensitized to the legal issues encountered by vulnerable women. Divorces ordinarily cost as much as Sur$600,000, and the harsh reality is that most women cannot afford those kinds of fees. Clients of the Bureau are therefore very disappointed that it is not a one-stop legal aid service that is equipped to take their legal matters to court. The Bureau assessed that approximately 80 per cent of the women who visit the agency wish to take legal action, but less than half of them will be able to pursue any form of legal redress. Statistics from the Bureau collected over the year 2002 revealed that women sought advice on a variety of legal issues, but most were family law related.

Health services
Suriname has one emergency ward, commonly referred to as the First Aid Department. It is located in the Paramaribo Government Hospital.

Pro Health, a community health institute that focuses on health development in Suriname, was very critical of the inadequate health responses to domestic violence. Its Director reported the total...
absence of a domestic violence protocol at the hospital and did not believe that domestic violence was perceived as a public health issue. Pro Health researched the health records at the First Aid Department for its 1994 report on ‘Violence Against Women in Suriname’ and found that there was no breakdown by gender. The records reflected overall statistics on the incidence of treatment for victims of violence but did not provide any gender analysis that could inform an assessment of domestic violence. While the research was seriously compromised by the deficiency in record-keeping at the hospital, Pro Health’s manual review of files did reveal that women reported injuries sustained by punching twice as often as men. They also found that the First Aid Department registered one and a half times as many reports of violence as the police. This reinforced the widely held view that violent crimes are underreported to the police.

Pro Health has already recommended the establishment of special units at the hospital for female victims. Unfortunately, this kind of service is slow in coming, and both women and girls who are victims of violence are reportedly forced to wait for lengthy periods of time in very public settings before being seen by a doctor.

Public awareness, education and advocacy

Initiatives geared at consciousness-raising and advocacy have played a pivotal role in advancing the anti-domestic violence agenda in Suriname. Whereas legal and social service responses were described by most stakeholders as weak, there was a more positive assessment of the public education and advocacy strategies implemented at both State and non-state levels.

Public awareness and advocacy are largely NGO-driven. In fact, it appears that the bulk of the work geared at publicly exposing and discussing violence against women is carried out by NGOs. However, there is a general feeling that government activities are beginning to gain momentum on these issues and that there is an increased awareness in ministries through the introduction of gender focal points. Both government and NGO representatives recommended a closer working relationship and expressed hope for the success of the newly formed National Network on Violence Against Women, which has both government and NGO representation. One report also speaks of other government attempts to facilitate a broad network of governmental organizations and NGOs through its Bureau for Gender Policy. One such initiative was triggered by the Canada Caribbean Gender Equity Fund in 1998 and was further supported by the UNIFEM Country Programme on Women and Sustainable Human Development.

More support to networking was given by the Suriname CAFRA project entitled Fighting Domestic Violence. The project was carried out in 1998 and included a wide array of activities, including:

a) A survey of governmental and non-governmental organizations involved with issues of violence (April 1998);

b) A regional conference on building a culture of human and women’s rights (June 1998);

c) A congress on Fighting Domestic Violence (October 1998);

d) Training of the police force and 100 social workers (December 1998); and

e) A train-the-trainers course for assistance to victims of domestic violence.

The Women’s Rights Centre has reported that there are over 42 organizations that assist women. Despite this relatively large number, it is widely recognized that only a limited number of these organizations operate in any meaningful way and even fewer have direct involvement with issues related to violence against women. Nevertheless,
those organizations that have made violence against women part of their mandate have done so with vigour, despite limited budgets. Education and advocacy have been a primary objective of several agencies working with women, even though they realize that the legal and social service structures often cannot support their awareness campaigns. In fact, one agency reported having to purposely curtail its education and public awareness initiatives after an overwhelming public response that was too large for the limited available services. This clearly demonstrated that public awareness and education must be supported by an adequate legal and social service infrastructure. Failure to implement this could easily result in women who have been empowered through awareness campaigns and strong advocacy work turning to an ill-equipped system for support.

**Summary**

In the face of overwhelming constraints, several organizations in Suriname have advanced the public awareness agenda on violence against women. A sample of their activities is given below.

**Women’s organizations**

As noted above, the Foundation Stop Violence Against Women (STOP) is one of the few organizations professionally involved in individual care, guidance, counselling and training of female victims. It is also highly regarded for its strong public education and advocacy work. STOP has advanced public education on the issue of violence against women in schools, youth organizations, churches and community organizations. In doing so, it has generated a great deal of written public education material. Television programming has also been utilized to develop public awareness. Two shows currently sponsored by the Foundation are ‘Life Stories’ and ‘Don’t Hit but Talk’. Public feedback on these shows has been very positive.

Exerting political pressure is an integral feature of STOP’s work, and it has forged crucial links with other organizations in an attempt to strengthen its advocacy objectives. Another important part of its services is ongoing training and research. STOP has trained telephone counsellors in a wide range of agencies, as well as religious leaders and health workers. Together with the police, it produced a brochure designed to guide police officers in the appropriate handling of domestic violence cases. It has also produced a similar pamphlet for victims.

The National Women’s Bureau is an NGO that operates mainly as an intermediary agency designed to strengthen the efficiency of other women’s organizations. Its own programmes focus on economic development, capacity-building for women’s groups and women’s housing and living conditions. It is also involved in public education and advocacy on the issue of violence against women. Recent activities have included a Women’s Rights Workshop and a Healthy Partners Relations initiative offered through community groups.

The Bureau is very concerned about the plight of women living in the interior and has ensured that its programming is accessible and sensitized to their needs.

The Women’s Rights Centre was established in 1997 to address the area of women’s rights in general. The key components of the programming it offers are lobbying, advocacy, training and research.

Training of police officers, social workers, relief workers and hospital workers has been conducted using the CAFRA gender sensitization training model. The Centre was very involved in the Life Free of Violence campaign and has forged successful working relationships with regional women’s agencies such as CAFRA.

The Centre supports the Law Commission...
on Domestic Violence, for which it conducted a needs assessment. Two weekly newspaper articles on women’s rights and support for the setting up of domestic violence rooms in three police stations are a couple of the many other significant projects that the Centre has recently undertaken.

The National Network on Violence against Women is an independent network, established in 2000 and comprised of both government and NGO representatives. It is made up of 28 organizations and 17 individuals.

Although the Network has gone through a difficult period, it is consciously striving to meet its identified objectives of professionalizing organizations, improving efficiency and collaboration and implementing domestic violence policy. It has five working groups, which include training and research, media watch, judicial support and relief work. The establishment of a victim’s crisis line is one of the Network’s priority projects.

Other NGOs
Moiwana ’86 is a human rights organization that focuses on both civil and political law. Its mandate encompasses children’s rights and indigenous peoples’ rights.

A women’s rights sector of the organization was recently started, and on International Women’s Day 2002 it conducted a public awareness programme for young girls and boys. Consciousness-raising continues to be a very important aspect of Moiwana ’86’s work, and there is an ongoing awareness campaign involving young girls and women especially in rural areas.

The National Network on Violence against Children was founded in 2000 and is an independent network made up of NGO and government representatives. Its five primary objectives are:

1. To guide the State on child abuse policy and responses;
2. To monitor the work of participating agencies;
3. To ensure social services for children;
4. To conduct research and improve skills by training; and
5. To increase awareness through public education.

The State and gender policy planning
The Suriname Government has drafted and adopted an integral gender action plan that is overseen by the National Gender Bureau. The Bureau reports that 12 of the 16 government ministries have appointed gender focal points with the aim of ensuring, among other things, gender mainstreaming. Feedback suggests that it is still too early to assess the effectiveness of the focal points, who are compromised at present by a lack of infrastructural support. The two main activities planned for the focal points are gender training on planning and policy as well as the reporting for CEDAW.

Endnotes
4 Griffin Benjamin et al., see note 2.
5 Ibid.
6 www.cforl.org/jamaica_country.htm
7 www.hri.ca/fortherecord2001/vol4/jamaicatb.htm
8 A study carried out by A. Harriott shows that the homicide rate in Jamaica is four times
Eliminating gender-based violence, ensuring equality

higher than the world rate, with the city of Kingston having the highest rate in the world at 109/100,000, followed by Washington D.C. at 67/100,000. See: www.undp.org/rblac/gender/documents.htm


10 www.undp.org/rblac/gender/jamaica.htm


17 [1991] 2 All ER, 257, per Lord Lane CJ, 266.


23 Commissioned by CAFRA Suriname (H. Malmberg-Guchet, June 1998).


At a meeting held by the Inter-American Commission of Women (CIM) in 2002, the participants – including representatives of organizations working on violence against women as well as governmental representatives – had an opportunity to analyse the effect of the actions that had been taken around the issue. The meeting found that systemic inequality between women and men was the main factor limiting the impact of work on violence. It pointed to socio-cultural practices that reinforce values about male power and control and female subordination. Participants voiced concern about the common misconception that all gender equality/equity goals have been met in the region, leading to resistance against further programming for gender. The fact that violence against women expresses unequal power relations is particularly clear to national machineries for women and women’s organizations, many of which have extensive experience on the issue.

Participants at the CIM meeting agreed that State commitment to eradicating violence against women was impeded by the absence of comprehensive and integrated policy approaches with clear cross-sectoral responsibilities. Only inadequate budgetary allocations have been made, and this negatively affects the sustainability of programmes. Lack of systematic data collection and analysis by governmental agencies was also cited as limiting the ability to monitor and evaluate interventions geared towards the elimination of violence against women.

In general, policy and programmatic actions on violence against women have not been mainstreamed, with little cross-sectoral commitment to work on the issue by either governmental agencies or NGOs. While Belize has developed a national plan of action, this is not the norm. What is also striking is the fragmentation of analysis and policy responses to violence against women on the one hand and to societal violence generally on the other. The terminology used in talking about the issue of violence against women has in very direct ways defined the approaches, ways of working and responsible agents for transformation. The primary emphasis is on women as victims in need of protection and services. As a result, the response has been law reform, the establishment of shelters, hotlines and legal aid, and advocacy and consciousness raising.

There is no denying the gains made for women because of this focus. Some 15 years of sustained attention to the issue has led to tangible results in the administration of justice and in service delivery. Increased awareness has challenged complacency and complicity. Still, there does not appear to be an abatement in violence against women; rather, many perceive an increase in the incidence. This in part is related to increased social dislocation and growing socio-economic disparities. The rise of the
The central deficit in the work around violence against women has been the inability of the movement to catalyse a sense of responsibility on the part of men to work on this issue, either individually or in institutions under their authority and control, whether State or civil society. The advocacy and commitment of men and traditional male-dominated organizations is missing.

Alliances on the issue of violence against women are generally limited to national machineries, women’s organizations, police services and the judiciary. These alliances have produced a significant increase in understanding on the part of the police and courts of the meaning and magnitude of violence against women. They have also impacted on standard-setting around the treatment of domestic violence. The result is apparent in legislative reform, in administrative changes and in attitudinal changes, that is, changes at the cultural level.

The police

It is very significant that at the beginning of the 1990s, CAFRA’s regional conference on Women, Violence and the Law made recommendations for police training and judiciary sensitization. By the end of the decade, CAFRA had entered into a far-reaching partnership with the Association of Caribbean Commissioners of Police (ACCP) that would result in the adoption and institution of police training that reached over 4,000 police officers in every country in the Caribbean region.

At a national level, women’s activism around the importance of an effective police response to violence against women helped ensure that the ACCP was receptive to input from a regional feminist organization in police training. This shows that effective work at community, national and regional levels can combine to contribute to institutional and cultural change.

Through this project, which was supported significantly by the Inter-American Development Bank (IDB), networking between the police and organizations dealing with violence against women was strengthened. The training programmes have made an impact on how the police treat victims of abuse. However, it has been acknowledged that such programmes need to be reinforced through the routine insertion of modules on domestic violence in the training of recruits and in refresher courses. The training has also been criticized by the police for not paying sufficient attention to the technical aspects of policing, which guide them in exercising their discretion when arresting and charging perpetrators of domestic violence.¹

In an evaluation of the training, it was generally agreed by both the police and women’s organizations and service providers that the time has come for police services to take ownership of the training programmes, both their conceptualization and implementation. This, however, should be guided by and implemented in collaboration with those who work most closely with victims of domestic violence.

Recommendations for the introduction of mandatory arrest policies within the police force are being made with increasing frequency. With regard to domestic violence, these policies offer the advantage of ensuring a consistent approach to the treatment of offenders. They are argued to be the best way of showing zero tolerance for domestic violence and over time should result in cultural change both at a societal level and in the police force itself. Studies from other countries show that such policies are correlated with a reduction in domestic homicide rates. Yet other studies on mandatory arrests suggest that such formal sanctions work best when reinforced by informal social
In other words, the deterrent effect of arrest is greater where high social costs are perceived. There are powerful reasons in small societies for removing the discretion from the police officer and from the victim. This sends a very clear message on the inappropriateness of domestic violence and on the costs, not only to individuals but also to communities. Recommendations have been made to pilot the mandatory arrest policy in one country.

A mandatory arrest policy has to be distinguished from a mandatory prosecution policy. The challenge is to devise a justice response that increases the options of the courts for dealing with perpetrators beyond incarceration.

Institutional changes are also apparent in some of the police forces where specialized units have been established or are planned. These units appear to work closely with service providers in ensuring that victims of violence receive not only an effective police response but also support after the trauma of the incident and through the subsequent judicial processes.

The judiciary

Significant progress is observable in the treatment of violence against women, particularly domestic violence, in the court system. A number of training and sensitization programmes have taken place and, though not coordinated like the police training, have reached many judicial officers. In Trinidad and Tobago, for example, the judiciary held a seminar on gender and the law that did not focus on violence but did address the unequal power relations between women and men and the way in which this affects women’s enjoyment of their rights. UNIFEM held a conference for magistrates in 2000 that looked very specifically at human rights. There have also been national level ad hoc seminars and training sessions.

Perhaps the most significant progress has been made with an extraordinary initiative piloted by the Eastern Caribbean Supreme Court to consider the compliance of family law and domestic violence law with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention of Belém do Pará. The project allowed for an evaluation of the implementation of Domestic Violence Acts in five countries and was used by Dominica as an input into the drafting of its legislation. The study documents the progress made and the continued challenges of dealing with domestic violence and makes recommendations. This project, with its aim at law reform, has tremendous potential to expand the nature of discussions around human rights, the family and women’s rights.

Throughout the judiciaries in the region, there is a focus on reform. This reform has looked at improving access to justice. In the Organisation of Eastern Caribbean States (OECS), for example, a judicial reform project funded by CIDA has come up with a number of actions, including improving access to legal aid and strengthening mediation at the magisterial level. While not specifically targeted at violence against women, this will increase women’s access to their rights. Another component of the programme to strengthen the judiciary has been the establishment of judicial education institutes. It does not appear that these institutes have addressed gender-based violence as yet, but they are avenues through which training for judicial officers on the issue can be strengthened.

Social services

Across the region, State responses to violence against women have remained within the confines of traditional notions of a justice system. These do not go beyond law enforcement, prosecution and sentencing and are, therefore, limited to the services

Recommendations for the institutionalization of mandatory arrest policies within the police force are being made with increasing frequency. ... There are powerful reasons in small societies for removing the discretion from the police officer and from the victim.
... effective responses to violence against women demand a multi-disciplinary approach that will, among other things, incorporate a strong social service system. Social service delivery must not only be a support system outside of the justice process on which vulnerable women and children rely for protection and redress, but must also be an integral feature of the legal system. A blending of the legal process with social services will enhance the overall system.

A study commissioned by the Eastern Caribbean Supreme Court entitled ‘Family Law Reform and Domestic Violence – Legal and Judicial Reform in the OECS’ (2001) addressed, among other things, the social service implications of family law reform and identified a number of social service supports necessary to give meaningful effect to the law. These included:

a) Counselling;
b) Mediation;
c) Psychological and/or psychiatric assessments;
d) Social work reports;
e) Alcohol and drug abuse intervention;
f) Specialized medical intervention for female (adult and child) victims of abuse;
g) Specialized police intervention;
h) Adequate shelters/crisis centres;
i) Advocacy services; and
j) Legal aid services.

All of these services should form part of the systemic response to violence against women but are sadly lacking. Most of the programmes that exist focus on services to victims: shelters, legal aid, counselling and hotlines. Increasingly, there is also a focus on programmes for perpetrators: conflict resolution training, mediation and rehabilitative counselling. However, these programmes are still undertaken by NGOs and, in general, social service delivery to victims of gender-based violence in the region continues to be weak. While governments give subventions, the level of funding is nowhere near sufficient – particularly since governments, through police services, social workers, etc., rely so heavily on these NGOs for the support of victims.

An appreciation of the need for State support is growing, however. In St. Lucia, the Government has provided a facility to be run by the St. Lucia Crisis Centre as a halfway house. Similar support is also contemplated in Jamaica, where the Women's Bureau is acquiring a property from which emergency shelter can be offered to victims and their families. In the Bahamas, the Crisis Centre has functioned on hospital premises for a great many years.

The health-care system is another important source of services for battered women. Traditionally, health services have not played an active role in identifying or intervening in domestic violence, but this is slowly changing in many countries where coordinated community responses to domestic violence have increasingly acknowledged the significant role that health services must play in this area.

For example, research from the American Medical Association indicates that more than one fifth and perhaps as many as one third of all women receiving care in hospital emergency departments show signs of domestic violence. Many of these battered women are not connected to other services for domestic violence, and so the healthcare system serves as an especially important intervention for them. Domestic violence protocols, specialized training and closer linkages with other agencies in the domestic violence service network are all features of health systems in many countries that have become more aware and have developed policies to screen for domestic violence and to intervene in these cases.
Child welfare is inextricably linked to the broader issue of domestic violence and must play a pivotal role in the integrated approach that has been identified as crucial to anti-violence work. Increasingly, coordinated responses to domestic violence have included child protective services, with protocols for interagency case management requiring child welfare services and healthcare providers to be part of a comprehensive, integrated system.

**Education and awareness building**

It is in this area that perhaps the most sustained action has taken place. Women’s organizations have produced brochures, pamphlets, posters, videos and popular theatre productions that expose the causes and consequences of gender-based violence and increase victims’ knowledge about legal services and their rights. Women’s Media Watch in Jamaica has gone one step further to monitor how violence against women is portrayed in the media and has worked collaboratively with broadcast houses on media policies.

Still, like most other actions, education and awareness-building initiatives remain largely driven by women’s NGOs. The great majority of actions taken in the UNIFEM campaign were geared at education and advocacy. And most, if not all, of the campaigns focused on domestic violence.

In Dominica, the Catholic Church is notable in adopting this issue as one of its priorities for community education. In that country, the majority of the population is Catholic and therefore this initiative, if sustained, should result in a change of culture and an increased commitment to protect women and prevent and punish gender-based violence.

**Endnotes**

6. Conclusion and recommendations

Despite the tremendous achievements in making violence against women visible and in defining State obligations to act with due diligence, there is no getting away from the fact that – like all types of violence – violence against women and children appears to be on the rise, or at least not abating in any way proportionate to the levels of action expended by women’s organizations.

An analysis of national programmes on violence against women in 10 Caribbean countries, undertaken by the Inter-American Commission of Women/Organization of American States (CIM/OAS), underscores that there are strong cultural, social and economic obstacles blocking the attainment by women of their rights to a life without violence. National responses must therefore deal directly with these obstacles.

**Developing an integrated response**

The time has come for the development of an integrated multifaceted approach to all forms of violence against women and not just domestic violence. An integrated response must address law enforcement, health, the judiciary, education, housing and community advocacy. The approaches to be taken should explicitly address protection, the provision of services, justice and prevention. Violence programming, like gender equality, must be mainstreamed in the sense that the responsibility for its eradication should lie with all relevant governmental agencies and not just with the national machineries for women and the police. Programming should address root causes, catalytic causes and all the consequences of violence for affected women, children and communities. Violence against women must therefore be pitched consciously and consistently as central to the attainment of women’s rights and gender equality.

All countries should develop national plans of action and can take as their starting point the obligations set out in the Convention of Belém do Pará. These obligations include:

1. **Due diligence in preventing, investigating and punishing violence against women and children, including consideration of mandatory arrest and/or prosecution of allegations of physical abuse;**
2. **Particular attention to the investigation and prosecution of child sexual abuse;**
3. **Adoption of measures to modify legal and cultural practices tolerating or allowing the persistence of domestic violence;**
4. **Access to justice for victims, including programmes to promote the education and training of those involved in the administration of justice;**
5. **Programmes to promote awareness and respect of the right of women to be free from violence;**
6. **Programmes to modify social and cultural practices and patterns of behaviour;**
7. **Programmes to provide appropriate**
specialized services for victims of violence against women, including counselling, crisis housing, legal aid and social services;

h) Programmes to provide services for perpetrators, including consideration of appropriate options to incarceration, with batterer intervention programmes informed by principles of accountability and victim protection; and

i) Research and statistical programmes on the causes, consequences and prevalence of domestic violence.

As with the gender mainstreaming mandate, mainstreaming cross-sectoral responsibility for the eradication of violence against women will require that sectoral goals and benchmarks are established, performance indicators are allocated and the necessary resources are identified.

The NGO sector, which has been central in service provision and advocacy, must be a partner in the development and execution of national action plans. These organizations have been in the frontline of agencies responding to women and their families in crisis. They have done so on severely limited budgets. An approach that builds this partnership should also result in increased resource flows to the NGO sector, particularly if it is to continue to provide such services as counselling and shelters.

There is much work to be done on sexual violence, particularly the sexual abuse of children. This is an under-researched area, and the lack of knowledge about incidence and vulnerability factors has meant that policy development has been woefully absent. The World Health Organization (WHO) has developed a Sexual Violence Research Initiative to effectively respond to the problem of sexual violence through a better appreciation of the magnitude and nature of the problem, its health impacts and its risk factors. It helps link researchers and provides information on potential funders.\(^2\)

A plethora of recommendations exist in the region on the issue of gender-based violence. At the recent CIM meeting, both national and regional level strategies were identified (see Annex 1). These strategies include:

a) Addressing systemic gender inequality;

b) Increasing State commitment to eradicating violence against women;

c) Developing concrete partnerships and productive networks across sectors to maximize resource efficiencies;

d) Strengthening data collection, research and evaluation;

e) Ensuring equal and fair access to the administration of justice;

f) Developing response protocols for police, health workers and social workers;

g) Education, training and advocacy; and

h) Support for civil society partnerships with the State sector.

At a regional level, the meeting agreed that the capacity of Caribbean States and NGOs to address violence against women could be strengthened through a number of strategic actions:

a) Increase networking among national machineries for women to share issues and best practices around violence against women;

b) Build the awareness of/provide training for policy makers on the causes, consequences and costs of violence against women;

c) Strengthen national machineries for women and NGOs, and in particular increase support for NGOs working on violence against women; and

d) Strengthen capacity for data collection, research and evaluation

**Changing the socio-economic and cultural context**

To effectively address violence against women requires a sustained political will to change the culture. What is needed is an
acceptance that women are vulnerable to abuse because of a social construction of maleness and femaleness that continues to make it acceptable for men to have a level of control and domination over women. To be sure, much has changed as women claim their individual and social rights to citizenship. But the challenge of changing behaviour and transforming stereotypes remains as relevant as ever.

The economic dislocations that Caribbean States are experiencing complicate and intensify this challenge. Many governments are finding themselves hard-pressed to devote resources to the area of violence against women, continuing to rely on the NGO sector to provide services. This is not only a result of economics, however, but is also rooted in several other factors. One is the absence of political will at the highest levels. Another is a failure to appreciate the connections between gender-based violence and cycles of violence in general. The fact that the vast majority of persons who end up in the criminal justice system are men is a remarkably under-appreciated sociological fact. While countries indicate alarm at the growing crime rates, they do not usually link this to gender socialization patterns.

Sufficient attention has not been paid either to the socialization of young girls and the absence of avenues for women’s independent economic empowerment. Throughout the research, the theme of female economic dependency has recurred. This dependence makes women vulnerable to physical abuse and can act as a barrier to them acting in the best interests of their children, including those who are being sexually abused.

The theme of sexual politics and women’s expectations of men as the breadwinner also needs attention from the point of view of research and policy interventions. Economic deprivations and stereotyped gender expectations may sustain an underlying dynamic of conflict, distrust and even hostility between women and men.

The attention given to violence against women has obscured the fact that violence by men is the behaviour for which change is sought. While this attention highlights the many forms of abuse that women experience as a result of unequal gender power relations, it has also meant that the focus has been limited to women in need of services. There is thus a move towards reframing the issue of ‘violence against women’ as ‘gender-based violence’.

This phrase change has a number of important implications for approaches and strategies aimed at ensuring women’s exercise of their rights to personal autonomy and security. Approaching the issue through the lens of ‘gender-based violence’ allows for a focus on the gendered nature of violent behaviour as well as on violence as an expression of gendered power relations. Gender-based violence is motivated by and originates in unequal power relations between women and men and is an expression of male domination and female subordination. Examining the ways in which violence can be a key part of the gendered experience of life should sharpen the understanding of the root causes and consequences of all forms of violence and allow for the development of a broader array of interventions.

The term ‘gender-based violence’ also focuses attention on the question of why...
men are so much more likely than women to act violently. It provides a window through which the connections between gendered behaviour and the use and experience of violence can be made. It leads to a recognition that violent or aggressive behaviour can be and is seen as fundamental to masculine identity. In the Caribbean, as in most cultures globally, aggression is regarded as a positive feature of masculinity. The socialization of boys in families, schools and communities reinforces the traits of aggression and dominance, just as it does the complementary traits of passivity and subordination in girls and women. While this rigidity in gender roles has changed somewhat, a cursory examination of popular culture would reveal that an aggressiveness that borders on violence is more than ever portrayed as an integral dimension of masculinity.

A focus on gender-based violence will call attention most directly to the need for cultural change and the pivotal role of the education sector. Such a reframing can be seen as a conscious strategic effort to achieve a shared understanding of the issue that would legitimate and motivate collective action by women and, more importantly, by men and the organizations that they control.\(^3\)

**Resource limitations and alternatives**

Beyond an acceptance of broader societal responsibility to end gender-based violence, there is also the imperative of deploying State resources in the most effective manner, given that chronic economic crises throughout the Caribbean severely limit countries’ resources. The challenge therefore is to use the existing network of public services more effectively to address gender-based violence. In this regard, the education sector is well placed as a site to challenge and change culture. An education policy should address human rights education or civic education programmes from the primary school level. In such a programme, issues of gender equality, respect and rights can be addressed. The implementation of such programmes would not be capital intensive, though training would be required as well as the development of an age-appropriate curriculum.

States also need to carefully consider whether the law and order response, in the absence of an equivalent level of attention to social services, will bring about the social and cultural changes sought. The size of the police forces in the Caribbean is significant, especially when contrasted with the number of persons engaged in social work activities. In this regard, States may wish to consider undertaking an audit of the civil service with a view to identifying the possibilities for reallocating or reassigning existing personnel to social service delivery units. For example, there may be possibilities for the establishment in police services of a social service unit that works with youth and with communities in partnership for problem solving. Such an approach, however, would need to be clearly worked through so as to avoid what is apparent throughout the region: the reluctance of police to act as law enforcers in domestic violence situations.

Despite the resource limitations facing Caribbean States, a public sector already exists through which a mainstreaming approach can be implemented. What is required is a mapping of resources and identification of channels through which gender-based violence programming can be strengthened.

**Inter-agency collaboration**

The most significant regional initiative on violence against women has been in relation to police training. This has resulted in increased sensitization of over 4,000 police officers over a two-year period. It is an experience that holds many sound lessons
What is required is a mapping of resources and identification of channels through which gender-based violence programming can be strengthened.

that ought to be replicated. The police training brought to bear a range of expertise across a variety of agencies to focus on one issue. The training was relatively harmonized from country to country. This is an approach that should be explored for judicial education and for socio-psychological programming, such as victim counselling and batterer intervention programmes.

United Nations agencies have a mandate in their specialist areas to further the understanding of the UN human rights framework. Agencies such as UNIFEM also have a strategic role in assisting women’s organizations in advocacy. ECLAC, as an intergovernmental commission, is primarily engaged in providing evidence-based technical assistance to governments. Over the last four years, for example, ECLAC has engaged in a number of research activities to support governments in their work on gender-based violence. This is a role that ECLAC should continue to play.

Regional and subregional intergovernmental bodies such as CARICOM, the OECS Secretariat and the ECLAC/CDCC Secretariat work closely with the region’s governments both at a political and technical level. They are charged with responding to the priorities set by the governments. The CIDA Gender Equality Programme has explicitly sought partnerships with a broad range of agencies working on women’s rights, such as the CARICOM Secretariat, ECLAC, UNIFEM, UNICEF and the OECS Secretariat.

CARICOM should consider how it might strengthen its support to focus the attention of regional policy makers on gender-based violence. In the CARICOM Secretariat, there is a programme that supports governmental work on crime and security. Initiatives should be undertaken to draw attention to the ways in which a focus on gender-based violence could strengthen policy and programmes in this area. Similarly, CARICOM along with UNICEF has for some time been considering curriculum development for health and family life education. This programme can also be a strategic entry point for gender-based violence initiatives.

What the in-depth country assessments elicited was a relatively low level of awareness or knowledge of the work of the United Nations agencies in the region. While UNIFEM attained some profile as a result of the inter-agency campaign, this is a presence that must be maintained through advocacy at a regional policy-making level as well as through support of organizations that work on violence. UNIFEM could more explicitly assume the role of a coordinating agency throughout the region on this issue and would need to devote resources for a sustained period. In such a collaborative framework, an agenda for research, policy formulation, advocacy and technical and financial assistance should be formulated.

Given the interlocking nature of the mandates of the agencies, as well as the limitations of the resources available for gender programming, there is a great deal to be gained from a much more strategic level of coordination. This should encompass the periodic identification of priorities for action and the development of a tapestry of policies and programmes that build on actions already taken and extend the scope and depth of policies.

Endnotes

2 See www.who.int/svri/en/
Annexes

Annex I: Recommendations from the Inter-American Commission on Women Meeting of Experts of the Caribbean Subregion Regional Analysis of Violence Against Women

The following recommendations were made at the Inter-American Commission on Women Meeting of Experts of the Caribbean Subregion Regional Analysis of Violence Against Women, including a review of the implementation of the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belém do Pará), held in Georgetown, Guyana, 20-21 June 2002.

1. Systemic Inequality

a) Because violence against women is a manifestation of unequal gender relations between women and men, the elimination of all forms of discrimination remains a priority in the Caribbean region;

b) The Convention on the Prevention, Punishment and Eradication of Violence Against Women must be fully complied with, with special attention paid to particularly vulnerable groups: victims of incest and rape, girls and women who are trafficked, street children, undocumented migrants, disabled women, sex workers and the aged;

c) Action should be taken to address causation, including an examination of gender socialization practices in the home, community and other education systems:

i) Teacher training

ii) Parent education

iii) Media awareness

d) Agencies such as UNICEF, UNESCO, UNIFEM, ECLAC and CIDA should be encouraged to undertake such examinations and support the development of appropriate training programmes for teachers, parents, etc.;

e) Macroeconomic policies and outcomes can exacerbate socio-economic inequalities both within and between countries and contribute to increased levels of violence against women. Opportunities for relocating issues of gender-based violence in the general policy framework of Caribbean countries need to be explored: HIV/AIDS, trade and governance, for example, provide entry points for gender-based violence to be addressed;

f) Promotion of women’s economic empowerment through community outreach and microenterprise support should be expanded and increased.

2. Commitment of the States to eradicating violence against women

a) Reaffirmation to gender equity/equality goals in the public sector. This would specifically include institutional strengthening of the national machineries for women (level of authority to increase clout and influence, resource allocation to counter the marginalization of their status and roles) and support for gender mainstreaming;

b) Definition of policy context to make connections between violence against women and the culture of violence;

c) Elaboration of economic costs of gender discrimination and violence against women;

d) Gender analysis of budgets to be advocated and implemented in order to ground demands for a more equitable/responsive reallocation of resources;

e) Development of a coordinated
approach to all forms of violence against women, drawing on collaboration between governmental and non-governmental organizations, which would include:

i) National coordinating mechanisms;

ii) Comprehensive and multifaceted action plans (components to include advocacy and public education, attitudinal and cultural change, services for victims and perpetrators, justice system reform, training for judicial officers, police, etc., data collection and monitoring and evaluation); and

iii) Connect violence against women with national development (or the lack thereof) in order to strengthen gender-sensitive policy-making;

f) Target members of parliament/political leaders and the public service for awareness building and training in the areas of gender and violence against women.

3. Resource strengthening

a) Increase efforts to develop or strengthen corporate social responsibility and establish concrete partnerships and productive networks across sectors to maximize resources, including financial, human and political resources (private sector, entertainment industry and religious institutions);

b) Recognizing the central role played by NGOs and civil society in work around violence against women/gender-based violence, there should be increased support by the public sector and donor agencies, including support for operational expenses; and

c) Promote opportunities to rejuvenate activists and other actors working on the issue of violence against women.

4. Data collection, research and evaluation

a) Increase technical help with which to improve national data collection mechanisms, particularly with a view to including gender-related data;

b) Standardize the data collected, ensuring gender relevance;

c) Seek to maximize gender benefits from CARICOM’s own initiatives in the sphere of data collection;

d) Improve monitoring and evaluation of interventions seeking to address violence against women; and

e) Research on the causes, consequences and costs of violence should be undertaken and the findings of such research applied to policy-making and programmatic approaches.

5. Access to justice

a) The legal system needs to be sensitive to unequal power relations between women and men and the potential use of the legal system as a weapon to deny or impede justice under domestic violence laws;

b) Evaluation of the justice system is required in order to redress the systemic inequalities that the system perpetuates, with particular attention to gender, class, ethnicity and race considerations;

c) Implementation of domestic violence laws should be assessed to ensure:

i) Full implementation of legislation, including enforcement of orders; and

ii) Review and reform, where appropriate, domestic violence legislation to make it more responsive to the economic needs of victims of violence;

d) Improve legal aid and advisory services.
6. Care and protection

a) Develop protocols for health-care services and delivery including components on data collection, treatment of victims of violence and, in particular, victims of sexual violence;
b) Intervention with perpetrators should be informed by an approach that prioritizes the safety of the victim and the community. Treatment should not necessarily take the place of punishment;
c) States should consider mandatory intervention programmes for perpetrators. Such programmes should encourage perpetrators to be accountable; and
d) Special attention should be paid to adolescent sex offenders so that early intervention can be applied and rehabilitation achieved.

7. Education, training and advocacy

a) Implement awareness-building campaigns, building on best practices from across the region (e.g. Green Ribbon campaign, the Bahamas; treatment of perpetrators, the Bahamas; videos for popular education, ‘Hope Deferred’ on incest and ‘Starting Over’, Jamaica);
b) Establish programmes focused on children, youth and young adults to build awareness and educate through schools, families, etc;
c) Implement programmes to encourage healthy relationships and improve parenting skills;
d) Market the problem and possible solutions via media, websites, etc;
e) Increase programmes focused on the grassroots/community level, seeking to increase reach, particularly among disadvantaged males;
f) Improve teacher training to increase their competence and offerings in the area of social support, recognizing the surrogate-parenting role that teachers play;
g) Mainstream gender issues in other education and training programmes, e.g. adult education;
h) Services for perpetrators should be developed and implemented with organizations or agencies that can command the attention of men;
i) Address needs of media as contributors to violence against women and as potential allies in the struggle against violence against women, by developing interventions that recognize the important role played by advertisers; and
j) Development of a strategy of outreach to media houses.

8. Civil society

a) Include NGO representation on formal delegations, consultations and processes in order to strengthen partnerships and collaborative efforts between state and civil society actors in addressing and eradicating violence against women;
b) Promote and popularize the Belém do Pará Convention in civil society constituencies so as to support its implementation as well as monitor its compliance by respective governments;
c) Encourage all sectors in civil society to adopt the approach that violence against women is of concern to everyone and negatively affects development through continuous outreach and dissemination of information; and

d) Coordinate with other agencies to develop strategies, mobilize resources and engage in collective effort to reduce gender-based violence in our societies.
Annex II: Implementation of strategies on violence against women

<table>
<thead>
<tr>
<th>Country</th>
<th>Successful policy</th>
<th>Obstacles</th>
<th>New initiatives</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anguilla</td>
<td>- Domestic violence law reform 1996.</td>
<td>- Increasing levels of violence against women.</td>
<td>- Legislature review.</td>
</tr>
<tr>
<td></td>
<td>- Workshop for team players on domestic violence.</td>
<td>- No shelter for battered women.</td>
<td></td>
</tr>
<tr>
<td>Antigua &amp; Barbuda</td>
<td>Domestic violence legislation.</td>
<td>- Absence of data on causes and consequences of domestic violence.</td>
<td>- Safe houses.</td>
</tr>
<tr>
<td></td>
<td>Police training.</td>
<td>- Cultural/attitudinal problems.</td>
<td>- Court advocacy service.</td>
</tr>
<tr>
<td></td>
<td>Support services.</td>
<td>- Lack of public involvement.</td>
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</tr>
<tr>
<td></td>
<td>Training and education.</td>
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<tr>
<td></td>
<td>Legal reform.</td>
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<tr>
<td>The Bahamas</td>
<td>- Mandatory training in domestic violence for all police recruits.</td>
<td>- Not sufficient shelters for battered women.</td>
<td>- Two government safe houses have been approved.</td>
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<tr>
<td></td>
<td>- ‘Action Team’ formed – comprised of two NGOs, the Crisis Centre, the Women’s</td>
<td>- Men are not participating in large numbers in the public forums.</td>
<td>- Review of Sexual Offences and Domestic Violence Acts.</td>
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<tr>
<td></td>
<td>Bureau and the police – to carry out public education.</td>
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<td></td>
<td>- Crisis Centre support to victims of sexual and domestic violence, including</td>
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<td></td>
<td>24-hour hotline.</td>
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<td></td>
<td>- Campaign on ‘A Life Free of Violence’.</td>
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<tr>
<td>Barbados*</td>
<td>- Belém do Pará Convention ratified in 1994.</td>
<td>- Funding for NGO programmes.</td>
<td>- Data collection procedures being implemented by relevant agencies.</td>
</tr>
<tr>
<td></td>
<td>- Public education programmes established to increase awareness of domestic</td>
<td>- Reducing levels of violence.</td>
<td>- Support for NGO initiatives on domestic violence.</td>
</tr>
<tr>
<td></td>
<td>violence (government and NGOs).</td>
<td></td>
<td>- Support for shelters and safe houses for victims of domestic violence.</td>
</tr>
<tr>
<td></td>
<td>- Domestic violence telephone hotline for counselling and referral established by</td>
<td></td>
<td>- Support for legal reform to ensure that adolescent mothers can return to</td>
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<td></td>
<td>Barbados Professional Women’s Club.</td>
<td></td>
<td>school.</td>
</tr>
<tr>
<td></td>
<td>- Government providing support to establish a shelter for battered women and women in crisis.</td>
<td></td>
<td>- Skill-training programmes of NGOs targeted at poor women.</td>
</tr>
<tr>
<td></td>
<td>- Belém do Pará Convention ratified in 1994.</td>
<td></td>
<td>- Programmes of Barbados Family Planning Board and PAREDOS aimed at improving male involvement in the family to be strengthened.</td>
</tr>
</tbody>
</table>

* Taken from UNICEF website: www.unicef-cao.org/publications/reports
<table>
<thead>
<tr>
<th>Country</th>
<th>Successful policy</th>
<th>Obstacles</th>
<th>New initiatives</th>
</tr>
</thead>
</table>
- Survey of domestic violence.  
- Development of protocol on domestic violence for all responding agencies. | - Act under-utilized because of lack of knowledge.  
- Lack of police cooperation.                                            | - Legal education programmes. |
| Cuba               | - Establishment of working group for prevention of and attention to domestic violence. | - Economic blockade.  
- Stereotypes of gender roles.                                           | - Evaluation of intra-family violence.  
- National policy against intra-family violence.                           |
| Dominica           | - Community education on women and the law.  
- Police training in domestic violence response.  
- Survey on domestic violence.  
- DNCW Manual ‘We are a Family’.  
- Catholic Church outreach on domestic violence. | - No access to counselling services.                                                                 | - Employment of a full-time trained counsellor. |
| Grenada            | - Establishment of a hotline for abused women and children.  
- Police training in domestic violence response. | - Insufficient institutional and structural support for families in crisis.  
- Insufficient budgetary allocation and trained staff to address crisis situations. | - Establishment of a shelter.  
- Planning for a counselling hotline.  
- National policy statement.  
- Increased collaboration with NGOs for efficient implementation of programmes. |
| Guyana             | - Legislative reform 1996.  
- Public education programmes.  
- Training of counsellors and police officers.  
- Production and distribution of household guide to domestic violence. | - Absences of mechanism for reporting.  
- Insensitive judiciary.  
- Cultural attitudes of police and public authorities. | - Shelters.  
- Legal aid.  
- Unified data collection.  
- Training of judiciary and police.  
- Family Court.  
- Support services for victims. |
| Jamaica            | - Domestic Violence Act 1996.  
- Training of judiciary and magistracy.  
- Training of police and social workers.  
- Disaggregated data collection. | - Legislative limitations.  
- Long delays in the arrest and trials of perpetrators of violence against women.  
- Insufficient shelter for battered women. | - Judicial training.  
- Legislature reform. |
<table>
<thead>
<tr>
<th>Country</th>
<th>Successful policy</th>
<th>Obstacles</th>
<th>New initiatives</th>
</tr>
</thead>
</table>
| Netherlands Antilles         | - Appointment of Ombudsman to deal with instances of sexual harassment.  
- Investigation into the occurrence of sexual harassment in the public service.  
- Establishment of a shelter.  
- Survey in St Maarten on incidence of violence against women.  
- Proposed legislative reform to increase penalties for sexual offenders.                                                                 | - Lack of human and financial resources.                                                                                                                                                                                                                  | - Revision of penal code to include harsher sentences for sex offenders.  
- Criminalization of marital rape.  
- Integrated support services for victims of gender-based violence.                                                                                                         |
| St. Kitts & Nevis            | - Domestic violence legislation.  
- Establishment of National Committee for the eradication of violence against women and children.  
- Police training and counselling services.  
- Gender-based violence and human rights included in police curricula.  
- Establishment of a support group for victims of domestic abuse.  
- Lack of standardization of data collection on violence against women and children.                                                                                                                                                                         | - Legal aid.  
- Establishment of a National Registry for Child Abuse.  
- Evaluation of programmes.  
- Need for Family Court under review.                                                                                                                                                                                                 |
| St. Lucia                    | - Mass media campaigns.  
- Preparation of training for police.  
- Establishment of Family Court.  
- Development of standard forms for data collection.  
- Police Training School curriculum reform to include training on domestic violence for all recruits.                                                                 | - Cultural attitudes (victims, police).  
- Financial difficulties and no legal aid.                                                                                                                                                                                                               | - Shelter for victims.  
- Training of police, judges and lawyers.  
- Public awareness programmes.  
- Legal aid.  
- Data collection.                                                                                                                                                                                                                           |
| St. Vincent & the Grenadines | - Research on and production of law.  
- Legal literacy.  
- Production of popular education materials on violence.  
- Police training in domestic violence response.                                                                                                                                                                                                  | - Limited funding for data collection.  
- Need for educational materials.                                                                                                                                                                                                                      | - Data collection.  
- Specialized gender training for police officers.  
- Increasing court capacity.                                                                                                                                                                                                                                                               |
| Suriname                     | - Research on violence against women.  
- Training of police on dealing with victims of domestic violence.                                                                                                                                                                                               | - Lack of data; impossible to track trends.  
- Lack of expertise.  
- No policy on violence against women.  
- Absence of effective all-encompassing legislation.                                                                                                                                                                                             | Training of judiciary, lawyers and police.                                                                                                                                                                                                       |
<table>
<thead>
<tr>
<th>Country</th>
<th>Successful policy</th>
<th>Obstacles</th>
<th>New initiatives</th>
</tr>
</thead>
</table>
| Trinidad & Tobago | - Establishment of hotline.  
- Establishment of Domestic Violence Unit in the Division of Gender Affairs.  
- Revised Domestic Violence Act.  
- Policy Roundtable on data collection.  
- National task force established to centralize data.  
- Police training in domestic violence response.  
- Training of support services workers as well as community leaders. | - Limited financial and human resources.  
- Absence of Family Court.                                                                                                                                  | - Standardization of data collection on domestic violence.  
- Central Registry for collection of data on domestic violence.  
- Institutional strengthening of NGOs.                                                                                                                   |
| Turks & Caicos   | - Ratification of the Convention on the Rights of the Child and CEDAW.  
- Police training in domestic violence response.                                                                                                          | - Police attitudes, lack of training.  
- Rape cases heard in open court.                                                                                                                             | - Legal reform.  
- Formulation of a women’s centre.  
- Establishment of a Family Court.                                                                                                                          |
### Annex III: Selected services for gender-based violence

<table>
<thead>
<tr>
<th>Country</th>
<th>Shelters</th>
<th>Police domestic violence unit</th>
<th>Police sexual assault unit</th>
<th>Hotline</th>
<th>Batterer intervention programmes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anguilla</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Antigua &amp; Barbuda</td>
<td></td>
<td>yes</td>
<td></td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>Aruba</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Bahamas</td>
<td>The Crisis Centre</td>
<td>yes</td>
<td></td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>Barbados</td>
<td></td>
<td></td>
<td></td>
<td>yes</td>
<td>no</td>
</tr>
<tr>
<td>Belize</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>British Virgin Islands</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Dominica</td>
<td>3-bed facility</td>
<td>no</td>
<td></td>
<td>no</td>
<td></td>
</tr>
<tr>
<td>Grenada</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>yes</td>
</tr>
<tr>
<td>Guyana</td>
<td>Help and Shelter</td>
<td></td>
<td></td>
<td></td>
<td>no</td>
</tr>
<tr>
<td>Jamaica</td>
<td>Women, Inc. 12-bed facility</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>Montserrat</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>St. Kitts &amp; Nevis</td>
<td>no</td>
<td>no</td>
<td></td>
<td>no</td>
<td>no</td>
</tr>
<tr>
<td>St. Lucia</td>
<td>St. Lucia Crisis Centre</td>
<td>yes</td>
<td></td>
<td>no</td>
<td>yes</td>
</tr>
<tr>
<td>St. Vincent &amp; the Grenadines</td>
<td>no</td>
<td></td>
<td></td>
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<tr>
<td>Suriname</td>
<td>Crisis Centre for Women Foundation (STICRIS)</td>
<td></td>
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<tr>
<td>Trinidad &amp; Tobago</td>
<td>The Samaan Shelter Mizpeh House Hope Centre Limited Hope Shelter for Battered Women TOWERS (Tobago)</td>
<td></td>
<td></td>
<td></td>
<td>yes</td>
</tr>
</tbody>
</table>
## Annex IV: Evaluation of police training on domestic violence*

<table>
<thead>
<tr>
<th>Country</th>
<th>Length of training and number of persons trained</th>
<th>How training has impacted on the work of the police</th>
<th>Key recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Antigua &amp; Barbuda</td>
<td>Weekly basis for 4 half days. 293 persons trained.</td>
<td>- A better working knowledge of the issue has led to a better mediating role.</td>
<td>- Continuous and advanced training.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- More sensitive to the dynamics of domestic violence.</td>
<td>- Design of specific forms to collect data related to domestic violence.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Closer relationship with other agencies.</td>
<td>- Networking with other agencies for quick response.</td>
</tr>
<tr>
<td>British Virgin Islands</td>
<td>2 weeks. 186 registered. 100 attended.</td>
<td>- Increase in the arrest of perpetrators of domestic violence – from 16.7% in 2001 to 37.4% in 2002.</td>
<td>- Continuous training.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Increase in the number of persons being prosecuted.</td>
<td>- Separate unit to deal with victims.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Mediation being done by some officers.</td>
<td>- Coordinated approach to be developed and implemented.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Not all police officers are sensitive to the issue of domestic violence.</td>
<td>- Continuous public education.</td>
</tr>
<tr>
<td>Barbados</td>
<td>2-day module for new entrants. 215 persons trained.</td>
<td>- Better understanding of gender-based violence.</td>
<td>- Continuous training.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Closer collaboration with other agencies.</td>
<td>- Review of the legislation.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Public education.</td>
</tr>
<tr>
<td>Belize</td>
<td>2-day workshop. 350 persons trained</td>
<td>- Increase in the number of cases referred by the police.</td>
<td>- Officers should examine their own value systems.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Police do mediation.</td>
<td>- Officers should be trained in presentation skills.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Clear understanding of violence.</td>
<td>- Market the project.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Strengthening of the multisectoral approach.</td>
<td>- Officers trained should remain in the Unit.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Improved networking</td>
<td>- Training on how to deal with the perpetrator.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Police training in counselling.</td>
</tr>
<tr>
<td>Dominica</td>
<td>Five 2-day weekends. 250 persons trained.</td>
<td>- Too early to say.</td>
<td>- Domestic Violence Unit in the police force.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Establishment of support system, such as shelters.</td>
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<td></td>
<td></td>
<td></td>
<td>- Financial support.</td>
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<td></td>
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<td></td>
<td>- Sensitization in schools.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Country</th>
<th>Length of training and number of persons trained</th>
<th>How training has impacted on the work of the police</th>
<th>Key recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grenada</td>
<td>Over 200 persons trained.</td>
<td>- More complaints are being made to the police and they are being dealt with better.</td>
<td>- Awareness programmes for the media and schools.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Police has instituted a system for recording domestic violence.</td>
<td>- Advanced training for trainers.</td>
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<td></td>
<td>- Greater awareness and sensitization among members of the police force.</td>
<td>- Longer training.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Better appreciation for victims of domestic violence.</td>
<td>- Protocol system for persons who are part of the response.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Increase in number of arrests and prosecutions of abusers.</td>
<td>- Training in counselling.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Country to country network and linkages.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Data collection from all units.</td>
</tr>
<tr>
<td>Guyana</td>
<td>2-day programme. 980 persons trained.</td>
<td></td>
<td>- Special unit should be set up in the Police College to co-ordinate training</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>programmes on domestic violence interventions in all branches.</td>
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<td></td>
<td>- Funding should be made available for the development of the unit and the</td>
</tr>
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<td></td>
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<td></td>
<td>institution of systematic training.</td>
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<td></td>
<td></td>
<td></td>
<td>- Training sessions should be three days.</td>
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<td></td>
<td></td>
<td></td>
<td>- Senior officers should participate to heighten their awareness of the issue.</td>
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<td></td>
<td></td>
<td></td>
<td>- Examination of self must be an essential part of the programme.</td>
</tr>
<tr>
<td>Jamaica</td>
<td>Over 500 persons.</td>
<td>- Heightened awareness of gender-based violence among police officers.</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>- Increase in the arrests of perpetrators.</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>- Increase in mediation.</td>
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<td></td>
<td>- Decrease in homicide as a result of domestic violence.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Increased cooperation with NGOs.</td>
<td></td>
</tr>
<tr>
<td>St. Kitts &amp; Nevis</td>
<td>2-day programme. 365 persons trained.</td>
<td>- Police officers now respond in a timely manner.</td>
<td>- Availability of more training.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Increase in cases of assault reaching the Magistrate Court.</td>
<td></td>
</tr>
<tr>
<td>St. Lucia</td>
<td>148 persons trained.</td>
<td></td>
<td>- Ongoing training.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Training in mediation and counselling.</td>
</tr>
<tr>
<td>Country</td>
<td>Length of training and number of persons trained</td>
<td>How training has impacted on the work of the police</td>
<td>Key recommendations</td>
</tr>
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</table>
| St. Vincent & the Grenadines  | 2-day programme. 123 persons trained.          | - More confidence displayed by police officers in arresting perpetrators.  
- Increase in arrests.  
- Greater awareness and sensitivity to the issue of domestic violence. | - Domestic violence training should be placed on the syllabus of the police training institutions.  
- All police officers should be exposed to the training.  
- Institutions should be established to temporarily house victims. |
| Suriname                      | 460 persons trained.                            | - More sensitized police officers.  
- Improved administration and processing of cases of domestic violence.  
- Better cooperation with other agencies.                                    |                                                                                                        |
| Trinidad & Tobago             | 3-day programme. 670 persons trained.           | - Improved knowledge of crimes related to domestic violence.  
- Improved relationship with persons reporting crime.  
- Increased networking with other agencies.                                   | - Continuous training.  
- Educate more officers on domestic violence.  
- Increase human resources.  
- Better accommodation needed to interview victims.                          |

**Annex V: Policing sexual offences: initiatives and challenges**

<table>
<thead>
<tr>
<th>Country</th>
<th>Factors that may limit an effective police response</th>
<th>Initiatives taken to strengthen the police response</th>
<th>Recommendations</th>
</tr>
</thead>
</table>
| Antigua & Barbuda        | - Lack of cooperation from the immigrant community.  
- Shortage of resources.  
- Language barrier.  
- Fear and embarrassment of victim. | - Use of Spanish-speaking person to assist in the immigrant community.  
- Interviewing family members and educating them on the need to report incidents.  
- Work in partnership with other agencies. | - Establishment of a 24-hour department to deal with domestic violence.  
- Safe houses or foster homes for victims.  
- Strengthening of the legislation with regard to sexual offences and domestic violence.  
- Victim to give evidence by video link. |
| British Virgin Islands   | - Limited human resources.  
- Family intervention.  
- Victim reluctance.  
- Courts.  
- Church. | - Strengthening of the Criminal Investigation Dept. with human resources and vehicles. | - Continuous education about domestic violence through use of the media, social groups, churches.  
- Repeal and revise the laws when necessary.          |
<table>
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<tr>
<th><strong>Country</strong></th>
<th><strong>Factors that may limit an effective police response</strong></th>
<th><strong>Initiatives taken to strengthen the police response</strong></th>
<th><strong>Recommendations</strong></th>
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</table>
| Barbados   | - Lack of communication between social agencies.  
- Lack of privacy.  
- Parental and family disbelief.  
- Victim tardiness in reporting.  
- Fear of the court system,  
- Perpetrator being the sole breadwinner. | - Two updates on protocols, protection order and guidelines as to how officers should behave. | - Wider scope of legislation needed to remove offenders even before the hearing.  
- Continue to build the relationship between agencies.  
- All ranks of the police service must be sensitized. |
| Dominica  | | - Establishment of a core of female officers to deal with sexual offences matters. | - Institution of a Family Court for speed and privacy.  
- Training of police officers to be more effective.  
- Availability of forensic facility.  
- Mandatory for parents to report offences. |
| Grenada   | - Lack of structures as to how victims can report.  
- Limited cooperation and support from the Social Services.  
- Inadequate resources,  
- Long hours at hospital for care for victims.  
- Lack of cooperation from the victim.  
- Parental condoning of the abuse.  
- Prosecutors not adequately trained to handle abuse. | | - Transportation needs must be addressed.  
- Professional and ongoing training.  
- Protocol system for all persons involved.  
- Proper support systems for victims.  
- Sensitization in the justice system. |
| Guyana    | - Reluctance of victims and family members to press charges (abuser may be the sole breadwinner).  
- Unwillingness of victims to report matter promptly.  
- Non-attendance of victims and witnesses at court to testify.  
- Lack of forensic capabilities, e.g., DNA testing.  
- Poor handling of exhibits.  
- Traumatized child witnesses.  
- No shelter for children. | - Special office established in police stations to interview victims.  
- Distribution of flyers and information on the rights of victims and steps to be taken in reporting cases of abuse. | - Specialized training for more officers to deal efficiently with sexual offences.  
- Better networking between the police and NGOs. |

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<table>
<thead>
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<th>Recommendations</th>
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<tbody>
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<td>Jamaica</td>
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<td>- Trained female officers are now at all stations.</td>
<td>- Regional police conference on domestic violence.</td>
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<td>- Investigate and take to court reports of sexual offences and domestic violence.</td>
<td>- More community support for victims.</td>
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<td>- Additional funding.</td>
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<td>- Improved witness protection programme.</td>
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<td>St. Kitts &amp; Nevis</td>
<td>- Refusal of child victims to talk as they may be scared. - Protection of abuser by child’s mother. - Maternal consent for minor daughters to be in relationships.</td>
<td>- Attachment of a female police officer to all police stations.</td>
<td>- Revision of law needed.</td>
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<td>- Establishment of a Domestic Violence and Sexual Offences Unit.</td>
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<td>- Ongoing training of police officers and civil society.</td>
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<td>St. Lucia</td>
<td>- Settlement of matters outside the court system. - Lack of mandatory reporting of sexual offences.</td>
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<td>- More training in interviewing skills and techniques.</td>
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<td>- Closer ties with medical authority.</td>
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<td>St. Vincent &amp; the Grenadines</td>
<td>- Insufficient evidence from victims due to fear. - Delay in medical procedure.</td>
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<td>- Continuous training in domestic violence.</td>
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<td>- Review of the impact of the training.</td>
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<td>- Establishment of a Domestic Violence Unit with trained counsellors.</td>
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<td>- Establishment of a temporary shelter for victims.</td>
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<td>- Legislation to deal with persons who obstruct the course of justice, e.g., make up cases.</td>
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<td>Suriname</td>
<td>- The legal framework e.g. different legal definitions of ‘child’; no clear definition of sexual molestation; no legal provision for rape in marriage. - Report by victims of instances of abuse to other agencies than to the police.</td>
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<td>- Continued sensitization training at all levels.</td>
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<td>- Incorporation of domestic violence in police training curriculum.</td>
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<td>- Expanded cooperation with NGOs and government agencies.</td>
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<td>Trinidad &amp; Tobago</td>
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<td>- More comprehensive course structure.</td>
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<td>- Domestic violence training in schools.</td>
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<td>- Change laws on domestic violence.</td>
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<td>- All police officers should be exposed to this training.</td>
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</table>
Annex VI: List of interviewees

DOMINICA

Attorneys at Law
Ms Singualla Blomquist
Mr. Alix Boyd Knight
Ms Joan Prevost

CAFRA
Ms Anita Joseph
Ms Martha Joseph

Dominica National Council of Women
Ms Vanya David

Eastern Caribbean Supreme Court
Justice Cenac
Mr. Reginald Winston, Registrar

Magistrate
Mr. Ossie Lewis

Ministry of Health
Nurse John

Office of the Attorney General
Ms Gloria Augustus
Ms Irma Stevens

Police
Superintendent Yvonne Alexander
Constable Pelham Jean-Baptiste

Welfare Department
Mr. Martin Anthony, Deputy Chief Welfare Officer

Women’s Affairs Bureau
Ms Rosie Brown

Community Meeting:
Dublanc Community

JAMAICA

Alternative Dispute Resolution
Mr. Paul Hinds
Ms Donna Parchment

Centre for Gender and Development Studies
Dr. Barbara Bailey
Ms Michele Davis
Ms Shakira Maxwell

Children Services Division
Mr. Bowen, Director

Coalition on the Rights of the Child
Ms Margarette MacCaulay

Faculty of Humanities
Dr. Barry Chevannes
Dr. Hermione McKenzie,

Family Court
Mr. Christopher Cheddar, Judge
Ms Andrea English, Clerk of the Court
Ms Rosemary Irving, Judge
Mr. Carlo Mason, Clerk of the Court
Ms. Steele, Probation Officer
Ms Michelle White, Social Worker

Family Life Ministries
Ms Maureen Fairclough
Ms Yvonne Foster
Mr. Ivret Williams

Focus Group Discussion:
Members of the Windward Court Community

Jamaica Houseworkers Association
Ms Evelyn Scott

Justice Training Institute
Mr. Noel Neal Irving

Kingston Legal Aid
Ms Jean Barnes

Legal Aid Clinic, Norman Manley Law School
Ms Zara Brown

Legal Reform Unit
Mr. Jose Griffith

Office of the Attorney General
Ms Ononaiwu, Director of Public Prosecution

Police
Corporal Jacqueline Brown
Sergeant Veronica Johnston
Constable Rose Mitchell
Sergeant Albert Simpson
Superintendent Newman Willer (CISO)

SISTREN
Ms Lana Finikin

Victim Prevention Clinic, UWI
Dr. Claudetta Crawford-Browne
Ms Emeline Ebanks
Ms Rosemarie Broomfield
Mr. Douglas Lawton

Victim Support United Nations
Mr. Nesta Haye
Ms Annette Richards

Women Centre Jamaica Foundation
Ms Cherill Morris

Women’s Bureau
Dr. Glenda Simms
Ms Faith Webster

Woman Inc.
Ms Joyce Hewitt
Ms Elaine Thomas

Women’s Media Watch
Ms Hilary Nicholson

Women’s Political Caucus
Ms Joan Browne

Youth Opportunities Unlimited
Mr. George Cooke

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SURINAME

**Bureau of Family Affairs**
Ms R. Day, Director

**Crisis Centre for Women Foundation**
Ms Elina Hawitt, Founder and Board Member

**Employer’s Union C47**
Mr. Roy Adama, Chairman
Ms Etnel

**Foundation Stop Violence Against Women (STOP)**
Ms Grace Boschman, Coordinator of training, education and research
Ms Tienieke Sumter, Director
Ms Siska Vanderverd, Coordinator of social services

**Law Commission on Domestic Violence**
Ms Nancy Tai Apin

Ms Carla Bakboord
Ms Henna Malmberg-Guicherit
Ms Marisha Mushiet
Ms Sharita Seetal
Ms Maykie Kuldip Singh

**Legal Aid Advice Bureau**
Ms L Beek, researcher: ‘De Man in the House’
Ms T. Sno, researcher: ‘De Man in the House’
Ms H. Vieden, researcher: ‘From the Kitchen Sink to the Court’

**Man Meet Man**
Mr. Carl Breeveld, President

**Moiwanna ’86**
Ms Justina Edwards
Ms D Kort
Ms Versanna Mokiem
Ms Marisha Mushiet

**National Bureau of Gender Affairs**
Mr. Djoemanbham, Director

**National Network on Violence Against Children**
Ms V. Choennie
Ms S. Soakhoa

**National Network on Violence Against Women**
Ms Carla Bakboord
Ms Marisha Mushiet

**National Women’s Movement**
Florence Lenna
Ms S. Staphorst, Director
Renata Wodden

**New Haven Police Station**
Assistant Commissioner Lucretia Redan
Assistant Commissioner Vieira

**Pro Health**
Dr. Julia Terborg, Director

**Women’s Rights Centre**
Ms Carla Bakboord
During the 1990s, Caribbean women’s organizations, national machineries for women, the courts and the police engaged in dialogue and action to ensure protection and justice for victims of violence against women. A combination of public education, advocacy, the extension of services and law reform led to changes in cultural attitudes. Freedom from violence is now understood as a human right to which women are entitled and that the State has an obligation to guarantee.

However, in spite of the progress made, there is a widespread perception in the region that all forms of violence against women and children are on the rise, including rapes, incest and domestic homicides. Given the intense resource allocation (particularly by women’s organizations) on the one hand, and the perception of an increase in violence on the other, it became clear that an assessment was needed of how effective the approaches and actions taken have been.

_Eliminating Gender-Based Violence, Ensuring Equality_ presents the findings of such an assessment, undertaken in 2003 by UNIFEM in collaboration with the Economic Commission for Latin America and the Caribbean (ECLAC) Subregional Headquarters for the Caribbean. The assessment had two components: a scan of initiatives across the region and an in-depth study of programming in three countries – Dominica, Jamaica and Suriname. In both components, it explored the administration of justice, social service provision, education, awareness raising and advocacy.

The report concludes that strong cultural, social and economic obstacles continue to block the attainment by women of their right to a life free of violence, and it makes a number of recommendations for national responses that deal directly with these obstacles. It calls in particular for the development of an integrated, multifaceted approach to all forms of violence against women. A reframing of the issue as gender-based violence is also advocated in order to shift the focus from services for victims, vital as these are, to finding ways of tackling the gendered nature of violent behaviour and its genesis in unequal power relations between women and men.