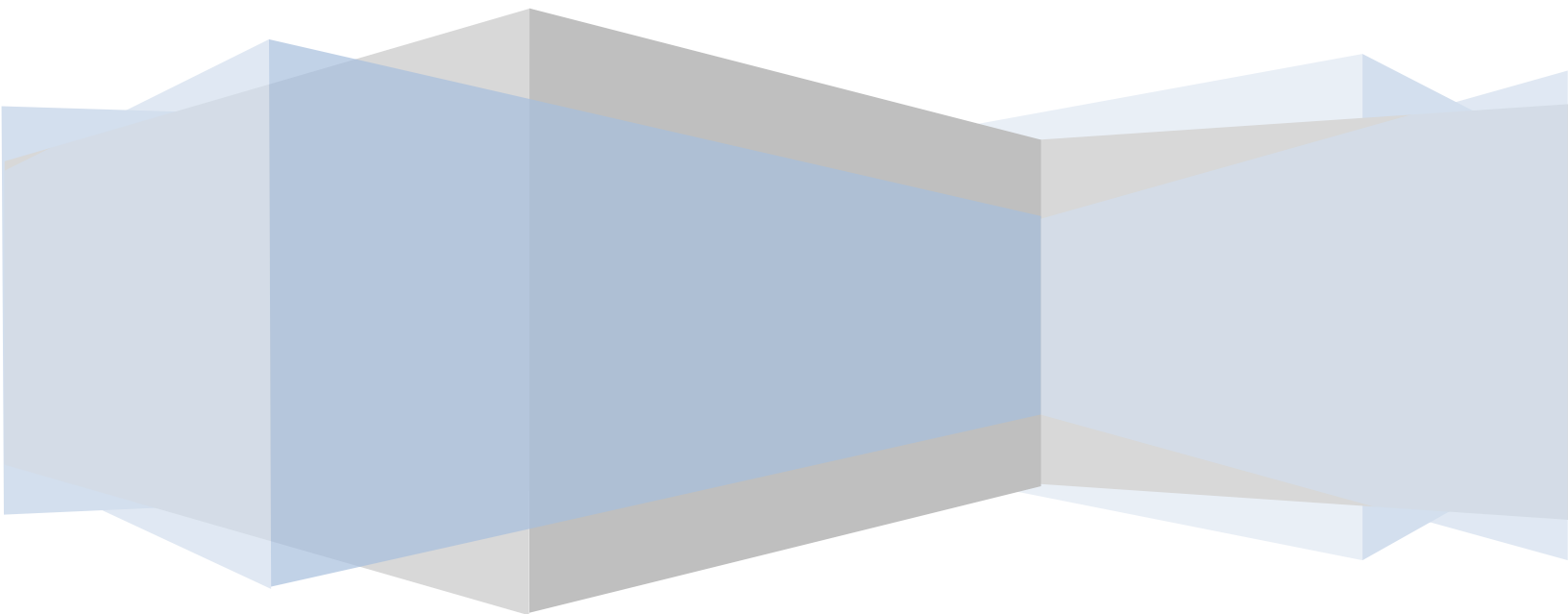


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Policing Domestic Violence

Context, Status and Prospects

Janice M. Jackson



Policing Domestic Violence: Context, Status and Prospects

Introduction

The silence is broken. Screams are heard. People are dying. Children are crying. Questions arise. Who hears the noise? Who recognizes the pain? Whose business is it? Who chooses to take action? Is the silence really broken? What about those who paint their faces with a smile? What about those who serve the needs of others willingly? What about those who go to work or school every day, on time? Who knows what their true experience is in the place which should be safe, that place called home?

These are but some of the questions which need to be examined as the reality of domestic violence is considered. They point to the fact that this scourge exists in an environment in which, despite the evidence of its occurrence, the response continues to be inadequate. They resonate with angst because the efforts at working to reduce the incidence of domestic violence seem to be making little difference. The word is out yet many continue to blame others for not taking appropriate action without addressing what they can do to stem the tide. The eye is often on the visible minority – the police.

What must be brought to the centre of the stage is that by the time domestic violence reaches the attention of the police, a crime has already occurred. This, of course, does not absolve the police from responding immediately and appropriately. That they must do. But some questions must be asked. Who knew about the problem? Relatives? Neighbours? Friends? Religious leaders? Community leaders? Employers? What did they do? What could they do?

This paper seeks to address the context in which domestic violence occurs, the status of recognition and action to promote positive change and the prospects for the police as they strive to be effective partners in the process of transformation at an organizational level, in the supporting structures and in the lives of the citizens whom they serve and should protect. It benefits from the experience of many years of association with the Guyana Police Force and non-governmental organizations as they sought to prepare a landscape in which the interests of survivors of domestic violence could be appropriately served and the incidence of such behaviour reduced.

The Phenomenon

Domestic violence is a global phenomenon. It is manifested as an exercise of power by one person over another, whether that power is legitimate or not. It is often perpetrated by persons whose psychological well-being is impaired, a fact which warrants more attention as efforts are made to reduce its occurrence. It may be perpetrated against someone whose response is passive or active. It reportedly occurs more often against women and children.

Survivors of domestic violence may be anyone and may come from any age, educational, ethnic or religious group. She may be a homemaker, teacher, lawyer, politician, policewoman or farmer.

Many wonder why adult survivors stay in abusive intimate relationships. The answer lies in the various angles from which the survivor views her life, responsibilities and sense of self. She is enmeshed in a situation clouded by the expectations she holds of herself, perceives others to hold of her, those she has of her partner and her own understanding of power as a factor in her intimate relationship. She may see herself as lacking the capacity to survive on her own, having been socialized for playing a role of supporter, caregiver and dependent. In the case of a male survivor, the contradiction between his learning that the man is the responsible partner – the one in charge – and his reality of lesser dominance contributes to his entrapment in the relationship.

Children too are exposed to domestic violence. They may be witnesses in their own homes, survivors of child abuse – whether physical, psychological and/or sexual abuse and/or neglect. Their voices are often not heard or listened to by adults whose responsibility is to guide and protect them. They are still not considered credible as they share their stories of pain, denigration and suffering. Some of these children will themselves become survivors or perpetrators of domestic violence in their adult life.

The elderly and persons with disabilities also suffer domestic violence. As a group, they are among the silent majority.

Perpetrators of domestic violence too may be anyone and may come from any age, educational, ethnic or religious group. He may be a teacher, lawyer, politician, policeman or farmer. He is prone to exercising power and control over the survivor and may use psychological tactics to instill fear in the survivor. He may have a public face and a private face which are very different. Some perpetrators were themselves witnesses of domestic violence or are survivors of child abuse.

The perpetrator of child abuse may be the father, mother or other “responsible” adult. The action taken is often said to be done for the good of the child and administered in love. What is also known is that, at times, children are physically and verbally abused out of frustration and anger when the trigger lies elsewhere. They are readily available to defuse the situation.

An understanding of the nature and dynamics of domestic violence is critical for the design of an intervention strategy for the police. It would help to frame the organizational philosophy as well as challenge the beliefs and attitudes of police officers as they prepare themselves for taking necessary action.

The Enabling Environment

Dynamics within families, communities and the wider society have changed significantly over time. However, some social and cultural norms, beliefs and practices have been resistant or slow to change.

The gendered nature of relationships within families, society and the workplace continues to contribute to conflict in the home. Despite the progress made through initiatives to raise awareness on gender equality, many still hold fast to the concepts such as man as the head of the household, provider and protector and woman as homemaker, care giver and provider of

sexual satisfaction. These continue to occupy a valued position in the brain in spite of the evidence that a large proportion of households in the Caribbean are single headed, with the majority of these being headed by single women.

Unquestioning acceptance of the traditional view of gender roles tends to lead to an expectation of adherence to such practices. The following example illustrates how domestic violence may be avoided through analysis of a situation and assumption of responsibility for actions in one's life.

During a discussion on what makes you angry, a police rank stated that he is irritated when he is ready to dress for work and his wife has not laid out his clothes. He became livid when advised to look in a drawer for his vest. His face revealed the frustration and anger which he was feeling even though he was now in the classroom.

The facilitator suggested that if he had put his clothes away, he would have known where to find them. She then enquired whether his wife worked outside the home. To this, he responded in the affirmation. Suspecting that something else was involved in this scenario, the facilitator asked whether his wife earned more than he did. He bowed his head then finally said yes.

Power and control were at play. As man he felt it necessary to try to enforce that his wife performed her duty. Little thought was given to the fact that she too was a wage earner and may well have wished that someone would lay out her clothes.

The facilitator suggested that he could try preparing his clothes the night before. The following week, the rank reported that he had followed the advice and felt relieved. He had saved himself from anger and frustration which he had imposed on himself.

There is less evidence now of the family and the community sharing responsibility for the behaviour of their members and upholding standards and values which promote peace and harmony. There is fear to "interfere" with matters which are considered private, with the anticipated response to such action being abuse. Yet not all people react in a negative manner. In fact, some welcome such an intervention and the opportunity to vent their frustration and achieve relief as a result. Many prefer to be safe than to take the risk of getting involved. Unfortunately, some live to regret their silence when the consequence of unattended domestic violence is disfigurement or death.

Several factors have placed stress on social structures and people within them. Among them are migration, poverty, the drug trade and crime. As a consequence, the lines of authority in some families become clouded and lead to disrespect for self and/or others and a display of violence.

A 6-year old boy was left with his grandfather and his partner when his mother migrated with the intention of providing him with a better life. He lived with three other children who were the grandchildren of his grandfather's partner. Observing how this boy was being treated over the years, the grandfather asked his partner if she was behaving that way because the child was not her biological grandchild. Over the years, he suffered abuse at the hands of other relatives. His mother never returned nor sent for him to join her.

At age 19, the youth was still angry and rebelled against adults who were responsible for instilling discipline in the institution he attended. He stated that he could not forgive those who abused him.

What will be the nature of his interpersonal relationships in general? How will this affect his relationship with women?

Child abuse continues to be a preferred practice by many. Some people see beating of a child as a valid form of discipline, with some opting to make a distinction between beating and spanking. Some claim that they benefited from beating as children and are inclined to use this practice with their children. How could this be condoned? What is this teaching the children? Yet some governments sanction corporal punishment in schools. Who is exercising power over whom? Who has the right to burn children? Put them to kneel on graters? Tie them to furniture? Deny them food?

The silence continues particularly in cases of child sexual abuse. Children are either afraid to report the violation since in some cases they are threatened or may think that they had done something wrong. Others will tell a “responsible” adult who denies that such action ever occurred. Some will display signs which are ignored. Those who speak up and are listened to by an advocate face a horrendous journey as justice is sought. Here are some consequences in one situation.

At age 35, a woman decided to seek counselling for sexual abuse perpetrated by her father starting from when she was 8 years old. While she was subjected to her father’s unwanted attention, she was afraid to tell her mother. After all, her father was an Elder in the church, was respected in the community and was FATHER!

When the young woman got married, she found it difficult to respond to her husband in a positive manner sexually. She decided to confront her father. His response was that if it had happened, he was sorry. He alleged that he had no recollection of such behaviour. Her mother said she was totally in the dark.

The young woman suspected that her sisters had been sexually abused as well. However, she had never raised the issue with them. She found some release by facing the perpetrator. She then had to continue on her journey to healing to forge a meaningful relationship with her husband.

Fortunately, not in all cases of domestic violence are survivors subjected to ongoing abuse. Some are able to have it stopped immediately. Some are able to reach out to advocates who help them find solutions for themselves and engage in the process of healing. The police should see themselves as part of the group that helps ensure that justice prevails and action is taken to produce a reduction in domestic violence.

The Wider Response to Domestic Violence

While the police are seen as playing an important role in this regard, other agencies, both governmental and non-governmental as well as the private sector, communities and families are or should be involved. Government agencies responsible for education, health, social services and women and gender affairs are instrumental since they are likely to encounter survivors of domestic violence and/or can provide social support which may be needed. The government agency responsible for economic development/finance should consider the economic cost of domestic violence and provide the necessary budgetary resources to address this issue. The judiciary has a responsibility to ensure that justice is served; this continues to be one area in the response network where major challenges exist.

Non-government organizations have been active in several respects. They have undertaken to provide counselling, public education, shelters and training for the police and other agencies. Some have undertaken research which should be used to inform policies and programmes. Others, such as religious organizations, need to introduce or enhance their initiatives that address domestic violence since they have ready access to an audience whose spiritual well-being would be well served by such action.

The private and public sectors should recognize the cost of domestic violence to their bottom line. The survivor of domestic violence may demonstrate a decline in performance and absence from work or harassment from the perpetrator during working hours.

Families and communities have a responsibility to engage in conflict prevention, management and resolution for their members. They may need education and training and this should be approached in a structured manner. With respect to families, some may be reached through organizations to which they belong. With respect to communities, the formal and informal leaders may well prove allies.

All of these agencies and groups are potential partners or among the current partners of the police. They are capable of collaborating with officers and ranks to institute a system of support and information exchange which would enhance functioning and achievement of the objective of reducing the incidence of domestic violence.

Nature and Perceptions of the Police Response

The police currently operate in an environment where domestic violence is but one of the crimes to which they must respond. The response is variable ranging from treatment of the complaint as trivial and not a police matter to acceptance of the report and appropriate action being taken to assistance with the application for an order as provided for under the Domestic Violence Act where this applies to referring the client to a social service agency.

Some police, including some who have participated in training initiatives, continue to consider domestic violence as a private matter. Several are reluctant to accept reports, respond to calls for assistance or carry out investigations. Some inform the perpetrator that a report has been made against him, at times detaining the complainant until the perpetrator arrives at the police station. Some police are reluctant to entertain reports made against other police officers. Others who recognize the importance of the role the police must play in protecting the lives of citizens in this regard have resolved to act according to the law and/or the police policy.

The police do face challenges when dealing with reports of domestic violence. They are sometimes faced with requests by complainants for warnings to be given or no action to be taken after a report is made. They may also lack the necessary resources to carry out their functions in a timely manner, much to the annoyance of the complainant and at the risk of further harm being experienced by the complainant.

In a minority of cases, reports of positive police action have been heard. However, this does not accurately reflect the gains which have been made. More often what come into the public domain are complaints of police inaction, hostility and ridicule. The desire is for consistent positive action by the police where a complainant is treated with respect, accommodated in a private place when making a report, given information on the process to be followed, has an investigation carried out and be provided with feedback. In this regard, the expectation is for the police to be more sensitive and responsive, moreso when dealing with children who are survivors of child sexual abuse.

Domestic violence is not absent from the lives of police officers and ranks. In fact, some men as well as women are likely to be survivors while others, both men and women, are likely to be perpetrators. This is a conundrum since persons who are survivors or perpetrators have a responsibility for acting in the interest of others who, in the case of survivors, may have had similar experiences and, in the case of the perpetrators, may have received treatment similar to that meted out.

In addition to being an issue of concern with respect to the manner in which police respond to reports of domestic violence made by persons from the community, domestic violence is a workplace issue in the police service. As such, it has implications for the performance, absenteeism and interpersonal relations on the job, for example. Without an appreciation of this phenomenon and its consequences, the likely response of supervisors and peers is ridicule, breach of confidentiality and further victimization of survivor with no or little attention being paid to the perpetrator.

The Legal Framework

The Domestic Violence Act sets out the legal parameters in which the police should function. The terms vary across countries of the Region but generally cater for the police playing a proactive and supportive role. Among the responsibilities assigned to the police are preparation of a written report on the matter, entering premises without a warrant to render assistance to a person on suspicion that a protection order is being violated for example, making an arrest if he believes on reasonable grounds that someone has committed or is committing an offence as stipulated in the Act and assisting survivors in obtaining protection orders and enforcing these.

The call has been made for the Domestic Violence Act to be revised in some countries. It would be desirable for the police service to be involved in such a review so that the challenges which have been faced may be addressed as relevant to the Act.

Training across the Region

In 2000, the Caribbean Association for Feminist Research and Action (CAFRA), the Association of Caribbean Commissioners of Police (ACCP), the Inter-American Development Bank (IDB), the Caribbean Development Bank (CDB), the United Nations Fund for Women (UNIFEM) and the Department for International Development (DFID) initiated a 2-phase Domestic Violence Intervention Training Programme for Police Officers and Social Workers. This programme entailed the training of two groups of trainers from 19 Caribbean countries who were charged with rolling out the programme in their countries. During the second phase of the programme, 12 master trainers trained approximately 200 police ranks and social workers from these countries as trainers. The initiative ran until 2001.

In 2003, the Economic Council for Latin America and the Caribbean and the CIDA Gender Equality Programme hosted a Regional Conference on the Administration of Justice and Gender-based Violence. This conference allowed for examination of the impact of the Domestic Violence Intervention Training Programme. It was evident that training had made a difference to the sensitization of police but also revealed the need for demonstration of political will to institutionalize the training. In addition, the need for a broader approach to domestic violence was acknowledged. This would entail articulation of a policy on domestic violence, offering training to recruits and including domestic violence training in the budget of the police service.

Framework for Policing Domestic Violence: Internal Approaches

Preparation of the police service for an effective response to reports of domestic violence must begin with demonstration of political will within the organization. This will call for a display of commitment to change, not only in structures and processes in this regard but also in the relationship between officers and ranks across the hierarchy, one built on respect of self and others, trust and the principles of human rights.

It is critical that relationships within the organization be healthy in nature. They may call for the provision of support to persons who are survivors of domestic violence. If relationships in the organization are unhealthy, they may contribute to domestic violence being perpetrated in the home.

Articulation of Policy, Procedures and Protocols

A policy should be articulated to lay the foundation for police action. It should set out the philosophy of the police service, the principles to which its officers and ranks should adhere and the overarching objectives. This would provide an orientation to the seriousness of the offence and state clearly the intentions of the administration.

General procedures and specific protocols for responding to domestic violence are essential to achieve consistency of action. These would inform the framework for monitoring and evaluation of the response. They would also assist partner agencies as well as survivors as they interact with the police.

Training

Orienting the minds of officers and ranks to their role in the promotion of self-understanding and the practice of responsible behaviour is essential. Therefore, training which addresses self-exploration and gender must be provided. Too many persons are unaware of factors which influence their behaviour, beliefs and attitudes. Too many lack knowledge of what makes them a man or a woman. Functioning in this capacity on a daily basis without conscious thought about the meaning of these roles does lead to unnecessary stress and conflict, some of which result in domestic violence.

Understanding the nature and dynamics of domestic violence, the conditions which enable such behaviour, the legal framework and the police framework is critical for members of the police service. This should be facilitated through initial training of recruits and prosecutors as well as on a continuous basis to allow for examination of new information, examples from the field and reinforcement of relevant practices. Priority should be given to the training of officers and ranks who have not received the relevant training so that their knowledge is on par with that of recruits. In this way, the level of domestic violence literacy will be raised within the organization.

Trainers should be trained to deliver the course and conduct continuous education. They may involve resource persons from among their partners as this would help to concretize the relationship as well as equip the partners to function as advocates for the police service as they would have a better appreciation of the processes in place.

Establishment of or incorporation in a training database would allow for tracking of exposure to training. This could be one way of determining when refresher training is required.

Domestic Violence Unit

A Domestic Violence Unit is a critical feature of an effective response mechanism. It would play a key role in the implementation of the policy, investigation of reports, monitoring the outcomes of reports and cases before the courts. It should recommend further training for its members and those with whom it interacts as well as provide training in investigative techniques for ranks throughout the organization; where there is no separate training facility, the Domestic Violence Unit should be responsible for providing initial training. It should be responsible for analyzing data on domestic violence and issuing quarterly and annual reports.

The Domestic Violence Unit should also assist survivors to apply for orders as stipulated in the Domestic Violence Act and serve orders on the perpetrator. Where possible, ranks of the Domestic Violence Unit should accompany the survivor to court when application for an order is made.

The Domestic Violence Unit would also liaise with partner agencies. It should make presentations on domestic violence to organizations and groups such as schools, youth groups and parent teacher associations in the community. This would help to raise the profile of the police and advance the notion of positive community policing.

The Domestic Violence Unit should have adequate human and material resources. It should be equipped with cameras and tape recorders to gather evidence.

Material Production

The police service should prepare public education material for internal use as well as external dissemination on issues such as the nature and dynamics of domestic violence, police response to domestic violence, expectations of the public when making reports and opportunities for collaboration between the police and agencies within community or its partners.

The materials could include posters, brochures, DVDs and booklets of case studies. The case studies may be based on appropriate and inappropriate actions by the police and members of the community and allow for discussion in initial and continuous education and training. The case studies should be written by police ranks.

Research

The nature, status and quality of the services provided, both to the public and to the officers and ranks of the police service, need to be documented, analyzed and used to inform policy and practices. In addition, the perceptions of the public of the police response should be scoped at least on an annual basis; this may take the form of a client satisfaction survey.

Research conducted by partner organizations and students may also be accommodated. This would enable comparison of internally and externally gathered data and allow for examination of similarities and dissimilarities of perspectives and interpretations.

Perpetrators, Survivors and the Police Service

Officers and ranks of the police service also need protection and to have their needs addressed by and within the organization. They should expect and receive a response to their experience of domestic violence in a supportive and responsive manner.

The police service should consider identifying an officer to whom survivors of domestic violence whether they are police officers or ranks or partners or children of officers or ranks may make a report. It is recognized that, as noted earlier, some police are reluctant to take a domestic violence report made against another member of the police service.

Survivors who are members of the police service should have their reports taken and acted up according to the police policy and protocols. They should have access to counselling and any other support deemed necessary.

Perpetrators of domestic violence who are members of the police service should be subjected the procedures applied to the general public or under the Police Act as appropriate. Their abusive behaviour should not be condoned.

Monitoring, Assessment and Evaluation

The performance of the police should be monitored on an on-going basis. This should entail a review of the interaction with the members of the public making reports of domestic violence or enquiries on the status of their matter, the conditions under which reports are entertained,

record keeping and submission of summary data to the Domestic Violence Unit and the conduct of investigations. This may be carried out as a collaborative effort with partners.

The impact of training and the functioning of the Domestic Violence Unit should be evaluated on an annual basis.

Domestic violence should be included in promotional examinations. This would encourage members of the organization to familiarize themselves with the Domestic Violence Act, the police policy, procedures and protocols.

Framework for Policing Domestic Violence: External Approaches

As a principal partner in the movement to counter the fragmentation in relationships and social systems which contribute to domestic violence, the police service must portray an image which engenders confidence in citizens and must live up to its mission statement and motto. One way of promoting its visibility in a positive manner is through public education initiatives and the dissemination of accurate information in a timely manner.

The police service should be proactive in forging and maintaining links with other agencies and with communities. This would help to reduce existing tensions and assist the police service to achieve the objectives of its policy.

Public Relations

Keeping the public informed of initiatives and the results of action is an important strategy for educating citizens and gaining support for a call to action. It is imperative for the police service to share statistics on domestic violence, to communicate success stories and publicize the challenges which may be assuaged with the help of the public.

The strategy may entail the dissemination of the materials produced by the organization as well as by other agencies and organizations, participation in television and radio programmes and issuing of press releases.

Community Action

The police service should consider itself an institution of the community rather than one in the community. It should be involved in the life of the community in several regards. It is critical for the police to be seen as a resource to the community in efforts to address domestic violence, whether these efforts are initiated by community members or by the police.

Among the approaches which may be adopted are giving presentations at meetings, workshops and other fora and informing community groups of training opportunities made available by its partners. Active participation in the community also raises the profile of the police and increases the chance of a favourable response.

Collaboration and Networking

The saying “one hand can’t clap” is appropriate to efforts at addressing domestic violence. Different agencies and organizations do have a special focus. However, they need to collaborate to increase the chance of attaining an all encompassing approach.

It is imperative that the police service seeks to engage with government agencies, non-governmental organizations, the private sector, the media, communities and families if its efforts are to lead to satisfaction with the results. Together they are more likely to achieve their common objectives.

The police service should consider engaging in dialogue with the judiciary. Its interpretation of its role as articulated in the Domestic Violence Act as well as its expectations of the judiciary should be discussed to pave the way for a more prudent and efficient use of the human, time and financial resources.

The police services of the Caribbean have benefited from the regional training initiative. They have seen some positive change among their members in terms of their performance on the job as well as in their personal lives. They are in a good position to share their experiences with their sister agencies, the Disciplined Services, as domestic violence must affect them in some measure.

Conclusion

The police services of the Caribbean operate in a challenging environment. Their response to domestic violence is influenced by the prevailing context in which they function, the preparedness of officers and ranks as well as the resources which are available. They have established a training base upon which to build a firm foundation for expanding their reach and provisions.

The augmentation of the structures and systems such as the articulation of a policy, procedures and protocols will enable these organizations to equip officers and ranks to offer quality service to persons within and without their boundaries. Networking and collaboration with other agencies, communities and families should lead to a more coherent and productive effort.