Policy Recommendation for the eradication of domestic violence between intimate partners

1. Introduction
Domestic violence is the most pervasive form of interpersonal violence in Guyana. It affects both males and females but undisputedly results in women constituting the overwhelming majority of victims. Domestic violence is more than abusive behaviour; it is rooted in the real or perceived inequality and subordination of women (and children) which extend beyond the individual or family to the wider society. Such ideas of inferiority and bias because of gender must be challenged if we are to tackle one of the chief sources and causes of domestic violence. Domestic violence is a violation of fundamental individual and collective rights and should be treated accordingly.

The Government of Guyana is unequivocally committed to eradicating domestic violence and has demonstrated this commitment by ratifying the following international instruments:

- 1979 Convention on the Elimination of all Forms of Discrimination against Women
- 1993 Vienna Declaration and Platform for Action from the World Conference on Human Rights
- 1993 Declaration on the Elimination of Violence against Women
- 1994 Cairo Programme of Action from the International Conference on Population and Development
- 1994 Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belem do Pará)
- 1995 Fourth World Conference on Women (Beijing Declaration and Platform for Action)
- 1989 Convention on the Rights of the Child

The Government recognizes the Domestic Violence Act (DVA) as an important mechanism toward the redress, reduction and elimination of domestic violence in the society and commits to ensuring that the existing provisions in the DVA be followed. It acknowledges the need for periodic review and revision of the DVA to increase its effectiveness.

The domestic violence policy focuses on spousal abuse and has at its core the transformation of attitudes that condone or normalize such violence, such as gender stereotyping and discrimination.

Policies and strategies to eradicate domestic violence must be accompanied by other measures to eliminate gender inequality and to ensure the equal and full participation of all stakeholders, particularly women, in the decision-making and development processes.

It is also recognised that the lack of support services available to victims/survivors of domestic violence leads to further entrapment in the cycle of violence. A concerted effort and commitment will be made not only to increase the quality and quantity of support services but to make them freely available to all countrywide.

This policy has been informed by the recommendations drawn from the following sources:

- the National Women's Conversation convened by the Ethnic Relations Commission in August 2006
- the report 'Domestic Violence in Guyana' commissioned by the Women's Affairs Bureau (November 2006)
- a forum to discuss Domestic Violence convened by the Ministry of Labour, Human Services and Social Security in November 2006.

The Government recognises that there must be a multi-sectoral response to domestic violence that works, inter alia, with community-based interventions, and is committed to acquiring and providing the resources necessary to ensure the effective implementation of this Policy.

The Government, as the largest employer in Guyana, recognises that domestic violence is a
workplace issue in that the toll taken on victims spills over into the workplace resulting in compromised safety of victims and co-workers and loss of productivity. The Government will therefore take the lead in addressing domestic violence as a workplace issue.

2. Purpose
The purpose of this Policy is to inform and guide the Government's interventions in activities and programmes towards the prevention and alleviation of domestic violence and the provision of services to victims.

The implementation of this Policy will result in strengthened prevention mechanisms and increased protection and service provision for those affected by domestic violence. The specific needs of children, persons with disabilities and the elderly will be addressed in the implementation of this policy.

The legislative framework which forms the background of this policy is the Domestic Violence Act of 1996 (Cap 11:09), which sets out the function of the subject Minister and the responsibilities of the Director of Human Services in preventing and alleviating domestic violence. The role of the Director of Human Services is currently implemented by the Director of Social Services in the Ministry of Labour, Human Services and Social Security. The responsibilities of the Director Human Services will be fulfilled by an appropriate allocation of human, financial and other technical resources to that office.

Such direction will be addressed through programmes for public education, research and information dissemination, provision of counselling and other services to victims, perpetrators and their children and for education and training of the personnel across different sectors who can contribute to the prevention, alleviation and eradication of domestic violence.

These are addressed comprehensively in Section 44 of the Domestic Violence Act of 1996. Section 47 of the legislation authorises the Minister to make regulations and prescriptions for the implementation of the law.

In the formulation of this policy statement, the Task Force on Domestic Violence has benefited significantly from the expertise and experience of Help & Shelter and Red Thread.

3. Terms used in this document
The term domestic violence is sometimes used interchangeably with family violence or intimate partner violence. The following are two broad definitions of domestic violence:

‘a behaviour which causes one partner in a relationship to be afraid of the other. Through the use of the power that this fear gives, the abusive partner controls the behaviour of the other. Domestic violence can take the form of physical, sexual and/or psychological abuse, forced social isolation or economic deprivation’

(UNIFEM/Help & Shelter Public Education Manual)

‘Domestic violence is the practice of coercive behaviour including: physical, psychological, sexual, verbal, and economic abuse between the members of a family/household or persons currently or previously in an intimate relationship with the intention of establishing and maintaining power and control over the survivor.’

(Guyana Police Force)

The Domestic Violence Act states that a “domestic violence offence” means a prescribed offence committed by a person against a person with whom the person is associated or a relevant child and a prescribed offence is murder or attempted murder, manslaughter and the use or threatened
use of any other violence or physical or emotional injury.

The Government recognises that policies and strategies must also be developed to eradicate child abuse and the abuse of the elderly and the disabled by caregivers who are not spouses.

The term *survivor* is used to describe a person who has survived domestic violence and recognises their strength in living through and recovering from abusive events. The term *victim* is used to recognise those who have not managed to survive abusive events.
4. Guiding Principles
The following principles will inform the effective implementation of this Policy:

- All Guyanese have the right to live free from violence and the threats of violence.
- All forms of domestic violence are unacceptable in any group, regardless of background, culture, religion, gender, age, marital status, area of residence or sexuality.
- The Government has a responsibility to show leadership in preventing and alleviating domestic violence and to ensure coordinated planning, monitoring and evaluation across all sectors of government. As a result, the Director of Social Services will be provided with the direction and the financial resources from the National Budget to discharge the required responsibilities as set out in the Domestic Violence Act 1996.
- The safety and well being of those who are victims of domestic violence must be the first priority for any response.
- Domestic violence requires a range of responses from different agencies and must be multi-sectoral in its approach.
- Perpetrators of domestic violence must be held responsible for their behaviour, and acts that constitute a criminal offence must be dealt with accordingly. Mandatory counselling services will not be a substitute for criminal sanctions or penalties for violent behaviour.
- Responses must reflect the cultural and diverse needs of individuals and communities. These responses must always ensure the safety of the victims, and that the perpetrators bear full responsibilities for their actions.
- Services tailored to the level of violence and risk should be available for adult victims leaving, returning to, or staying in abusive relationships.
- The special needs and situations of women and men with disabilities will be taken into account in the implementation of this policy.
- The special needs of the elderly will be taken into account in service provision.
- Measures will be established for victims of domestic violence living in rural and hinterland communities to provide access to required services and legal remedies eg establishment of family courts.
- The establishment of family courts should be priority for the improved implementation of the DVA.
- It is recognised that persons in same-sex abusive relationships are likely to be further stigmatised by homophobia, and service provision will accordingly have clear policies of support for any gay or lesbian person who wishes to leave an abusive relationship.
- The Government will recognise the undisputed link between alcohol consumption/substance abuse addictions and domestic violence and will therefore join with civil society to initiate programmes which prevent alcohol use.
- The Ministry of Health will address domestic violence as a major public health issue in recognition of the fact that health care providers are very often the first point of contact of domestic violence survivors/victims.
- The collection, analysis and dissemination of qualitative and quantitative data is fundamental to programme planning to achieve desired stated objectives and will therefore be promoted by Government and non-Governmental agencies and donor agencies.
- Ongoing research into causative issues and successful best practices in reducing domestic violence will be an important part of programming.

5. Thematic Areas for the Strategic Framework for Policy Implementation
The actions listed under each thematic area will form the basis of the plan which will be devised to implement this policy.

The critical areas are:

*Thematic Area One – Monitor and enforce legal sanctions*

i) The Domestic Violence Act will be reviewed and amended as necessary.
ii) The implementation of the DVA will be reviewed and appropriate measures taken to correct deficiencies, particularly with reference to people with special needs, such as children, the elderly, and persons with disabilities.

iii) The provisions for the protection and redress of victims of domestic violence will be made with particular relevance to the situation and location of communities, particularly those in indigenous and hinterland communities.

iv) The Guyana Police Force will be given the technical and financial resources to implement its domestic violence policy and to establish and maintain the Domestic Violence Units in each division.

v) Gazetting of competent social workers under the provisions of the DVA will be done on a timely basis and will be extended to social workers at accredited non-governmental agencies.

vi) Government will recommend and support the establishment of mandatory counselling programmes for domestic violence offenders, collaborating with accredited agencies in private sector and civil society.

vii) Government will ensure that all responses across all sectors are managed by enlightened persons who understand the dynamics of domestic violence and who will ensure that the provisions of the Domestic Violence Act 1996 are honoured.

**Thematic Area Two: Provide services for survivors**

i) The counselling interventions must focus on the safety and well-being of the survivors. The appropriate counselling guidelines established by experienced agencies will be used to form the basis of a voluntary standard for counselling training.

ii) The Government will ensure that there are appropriate provisions for counselling services in every community.

iii) A common service protocol will be implemented which involves the health sector, the Education sector, the Guyana Police Force and the Ministry of Labour, Human Services and Social Security.

iv) The Government will ensure provision of adequate temporary refuges for survivors and will facilitate other activities such as training of survivors to engage in income generating/earning activities.

v) The Government will ensure that there are appropriate legal aid services throughout the country to support survivors who wish to pursue associated legal matters when leaving abusive relationships.

**Thematic Area Three: Involve the health sector**

Many domestic violence survivors/victims visit not only local area clinics but also accident and emergency departments in both private and public hospitals. The Health Sector needs to be mandated to play its part as one of the front line intervention agencies in the reduction and elimination of domestic violence. This approach will increase opportunities for intervention and prevention strategies for many survivors/victims and their families.

i) The Ministry of Health will ensure that all health public services – hospitals, health centres, clinics - are resourced to provide the appropriate interventions for survivors of domestic violence who access the services.

ii) A standard curriculum on Domestic Violence Intervention for health workers will be written after consultation with all Health education institutions. This curriculum should form part of the basic training of all health workers in both the public and private sector, and be available as part of pre- and in-service training. The objectives of the curriculum will be to provide training on domestic violence issues including recognising the physical, psychological & sexual signs of domestic abuse, prevention strategies and referrals.

iii) The nursing schools will be requested to provide and be provided with resources for mandatory training of nursing staff in domestic violence interventions as described in the standard curriculum.

iv) There will be an inter-agency protocol between health services, counselling services and
the Guyana Police Force. The Health Sector will also be responsible for the collection of
data on all cases of domestic violence seen. Standardised forms will be used for the
collection of such data which will protect health worker/patient confidentiality.
v) Health education at all clinics must be expanded to include sensitization and awareness
education on domestic violence to all categories of persons accessing clinic services – eg pre-
and post-natal services, diabetic an hypertensive services, health services for the
elderly and senior citizens.

**Thematic Area Four - Educate the public about domestic violence**

i) A standardized curriculum on domestic violence will be introduced in all the teachers'
training programmes to ensure that teachers are equipped to teach HFLE programmes on
domestic violence to students, recognize signs of abuse in students and refer such cases
appropriately.
ii) The Ministry of Education will implement with due diligence the Health and Family
Education curriculum in all schools to sensitize students about issues of violence and
abuse including domestic violence, gender and gender discrimination, healthy relationships,
non violent behaviours and values.
iii) The Government will support and endorse multimedia public education campaigns
nationwide to reduce domestic violence
iv) Other stakeholders, such as faith-based organisations, youth clubs and service
organisations will be encouraged to participate in ongoing campaigns to educate the public
about domestic violence.

**Thematic Area Five: Build capacity of rural and hinterland communities to respond positively to
domestic violence**

i) The Ministry of Amerindian Affairs and Ministry of Labour, Human Services and Social
Security together with Indigenous organisations, community groups, Village Touchaus, and
Village Councils will be asked to formulate programmes to best deal with the issue of
domestic violence in their communities including the development of appropriate support
services and mechanisms for implementation.
ii) The Government will support community-based education on domestic violence and best
practices will be shared with other communities.

**Thematic Area Six: Make provision for interventions with persons with disabilities**

i) The Government will mandate the National Commission on the Disabilities and networks
such as the Guyana Community Based Rehabilitation Programme to provide direction for
other service providers. Persons with disabilities are frequently unable to access services
due to limited mobility, and/or the inability of service providers to communicate by sign
language or other means

**Thematic Area Seven: Make provision for interventions with elderly persons**

i) The Government will work with service providers to ensure that necessary support services
such as special medical attention, are provided for elderly persons who are in abusive
relationships.
ii) Government will collaborate with service providers to recognise that the neglect of
caregivers also contributes to the abuse of elderly persons. The provisions of the
Maintenance Act will be publicised and elderly persons as beneficiaries encouraged to seek
the courts for support

**Thematic Area Eight: Treating Domestic Violence as a workplace issue**

i) The Government will promote the use of education programmes in its workplaces to raise
awareness of domestic violence.
ii) The Government will ensure that victims of domestic violence will be facilitated to access fully the services such as leave and financial benefits provided by employers.

iii) The Government will not discriminate against employees who are victims of domestic violence and will actively provide support for their safety planning.

iv) The Government will ensure that perpetrators of domestic violence who are in its employ will be held accountable for their actions, including when state resources are used to perpetuate abusive behaviours.

6. Implementation of this policy

1) This policy will be implemented by a Unit headed by the Director of Social Services.

2) Oversight will be vested in a National Domestic Violence Oversight Committee. The Committee will comprise senior officials in the ministries, agencies and organisations which have a role to play in reducing domestic violence, and non-affiliated individuals by virtue of their commitment and experience. The ministries, agencies and organisations include -
   - Ministry of Health
   - Ministry of Education
   - Ministry of Amerindian Affairs
   - Guyana Police Force
   - National Commission on Disabilities
   - The Chief Justice
   - Help & Shelter, Red Thread and other non-governmental organisations who have worked actively in the prevention and alleviation of domestic violence

The Committee will be provided with the necessary resources to exercise its functions.

3) Government will ensure that adequate resources are available from public funds and rough its negotiations with International Financial Institutions and other donors to address the reduction and alleviation of domestic violence as a key development issue for Guyana.

4) Decentralization of responsibilities for Domestic Violence Act compliance and domestic violence initiatives will be a fundamental strategy. Each of the 10 administrative regions will be required to set up within the regional and local government system domestic violence committees that will be tasked with the responsibility of initiating and monitoring strategies, activities and support services. Budget allocations will be given specifically for the expansion of such support services. Such domestic violence Committees will be mandated to give timely reports on domestic violence issues of their respective regions to the National Domestic Violence Oversight Committee. The regional and local committees should comprise inter alia representatives of Guyana Police Force, NGO’s, Health Clinics, CBO’s, FBO’s, Regional and local government officials, Probation & Welfare officers.

7. Research and Data gathering to support the monitoring and evaluation of the implementation of this policy

i) There will be adequate data gathering on domestic violence incidents and reports. The sources of data will include:
   i) Hospitals and health facilities
   ii) The Guyana Police Force
   iii) The courts and the Ministry of Legal Affairs
   iv) Non-governmental organisations
   v) The Probation and Welfare Department in the Ministry of Labour, Human Services and Social Security

b) There will be support for continuous research into the attitudes towards domestic violence, and into the perceptions of gender roles, and conflict resolution mechanisms

The Government will request that the Bureau of Statistics provide the appropriate and relevant
expertise to support the agencies in the data collection, analysis and dissemination to support this policy.

8. Review of this policy

This policy will be reviewed by the Oversight Committee. This committee will issue a biennial report which would include monitoring and evaluation of the policies and programmes for the prevention and reduction of domestic violence and the successes and failures of initiatives. The report will be tabled at the level of Parliament and debated.