

**PACIFIC PREVENTION OF DOMESTIC  
VIOLENCE PROGRAMME**

**SAMOA REPORT**

PREPARED FOR NEW ZEALAND POLICE

BY

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## EXECUTIVE SUMMARY

### PART 1: THE FOUR COUNTRY STUDY

This research was part of the wider *Pacific Prevention of Domestic Violence Programme* (PPDVP) which is an initiative of the New Zealand Agency for International Development (NZAID), New Zealand Police (NZPOL) and the Pacific Islands Chiefs of Police (PICP). The programme builds on earlier NZAID and NZPOL support for domestic violence prevention in the Pacific.

The long-term goal of the PPDVP is “a safer Pacific free from domestic violence”. Its primary focus is building the capacity of Pacific Police services to prevent and respond effectively to domestic violence. The programme involves both regional and national level components. At the regional level, all Pacific countries participate in a range of training, networking and information sharing activities. At national level, the programme is working more intensively with four Pacific countries – Samoa, Tonga, Cook Islands and Kiribati – providing on-the-ground sustained support for the development of national Police domestic violence policy, strategy, action plans, systems and training programmes. A New Zealand Police mentor has been assigned to each of the four countries to support these efforts.

This Samoa Report on domestic violence is one of four national studies carried out under the PPDVP, the others being for the Cook Islands, Kiribati and Tonga. The research adopted the definition of domestic violence used by the PPDVP: that is, ‘violence against women by a partner or spouse’. It had two main components. The first centred broadly on Police understandings of and responses to domestic violence. The second component had multiple strands, covering government, NGO and community understandings and responses.

The broad aims of the research were to:

- establish what data were available in each country;
- try to assess the extent of domestic violence and people’s responses to it; and
- engage agencies and communities in reflection on domestic violence.

The research was also expected to provide a key awareness-raising tool for politicians, community leaders and communities. Furthermore, because the studies were conducted in the first year of the PPDVP programme, that the findings should serve as a benchmark to measure the performance and effectiveness of the PPDVP.

The research team worked closely with the New Zealand Police mentor in each project country to develop the research approach and timeframes. We also saw it as important to employ a Pacific research framework. To achieve maximum involvement and sharing of ideas, we partnered a national NGO throughout the planning and implementation of research activities. This had the dual aim of empowering Pacific communities by fostering enquiry and debate on domestic violence, and consolidating on-going partnerships for future PPDVP activities. The in-country research activities were carried out over a two week period. The research was conducted predominantly in urban areas although in each case a group meeting was held in a rural village to gain a rural perspective on these issues. Even so, the team acknowledges that report findings may not be applicable to rural regions or outer islands.

### PART 2: THE SAMOA STUDY

This report presents the findings of fieldwork conducted in Samoa. Samoa comprises the two large islands of Savaii and Upolu and a group of smaller islands. Over three quarters of the population live on Upolu, the majority in Apia the government, commercial and administrative centre. The main police station is located in Apia, however most rural families are within two hours access to a police sub-station.

The Samoa review was carried out during the period October 16 to 27 2006 and was supported by the Deputy Police Commissioner (Samoa Police) and the newly appointed staff of the Domestic Violence Team. Mapusaga o Aiga (MOA) was the NGO partner for the review and strong support was provided by the Honourable Minister of Women Community and Social Development (MWSCD) and the CEO and staff of that Ministry and the Samoa Victims Support Group (SVSG)

The main data collection methods comprised: semi-structured interviews with representatives from the Samoa Police, Magistrates Court, government agencies, donors, NGOs, religious leaders, a former Police Commissioner and members of the Australian ISP team; group discussions with police (male, female, recruits in training), NGO stakeholders, the Lotofaga women's komiti (to gain a rural perspective on these issues) and with women district representatives; and document analysis of legislation, Police Statistics and local media reports. All discussions provided an invaluable space for awareness raising, information sharing about domestic violence related issues and, the PPDVP project.

### **Samoa: The country background**

Despite the rapid urbanization taking place today, most Samoan families still live in extended family units, under the leadership of their family matai (chief) who is responsible for ensuring the family good. The belief is still widely held that family differences, such as domestic violence, should be settled within the family. These are not a matter for public discussion given the 'shame' this could bring. Disputes which cannot be solved within the family are usually placed before the Village Council. All village families are represented on the councils by their family matai – who is usually a male. The role village councils play in maintaining peace in the villages cannot be disputed. At the same time, there were reports that domestic violence victims were reluctant to report cases to the councils and instances were also reported where cases had not received a fair hearing due to the fact that 'some of these matai sitting there do this (domestic violence)' and 'they aren't going to judge another matai'. Taking complaints to the police was not encouraged and some villages banned this. The fact that there are two status groups for women in Samoa – the sisters and the wives – also influenced domestic violence. *Wives* had no rights in their husband's village and were expected to serve their husband's family, just as he did. They were and are a highly vulnerable group.

Reports were that there had been a weakening of the family support systems in these rapidly changing times and, in turn, an increasing reliance on the police and legal systems. Urbanization was associated with unemployment, extreme overcrowding and poverty, new forms of recreation (as alcohol and drugs) and, increasing crime and disorder. The opening up of government lands for sale had seen the growth of quarter acre freehold settlements, where families lived 'outside' the extended family support systems for much of the time. Beliefs were that this group were tending to rely more and more on the police to resolve disputes.

In terms of domestic violence related agreements, Samoa has ratified and made its first report to CEDAW; the Millennium Development Goals (MDG); The Convention on the Rights of the Child (CRC); The Pacific Plan and Pacific Women's Platform of Action (PPA). The PPA sets out specific policy and programme level domestic violence aims, activities and indicators. A National Policy on Women is in draft form. The preparation of a draft Domestic Violence Bill is a major achievement in acknowledging that domestic violence is a criminal action to be dealt with through legal processes.

### **Section 1: Police attitudes, policies and practice**

There was little police data on the extent and nature of domestic violence in Samoa. A Domestic Violence Bill – a draft of which was in circulation for comment during the review period – should address this situation. However, while the Bill represents a huge step forward

there is compelling evidence that the implementation of the Bill will require an on-going and multi-levelled education campaign about domestic violence both for the police and the public. For example, while a small group of police did not condone domestic violence, a significant number of police did not see this to be a police or legal matter. This was an issue to be resolved by the family and village systems. Serious incidents of physical abuse and sexual abuse were the exception here. Little difference between male/female opinions was found, although older staff said they had been guilty of this 'in the past'. This range of attitudes is not surprising given that domestic violence was not in the training curriculum for new recruits or in-service training at the time of the review. All police said they would welcome training in domestic violence and that this should not be confined to members of the Domestic Violence Team. The urgency of education and training in domestic violence is being addressed. Domestic violence training was carried out by the RRRT in the month following the review and police staff attended a training of trainers' course in New Zealand in readiness for implementing the *Reducing Domestic Violence in the Pacific* curriculum.

While most police believed domestic violence had increased and that there was 'more reporting today' there were differing understandings as to why this was so, including whether domestic violence was more a rural or urban phenomena. Increases were attributed to factors such as NGO efforts (women now have more information about their rights); an erosion of family values and respect; the effects of alcohol; and the influence of 'outside' ideas. Police seemed to spend considerable time trying to resolve domestic violence complaints through discussion and counselling 'on the spot'. This was difficult for many who said 'we do not have counselling training'. Many also expressed impatience when 'women complain and then withdraw' charges. There was less understanding of the factors which influenced women's actions, or of women's right not to be hit. It was found that apart from higher level staff, few police had heard about the draft Domestic Violence Bill, or about CEDAW or other human rights declarations to which Samoa is party. And yet, police were very open in our discussions and eager to learn about this and other development issues. Access to this kind of development information and discussion is a vital component of police training.

A number of strategies already in progress under the PPDVP will assist put in place more sensitive, knowledgeable, accountable and transparent systems for reporting, investigating and tracking domestic violence cases. These include the setting up of the Domestic Violence Team and training for this team; setting aside a private room for domestic violence related interviews; and the introduction of computerized systems to record and track cases right through to the court systems. Stronger relationships with justice and legal staff will ensure the systematic downstream tracking of cases. A highlight of the review was the strong and vocal stand which judges are now taking against domestic violence, both in their dealing with these cases and media statements.

Partnerships with government departments and NGOs working in this field can play a huge support for the PPDVP. This may require police to review how they see their role – as one of dealing with domestic violence offences (justice), or as a preventative educational role also. The Ministry of Women, Community and Social Development (MSCWD) indicated they would appreciate a stronger partnership with the police. In their words 'we are all going the same way and, it is good if we all say the same messages'. As outlined in the report, the MSCWD is the lead national agency for gender and violence issues and reports on national commitments such as CEDAW and the Pacific Platform of Action. The MWSCD is also more involved in research and will be lead agency in phase 2 of the Pacific Multi site project (WHO/UNFPA/SPC/Government of Samoa) planned for 2008. The MWSCD village networks of pulenuu committee (village mayors) the women's village reps (suli o le malo) and youth agencies are already engaged in domestic violence education and can provide a suitable entry point for local and national level action by the PPDVP. Making the fullest use of the Police representation on the CEDAW partnership is another strategy which could be developed. For example, at the moment the police CEDAW representative has no mandate to

report to the CEDAW committee, or to report back to the Police after meetings. Stronger alliances with the Health Department would also assist the documentation and follow up of suspected domestic violence cases tracking and reporting. The Police MOU with the Samoa Victims Support Group (SVSG) bodes well for future partnership building with NGOs



## PART 1: PACIFIC PREVENTION OF DOMESTIC VIOLENCE PROGRAMME – THE FOUR COUNTRY STUDY

This research was part of the wider *Pacific Prevention of Domestic Violence Programme* (PPDVP). The PPDVP is an initiative of the New Zealand Agency for International Development (NZAID), New Zealand Police (NZPOL) and the Pacific Islands Chiefs of Police (PICP). The programme builds on earlier NZAID and NZPOL support for domestic violence prevention in the Pacific. Feedback from earlier programmes indicates that while the assistance was well received, there was a need for more consistent and on-going support. The initial programme duration is five years.

The long-term goal of the PPDVP is “a safer Pacific free from domestic violence”. Its primary focus is building the capacity of Pacific Police services to prevent and respond effectively to domestic violence. The programme involves components at both the regional and national level. At the regional level, all Pacific countries are invited to participate in a range of training, networking and information sharing activities. At the national level, the programme is working more intensively with four Pacific countries - Samoa, Tonga, Cook Islands and Kiribati. Here it is providing on-the-ground sustained support for the development of Police domestic violence policy, strategy, action plans, systems and training programmes. Specific objectives are:

- i) To increase Pacific Police capacity across the region to prevent/respond effectively to domestic violence and to develop and maintain effective partnerships through regionally coordinated programmes.
- ii) To increase Police capacity in Samoa, Tonga, Cook Islands and Kiribati to prevent/respond effectively to domestic violence through national level programmes.
- iii) To develop and maintain effective partnerships between Police and relevant government agencies, non-governmental organisations (NGOs), churches, community leaders/organisations to prevent/respond effectively to domestic violence in Samoa, Tonga, Cook Islands and Kiribati.
- iv) To support the development of appropriate legislation on domestic violence and training for the judiciary/legal profession in Samoa, Tonga, Cook Islands and Kiribati.
- v) To support development of appropriate national policy on domestic violence and incorporation of appropriate actions in national development plans, in Samoa, Tonga, Cook Islands and Kiribati.

To a large extent, programme aims at the national level are addressed through the work of part-time country mentors. The mentors, who were appointed from within NZ Police, were each assigned one country and are deployed twice-yearly.

### Research aims and terms of reference

The research adopted the definition of domestic violence used by the PPDVP: that is, “violence against women by a partner or spouse”. The study had two main components. The first centred broadly on Police understandings of and responses to domestic violence. The second component had multiple strands, covering government, NGO and community understandings and responses. The terms of reference (TORs) for each component are set out in Table 1.

**Table 1. Terms of reference for the research**

<b>POLICE ATTITUDES, POLICY, PRACTICE</b>	<b>GOVERNMENT, NGO AND COMMUNITY ATTITUDES AND RESPONSES</b>
Current specific levels of domestic violence reported to police	Current and historical levels of domestic violence reported to the key non-government agencies (women's crisis/refuge organisations)
Current policy, protocols and general processes and procedures (including record keeping) for dealing with domestic violence	Some assessment of the prevalence of domestic violence using the available Police and non-government agency data, and data available from other agencies, including the United Nations
The current state of Police prosecution of Domestic Violence including levels of case withdrawal, levels of prosecution against reporting and the overall number of offenders being held accountable for their actions	Broad trends in victim attitudes towards domestic violence and reporting to the Police
Any history of change around Police domestic violence practice	The policy and other contribution of key non-government agencies to dealing with and reducing domestic violence
Current Police leadership practice around domestic violence	A general assessment of levels of social acceptance and cultural tolerance towards domestic violence
Police attitudes and perceptions of domestic violence, including attitudes to dealing with complaints, prosecutions, offenders, and holding offenders to account. Police views on traditional cultural attitudes towards domestic violence and views of Officers regarding traditional local or village approaches towards dealing with domestic violence.	Current government policy and practice arrangements directed or associated with domestic violence
Police attitudes and perceptions towards Police Officers as domestic violence offenders	The current state of legislative arrangements in relation to domestic violence, including compliance with international covenants and conventions (CEDAW)
Current policy and practice arrangements for dealing with Police Officers as domestic violence offenders	The current state of any alternative approaches (village justice) to domestic violence
The current state of Police domestic violence training	Provide brief overview of nature and extent of systems in place for (a) reporting and (b) sharing information on medical and death records relating to domestic violence
The state and recent history of Police partner relations	The attitudes of key religious organisations towards domestic violence

The broad aims of the research were to:

- establish what data were available in each country;
- try to assess the extent of domestic violence and people's responses to it; and
- engage agencies and communities in reflection on domestic violence.

The research was also expected to provide a key awareness-raising tool for politicians, community leaders and communities. Because it was conducted in the first year of the programme, the findings should serve as a benchmark to measure the performance and effectiveness of the PPDVP.

## Our approach and methodological framework

We saw it as important to employ a Pacific research framework (see Anae, et al 2003; The Health Research Council, 2005). This gives priority to relationships and informed community participation to ensure ‘meaningful engagement’, relevance, validity and ownership of the research process and outcomes.

The first feature of the team strategy was its emphasis on partnerships. To achieve maximum involvement and sharing of ideas, we partnered one national NGO throughout the planning and implementation of research activities. This had the dual aim of empowering Pacific communities by fostering enquiry and debate on domestic violence, and consolidating on-going partnerships for future PPDVP activities. Partner NGOs were given an honorarium in acknowledgement of their expertise and support.

- In the Cook Islands the NGO partner was Punanga Tauturu Inc; in Kiribati it was the Kiribati Association of Non-Governmental Organisations; in Samoa it was Mapusaga o Aiga; and in Tonga the NGO partner was the Centre for Women and Children. These partnerships proved an invaluable strategy, ensuring knowledge sharing, ‘open doors’, relevance and ownership of the information, as well as downstream sustainability gains.
- The team also built on the work done by the PPVDP mentors. We worked closely with the mentors to develop the research approach and timeframes. This included, where possible, coinciding the fieldwork with the mentors’ in-country deployment. Again there were wonderful mutual benefits in this strategy. In Kiribati, the researcher worked with the mentor for the duration of the fieldwork. In the Cook Islands, the researcher worked with the mentor for one of the two weeks of fieldwork. For Samoa, the mentor provided key documents and information for the review. On-line support was received from the Tonga mentor.

Secondly, our approach was premised on the understanding that no single research strategy would fit the four countries: that, although there might be commonalities of experience, local domestic violence-related perceptions and practices would be influenced by factors such as physical, economic, social and cultural norms, and the nature of colonial and post-colonial influences, including access to education, IT, increasing aspirations and new recreations, poverty related factors and integration into global networks. There were likely to be differences in:

- customary views of domestic violence and ways this should be addressed;
- the strength and capacity of domestic violence local movements, such as NGOs;
- police capacity and policing, law and justice systems;
- physical constraints, including the way in which the spread of the islands which make up Kiribati, Cook Islands and Tonga influences people’s knowledge of laws and access to policing systems and/or justice; and
- national commitments and understandings of regional and international agreements such as CEDAW and the Pacific Platform of Action.

Thirdly, it was important to keep in mind that findings were set against a context of rapidly changing times. Clearly, the interplay of different views on domestic violence – both traditional and legal, for the police and the community – would feature strongly in this review.

Finally, we saw the review as both a data collection and an education and advocacy exercise for domestic violence and related issues and this proved accurate. Each interview was almost an awareness raising exercise on domestic violence, CEDAW and related issues.

Preliminary findings were that each country had a significant resource base of knowledge and expertise. For example, each had participated in training provided by agencies such as the Fiji Women's Crisis Centre or the United Nations Pacific Regional Rights Resource Team (RRRT) project. This meant that domestic violence was likely perceived under a 'human rights framework' in addition to the 'Safer Pacific Free from Domestic Violence' framework of the PPDVP. Table 2 shows the main global and regional gender equity commitments and national responses to these. Samoa's draft Domestic Violence Bill was in circulation at the time of the review.

**Table 2. Global and regional gender equity commitments**

	CEDAW*	Pacific Platform of Action for Women (PPA) SPC**	Pacific Plan Pacific Islands Forum Secretariat (PIFS)***	Millennium Development Goals (UN)
Cook Islands	1 <sup>st</sup> report (2006)	X	X	X
Kiribati	1 <sup>st</sup> report overdue	X	X	X
Samoa	1 <sup>st</sup> & 2 <sup>nd</sup> report (2005)	X	X	X
Tonga	Not yet ratified In discussion	X	X	X

\*Focus on gender equity and human rights.

\*\*See especially: Goals 2.1 (Elimination of all forms of discrimination against women) and 2.3 (To eliminate sexual and family violence).

\*\*\* Initiative 12.5 of the Pacific Plan emphasises a commitment to ratify international and regional human rights conventions, covenants and agreements such as CEDAW.

The fieldwork was carried in two-week blocks, in October and November 2006.<sup>1</sup> Each researcher visited two countries.<sup>2</sup> Because of the geographical spread and remoteness of many islands in each country, the research was conducted predominantly in urban locations or a central island. The findings may not be applicable to rural regions or outer islands.

The research required a multi-method strategy. Briefly, the main methods were:

- Literature review of published and unpublished research.
- Collection and analysis of data recorded by Police, NGOs and other agencies.
- Overview of government legislation, policies and practices.
- Analysis of media reports of domestic violence (e.g., newspaper reports).
- Qualitative methods such as focus groups and in-depth interviews with key informants.
- National stakeholder meetings, including review of materials collected.

Although we aimed to collect statistical data wherever possible, we anticipated that the information would vary greatly in accessibility, coverage and quality. Qualitative methods were also appropriate, given that a major research focus was identifying attitudes to domestic violence. We recognized that the topic had only recently been acknowledged as a Pacific development issue and that understanding the cultural and social underpinnings of domestic violence in the four countries required extensive discussions with a broad group of actors. Pacific research highlights that face to face communication is more appropriate and yields richer data than paper and pencil instruments or survey methodology.

1 Ethics approval was given by the Victoria University Human Ethics Committee: No 120/2006.

2 The project leader, Peggy Fairbairn-Dunlop, went to Samoa and Tonga. Denise Lievore went to the Cook Islands and Kiribati.

While we established general guidelines for the research process, data collection methods varied somewhat across the four countries. The methods were finalised after the researchers arrived in the country and based on the advice of local Police and NGO partners. Tables A1 and A2 in Annex A set out the general framework.

### The four country reports

We believed that the term ‘domestic violence’ would be recognised in the four project countries. However, we anticipated that we might find different understandings of what it comprises, and how it should be dealt with, according to differences in the four countries’ socio-cultural values, beliefs and attitudes to do with roles and place, and post-colonial and recent history. We felt that women’s vulnerability to violence in a given country might also vary in terms of factors such as age or urban/rural living. Similarly, we felt that while there were likely to be some commonalities in legislation, policy and practice responses to domestic violence, there would probably also be differences. Given these and other socio-cultural and structural differences among the project countries, we concluded that it would be challenging to draw the data together in a reliable and rounded assessment of the extent and nature of domestic violence across the four countries, and the policies and programmes to address it.

As a result, the analysis and report comprise four national case studies. The case studies provide a snapshot of social and organisational understandings of and responses to domestic violence at the time of the research. The reports attempt to portray as accurately as possible the views and perceptions of those who participated in the research. Due to the exploratory and largely qualitative nature of the research, we cannot be certain that the views of participants are representative of the wider population. However, there were consistent themes emerging from interviews with individuals from different sectors, particularly in relation to issues such as structural gender inequalities and attitudes to dealing with domestic violence. The findings also tend to concur with previous research or reports from international development agencies, where these have been done.

Each country report comprises two main parts with the second part covering two sections. Part 1 has set out the background to the study. Part 2 discusses relevant contextual factors in the specific country. This covers information such as local understandings of gender, family, and community, to the political context at the time of the research.

Section 1 of Part 2 covers Police attitudes, policy and practice in relation to domestic violence. The section is organised around the 10 Terms of Reference (TORs) in Table 1. The sub-sections raise points for discussion or further consideration. The information in this section is mainly derived from interviews with Police Officers. Section 2 follows the same format. It covers the second set of 10 TORs, relating to government, NGO, and community attitudes and responses to domestic violence. The information is mainly drawn from interviews with community stakeholders.

## PART 2: THE SAMOA STUDY

The Samoa review was carried out from October 16 to 27, 2006. The Police Commissioner was out of the country at the time of the review and so leadership was provided by the Deputy Police Commissioner and the newly appointed staff of the Domestic Violence Team (Community Policing Unit). Their support is acknowledged with appreciation as is that of the Mapusaga o Aiga (MOA), which was the partner NGO for this review. Appreciation is also expressed to the Minister of Women, Community and Social Development (MWSCD), CEO, and staff, especially for their agreement to include a discussion on domestic violence in the monthly meeting of the Government Women's Representatives (GWR).<sup>1</sup> The Samoa Victims Support Group valuable role in this review is also noted.

Data collection included a literature review, group and individual interviews with members of the police, government agencies (such as Justice, Women and Community Development, Internal Affairs, Health) NGOs and key informants, including a former Police Commissioner. Group meetings were also held with the Lotofaga Women's Committee to gain a rural perspective on domestic violence and related issues and the reviewer attended the monthly meeting of the Government Women's Representatives. A newspaper review brought the added perspective of whether and how domestic violence is being reported in the media. A diary of review activities is in Annex B and a list of people consulted in Annex C.

Figure 1. Samoa



Source: <http://worldatlas.com/webimage/countrys/oceania/lcolor/wscolor.htm>

<sup>1</sup> Suli o le malo (Government Women Representatives). This national committee comprises women representatives from each village. It was established in 2005 and is the women's equivalent of the Pulenuu (village mayors) network. Like the pulenuu, the GWR are the on the ground mediators between government and village programmes and policy level action. They receive a small honorarium.

Samoa comprises the two large islands of Savaii and Upolu (separated by a one hour boat trip) and a group of smaller islands (Figure 1). Over three quarters of the population live on Upolu, the majority in Apia the government, commercial and administrative centre. The main police station is located in Apia, however reports were that most families are within two hours access to a police sub-station.

### Village systems and justice issues

Despite the establishment of national government systems and legal laws, Samoa is known for the endurance of the traditional ways, central to which is the extended family system. The extended family units – which make up the villages – have never been totally replaced by legal systems and processes. Village jurisdiction was reinforced in the Village Development Act of 1991.

Briefly, the two main village institutions in the Samoan village are the council of chiefs (fono o matai) on which every family is represented by their family matai (chief) and the women's committees, which most women join once they leave school. The village councils play a major role in ensuring village development and family security including for example, domestic violence matters. Women's committees traditionally had responsibility for activities such as health, education and hospitality. There are two status groups for women in the faaSamoa, the sisters – the highest status group and protected by their brothers – and the in-marrying wives, considered to be the lowest status group. Wives have few rights in their husband's village and are expected to serve their husband's family, just as he does. They were and are a highly vulnerable group.

Although women have equal rights with male heirs to be chiefs, it is more usual for males (brothers) to hold this post. Estimates are that over 90% of chiefly titles are held by males, and as a result the village councils are largely male. There are tensions between customary and legal laws in these transition times, chief of which are questions of whether domestic violence is a family matter or a criminal offence to be dealt with according to legal laws and processes. In many cases both avenues are used. Noted also, is that a presiding judge will take into consideration whether customary reconciliation processes (ifoga)<sup>1</sup> have been observed. The customary processes for dealing with complaints, such as domestic violence, are set out in the Samoa Human Development Report (2006: 156)

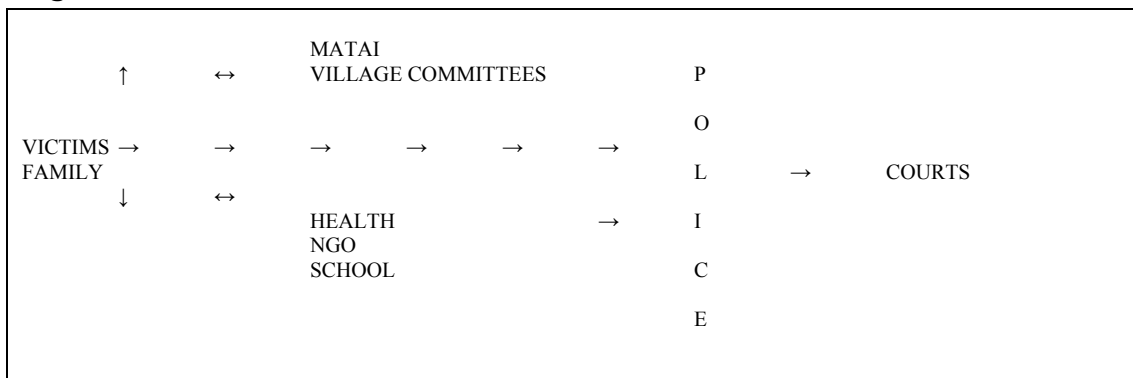
*...Disputes that cannot be settled at the family level are brought before the fono whose responsibility is to try and solve them by first examining the cause of the dispute, identifying the people in the wrong, then either reprimanding or punishing the culprits. Village punishments can range from cash (given to the fono to fund various village projects) of any amount between \$50T and \$T500; demanding the family of the culprit provide food for the village, suspending the culprit from participation in village affairs or expelling the culprit from the village for a specific time or indefinitely. The kind of punishment and severity depend on the seriousness of the offences and is determined by the fono collectively.*

If satisfaction is not gained at the village level, cases may be taken to the police. However, this is often not seen to be a good step, because it implies that the village council is weak and because airing these matters 'outside' may result in shame to the village. In some villages, taking cases to the police is banned and families/persons taking this action have been ostracized by the village.

Figure 2 sets out avenues for redress for domestic violence victims. This includes the possibility of going directly to the police which is becoming more common in town areas especially.

<sup>1</sup> The *ifoga*, in the accepted path to reconciliation and forgiveness in the faaSamoa. In the ifoga the perpetrator's family offers gifts of fine mats (or other goods) to the victims' family.

**Figure 2. Avenues for redress for domestic violence**



Source: adapted from Sumeo (2004: 133)

### Police systems

The Police Ministry does not have the resources to establish fully operational and equipped outposts throughout the country. As reported also, the police service is being seriously depleted as the ‘best and most experienced staff’ opt for service in the UN Peace Keeping Forces. This ‘reality’ emphasises the importance of the village systems: in some cases village laws are the only justice systems many people know about. In fact, a former Police Commissioner stressed that village councils were an ‘invaluable support to police’. He added, that ‘realistically, the limited number of police to enforce law in the country requires the assistance of the fono to enforce, provide protection and security in villages’.

### National Domestic Violence Markers 1980-2006

Major domestic violence related markers are set out in Figure 3. First is Samoa’s signing of CEDAW in 1991 and report back in 2005. (The UNDAW recommendations which Samoa will address in the next CEDAW report are discussed in section 2 of this report). Samoa is also party to the regional women’s mandate – the Pacific Platform of Action (1995 and 2004 revised)<sup>1</sup>. Second are Samoa’s two major domestic violence studies: the first by the Mapusaga o Aiga NGO (1996); and the second coordinated by the Ministry of Women (Pacific Multi-site project, WHO/UNFPA/SPC/GOS). Phase 2 of the Pacific Multi-site project will begin in Samoa in 2008. Third Figure 3 highlights the significant contribution NGOs are making to domestic violence related training, research and advocacy work and a fourth and mighty achievement is Samoa’s development of a Draft Domestic Violence Bill which was circulating at the time of the review.

Police achievements include the recruitment of a Domestic Violence Team (Community Policing Section) and domestic violence rooms both under the PPDVP and the introduction of computerised record keeping systems under the AusAid/ISP ‘Safer Samoa’ project.

<sup>1</sup> See Annex E for the Domestic Violence related policy and programme objectives and strategies outlined in the Pacific Platform of Action (SPC) The Human Resources Unit of the SPC provides technical support to gender/ women programmes. It is also the regional focal point for CEDAW.



**Figure 3. Key national domestic violence markers (1980-2006)**

Agent		Domestic Violence Outputs
MINISTRY OF WOMEN (MWA Act '90 Amendment Act 1998) 2005 - Becomes Ministry of Women Community and Social Development (MWCSD)	1991 - National Mandate for Action 1991 - Ratify CEDAW (1991). Global mandate 1995 - Pacific Platform of Action for women (PPA) and 2004 Revised PPA	Samoa Draft National Women's Policy (reference to DV) Samoa report back to CEDAW (2005). UNDAW report indicates action needed here Domestic Violence goals, policy and programs
NGO	1993 - Mapusaga o Aiga (MOA) established Research Advocacy, Training	Research report (1996) RRRT staff post at MOA Networks with Fiji Women's Crisis Centre
	National Council of Women 199, Tetee Atule sasa ma upu malos, Child abuse	Research and training on violence issues. Data, Training, awareness raising, media advocacy.
	Samoa Victims Support Group established 2005	MOU with the Samoa Police Dept Safe house established (2006)
NATIONAL REPORT	1988 - Samoa Govt/ UNDP - A Situational Analysis of Human Development (GOS)	Discussion and 2 Tables on domestic violence
RESEARCH	Mapusaga o Aiga (NGO) Domestic and Sexual Violence Against Women in Samoa 2000 - UNFPA/SPC/Govt of Samoa - Pacific Multi-site Study of the Effects of Violence Against Women on Family Health and Safety	Report 1996 Report published 2003
POLICE	1980s - Commissioner of Police attended a Commonwealth Secretariat seminar on Domestic Violence. Other pacific attendees are PNG and Solomon Islands 1990s - Female Police officer collates DV data.	Proposal to Government to enhance police training including Domestic Violence. Unsuccessful NGO seminars using this data
	2004 - AusAid/Institutional Strengthening project (ISP) - Safer Samoa Project	Community based policing IT systems for record keeping
	2006 - PPDVP - Recruitment of DV team	Rooms in progress
	2006 - Attorney Generals Office	First draft of Domestic Violence Legislation circulated
	Ministry of Justice (?)	No-drop policy introduced

### Changing times

Despite the endurance of the faaSamoa, these times of rapid social and economic change are seeing:

- changes in the ways families organise, including increases in marriage break-ups and an increase in solo headed households – a group which is globally recognised to be vulnerable to poverty and domestic violence;
- rapid urbanization and the growth of peri-urban quarter-acre settlements where families are living 'outside' the influence of the traditional village systems and reportedly 'more reliant on the police for protection';
- new ideas and aspirations through education, travel, the rapid expansion of technology (television, DVD, texting and email, for example) and new recreations such as alcohol and drugs. Many stressed that alcohol was the key factor in domestic violence in both urban and rural areas; and
- more awareness of rights issues as through CEDAW and gender equity training; the CRC; NGO advocacy and research and media reports.

## SECTION 1: POLICE ATTITUDES, POLICY AND PRACTICE

### Current specific levels of domestic violence reported to Police

Current specific levels of reported Domestic Violence cannot be determined given the existing classifying categories. Perpetrators of domestic violence are charged under the *Crimes Ordinance* (1961), under three categories of Common Assault (s78), Grievous Bodily Harm (s79), and Actual Bodily Harm. Police pointed out that cases listed under other sections of the *Crimes Ordinance*,<sup>1</sup> such as wilful damage, throwing stones and alcohol related incidents, often involved ‘some’ domestic abuse.

The most up to date data of reported domestic and sexual violence is for the years 1990-1995 (Table 1).<sup>2</sup> Between 127 and 162 cases were reported annually for this period, with the lowest numbers in 1992. Most cases were in urban areas (Apia and N-W Upolu) with lower numbers in rural Upolu and few reported cases in Savaii. Physical violence cases outnumbered sexual violence by around 7.5:1.

**Table 3. Reported crimes against women, type and place of crime: 1990-1995**

CRIME	1990	1991	1992	1993	1994	1995
Total Crime	491	358	297	379	404	384
Total Sexual Violence	49	54	41	57	45	51
Apia Urban	21	20	9	14	13	15
N-W Upolu	19	22	21	30	13	21
Rest of Upolu	8	12	9	10	18	15
Savaii	1	0	2	3	1	0
Total Physical Violence	342	304	256	322	359	333
Apia Urban	161	131	154	149	162	127
N-W Upolu	121	119	77	102	133	137
Rest of Upolu	60	52	23	64	57	66
Savaii	0	1	1	7	7	3

Source: Samoa: A Situational Analysis of Human Development, Government of Samoa & UNDP

Police estimates were that there were ‘perhaps five or six cases of domestic violence reported per week’ at the Apia station and around one or two at the rural outposts. In one week of the review period, one case was reported to General Policing (this was alcohol related) and none was recorded at the Aleipata outpost. A female victim assured an NGO that she had lodged a complaint with the police that week, but this was not listed in the Apia data. While this matter was not pursued, it does reinforce the value of police-NGO communication systems/discussions to capture any variances that may occur.

### Reporting

Research findings are that 5% of women in Samoa report incidents of violence to the Police.<sup>3</sup> This supports Police views that domestic violence is ‘probably underreported’. Police views were that increased reporting was a direct result of NGO training. NGOs, on the other hand, said that women had a lot to learn about the laws of the land and the policing systems. They highlighted the tremendous amount of learning and attitude change ‘which it takes for victims even to get to the stage of making a complaint’:

<sup>1</sup> See the Offence Yearly Summaries (2003-6), Police Department.

<sup>2</sup> Note: this data was collated manually from paper files.

<sup>3</sup> Ibid.

*First, is the challenge of convincing victims that it is not their 'lot' to accept being hit and that women can do something about this through appealing to the laws of the land. Second, we spend a lot of time educating women in how to make a complaint for them to learn the systems and processes. In most cases they won't go alone...we go with them and support them through. Then, what happens? Sometimes we get a policeman who doesn't take the complaint seriously! (NGO)*

Police comments were that they often tried to facilitate a 'reconciliation', which could be termed the traditional way, rather than take a complaint further:

*We 'try to settle things down and make things right'*

*We are the last resort. They try within their families, their villages, their pastors. If nothing else works, then we are the last resort.*

The question of whether resolving conflicts is or should be a police role was raised, and whether police had adequate training for such a task. There are also questions as to how many of the cases listed under 'No Offence - resolved by police attendance' in the Offence Yearly Summary report (see Table 4) refer to domestic violence.

**Table 4. Cases resolved by police attendance 2004-6**

	2004	2005	2006
Total offences listed (N)	730	4425	2823
No offence, resolved by police attendance	86	456	398
Ratios	1:8.5	1.8	1.7

*Source: Offence Yearly Summaries (2004-2006)*

#### **Current Police policy, protocols and general processes and procedures (including record keeping) for dealing with domestic violence**

Different understandings of the protocols and processes for dealing with domestic violence offenders were related to the reviewer. The following were the common factors:

- All incidents relating to domestic violence present at the General Policing front desk along with other complaints. This is a public space, open to the view of other police staff and the general public. As reported, cases may be taken to a side room to complete interviews, but this is not always the case. Anecdotal reports are that officers may take statements from offenders, victims and other witnesses in this same large public room.
- Complaints are treated by the General Policing staff on duty, who may not have training in domestic violence. For cases involving children, the CIB attempts to have a female officer interview the child, but this is not a routine practice.
- The General Policing staff review the evidence and prepare a case report.
- Statements are recorded in writing by the interviewing officer and in summarized form rather than word for word. Statements are often translated into English so as to enable any judge who may sit at an appeal case access to information (Sumeo: 2005). The translated version contained in the files is checked and signed by the police. Sumeo (2005:156) has noted that there are slight discrepancies between some Samoan statements and their English translations.
- Case notes are filed by the different sections as these cases progress through the system. Within the different sections, responsibility for incoming/ outgoing files is not clearly delineated or defined.

It is not unusual for files to be lost and/or misplaced. This laid police open to public charges of sloppiness and police ‘not knowing their job’ and to criticisms that police might be deliberately interfering with the course of justice. A mother related to me her total anger and frustration when her daughter had had to retell her story (of abuse) three times over the course of three days to different police staff because ‘they couldn’t find the notes and it was never the same team there to talk to’.

### Changes

A Domestic Violence Team has been recruited under the PPDVP and staff training is in progress. Interview rooms for the team are being allocated in the old police station when the new police station has been constructed.

The IT specialist (AusAid ISP) has been working on computerizing the police systems. Complaints are now entered directly into a computerized record keeping system which is located in a separate room next to the General Policing desk. The system cannot be tampered with. Each case is numbered and key coded for cross reference (name, case, number). The IT specialist is also trying to work out a system which will ‘alert’ police that domestic violence may be involved, as for example, in alcohol related cases or robbery. Ideas include: the use of colour coded sheets; the addition of a column for domestic violence in the generic complaint form, and placing a small box in the corner of the complaint sheet for police to tick. The IT specialist sees the box strategy to be ‘quick’ (so police will do it) and non-threatening, i.e. police are only flagging that a case warrants further study. The computerized systems and the ‘tick box’ will facilitate the reporting and tracking of domestic violence cases within the Police Department and through to the justice and courts.

A draft Victim Impact Report Interview Guide: Offences involving injuries (2006) has been prepared. This includes question prompts which police can use, such as: (what is) the extent and nature of physical, emotional harm; the likely financial costs associated with the injury; and whether reconciliation processes have been followed. These are an invaluable educational tool – and remind police (and victims) of the wider and often hidden impacts of domestic violence.

**The current state of Police prosecution of domestic violence including levels of case withdrawal, levels of prosecution against reporting, and the overall number of offenders being held accountable for their actions**

Systems for prosecuting and tracking domestic violence cases are not efficient or effective internally (between police sections) or with the court systems<sup>1</sup>. Data on the state of police prosecutions – set out in Tables 5, 6, 7 and 8 – was manually collated.

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<sup>1</sup> The police systems were described as a ‘series of compartmentalized areas of responsibility (and action) and /or a ‘silo’ approach’.

**Table 5. Charges laid at Supreme Court (N), type of offence 1990-1995**

Crimes	1990	1991	1992	1993	1994	1995
Total Crimes	27	19	66	44	31	36
Total Sexual violence	22	18	58	41	30	36
Rape	13	7	20	15	6	8
Attempted Rape	-	1	2	6	1	3
Incest	1	-	5	3	3	3
Intercourse with girl under 12 years	-	-	3	1	5	2
Indecency girl 12-16 years	1	2	7	4	7	10
Intercourse/ indecency with girl 12-16 years	5	7	19	11	8	10
Indecency assault women over 16 years	2	1	1	1	-	-
Total Physical Violence		1	8	3	1	-
Common Assault	3	-	4	2	1	-
Grievous bodily Harm	1	1	1	1	-	-
Actual bodily harm	1	-	3	-	-	-

Source: Samoa: A Situational Analysis of Human Development, UNDP (1998)

**Table 6. Number of convictions, Supreme Court, type of offence, 1990-1995**

Crime	1990	1991	1992	1993	1994	1995
Total crimes	19	15	40	29	17	10
Total sexual violence	17	14	36	27	17	10
Rape	10	6	11	8	4	2
Attempted rape	-	-	2	6	-	-
Incest	1	-	4	2	3	1
Intercourse with girl under 12 years	-	-	2	1	1	2
Indecency with girl under 12 years	1	2	5	3	1	2
Intercourse/ indecency girl under 12-16 years	3	6	11	6	8	3
Indecency assault women over 16 years	2	-	1	1	-	-
Total physical violence	2	1	4	2	-	-
Common assault	-	-	1	1	-	-
GBH	1	1	1	1	0	-
Actual bodily harm	1	-	2	-	-	-

Source: Department of Justice, cited in MOA (1996:45)

**Table 7. Withdrawals/dismissals of charges (N), Supreme Court, 1990-1995**

Crime	1990	1991	1992	1993	1994	1995
Total crimes	8	4	26	16	14	26
Total sexual violence	5	4	22	14	13	26
Rape	3	1	9	7	2	6
Attempted rape	-	1	-	-	1	3
Incest	-	-	1	1	-	2
Intercourse with girl under 12 years	-	-	1	-	4	-
Indecency with girl under 12 years	-	-	2	1	6	8
Intercourse/ indecency girl under 12-16 years	2	1	8	5	-	7
Indecency assault women over 16 years	1	1	1	-	-	-
Total physical violence	3	-	4	2	1	-
Common assault	3	-	3	2	1	-
GBH	-	-	-	-	-	-
Actual bodily harm	-	-	1	-	-	-

Source: Department of Justice, cited in MOA (1996:45)

As seen, sexual assault was more often reported and taken through to prosecution than physical assault perhaps because: a) there are specific ordinances dealing with sexual crimes, or; b) that police have stronger feelings about sexual violence being a ‘criminal act’ whereas physical assault is not. Table 7 does not differentiate between withdrawals and dismissals of charges.

Table 8 data on convictions for non-sexual assault on children up to 18 years of age was compiled from a review total of 60 files which the researcher estimated to be ‘approximately a third of all convicted cases between 1996-2002 (Sumeo 2005: 156). Given the age range, we can assume that some of these cases belong in the domestic violence category.

**Table 8. Convictions, non-sexual assault on children (<18 years), 1996-2002**

Charge	1996	1997	1998	1888	2000	2001	2002
Assault	7	9	9	6	5	6	6
GBH	0	0	0	1	0	0	0
ABH	0	0	0	0	0	2	1
Manslaughter	0	0	0	2	0	0	1
Infanticide	0	0	0	0	1	0	1
Other	1	0	0	0	0	2	1
Total	8	9	9	8	6	10	10

Source: Sumeo (2005, Table 5)

### Withdrawals

In the past, if a woman wished to withdraw a case she was required to sign a form saying she understood the implications of this act (*Personal Communication*. Former Police Commissioner). The reviewer was unable to ascertain if this system was operating at the time of the review. It was noted that ‘severe’ acts of domestic violence were not permitted to be withdrawn but were passed directly to the CIB for investigation.

Samoa’s CEDAW report noted that courts had adopted a no-drop policy and as a result were dealing more severely with cases of domestic violence. There was some confusion on this point. Some police had heard about a no-drop policy, but the majority interviewed had not. One view was that the no-drop policy had resulted in ‘less reporting today’.

*Women don’t want to report because they know that once the process starts they will not be able to withdraw (Police officer).*

Anecdotal reports were that victims withdrew complaints for a variety of reasons such as: (they) did not want their husbands to be locked up (once women’s initial anger subsided) and fears for family income. Police said:

*We have to make the call whether to go further. We listen and we watch. Then we try to decide what to do. But if the woman says not to – then we have to go with that.*

### Integrated systems

The introduction of tracking systems which will enable a case to be followed from complaint, through investigation to prosecution, are a priority. The alignment of the police computerised reporting systems with the courts and justice systems would be another way of facilitating this necessary process.

Government has recognised the need to deal with legal infringements (such as domestic violence) in an integrated and holistic way – to see the ‘whole’ picture. An informal discussion group comprising representatives from the Prime Minister’s Department, Justice, Police and the NZ High Commission began meeting in May 2006. The Secretary to Government has chaired these informal get-togethers (*Personal Communication*, NZHC).

## Any history of change around Police domestic violence practice

Some general changes in the police culture are influencing and/or have the potential to influence police domestic violence practice. These include:

### Partnerships

The Police priority has been to ‘deal’ with crimes. That police are adopting a more preventative, education focused and community based approach, is seen for example in the focus of the ISP on *Safer Samoa*, and the introduction of the Community Policing programme. Comments supporting the value of police partnerships included:

*The police cannot address this issue (domestic violence) by themselves – it’s a community and family issue (CEO, MWCSO)*

*We should make a common front (with other government agencies) and that will mean better use of resources. Also, we (all our agencies) should be saying the same message, and, the community should ‘see’ one face. That is why we should work together (Police)*

*(We are trying for a) a different image – people friendly and community based (Police)*

Police openness to NGO partnerships is seen in these actions:

- the President of the Mapusaga o Aiga (MOA) sits on the ISP project team;
- MOA has carried out domestic violence training for police on request;
- Samoa Victims Support Group (SVSG) has an MOU with the Police Department; and
- a police representative sits on the Department of Women’s CEDAW partnership (Gov-NGO partnership).

### Domestic violence training

Comments were made that the General Policing strategy – whereby all police are expected to deal with ‘every case’ – was unrealistic. The establishment of the Domestic Violence Team has signalled that: a) domestic violence is to be treated as a criminal issue; and b) is an issue that requires specialised knowledge and skills. Police interviewed said that ideally this training should be available to all police.

### Computerised reporting

The introduction of computerized record keeping is starting to address some of the glitches associated with manual/paper recording. Consideration could be given to further links such as e-connections with Justice and with other government departments such as Health. Accurate record keeping and tracking of cases will provide the necessary data to support police actions and policies and feed into national planning.

### Entry levels and training.

Reports were that policing is attracting more people with a tertiary level education. For example, almost 800 applications for police recruits were received in 2006, for the just under 40 places.<sup>1</sup> Of these applicants, a few held university degrees, a much larger number had diplomas and certificates, and the remainder were secondary school leavers.

<sup>1</sup> Reports were that 2006 was the first time places were publicly advertised.

Concerns were expressed as to whether academic qualifications were a sufficient or major qualification for police: that there were other, just as important, policing skills, including sound knowledge of custom and traditional processes. A related view was that service in the UN forces required competency in English and this might influence national training curricula – to the detriment of the faaSamoa. It was said that the opportunity to serve in UN Peace Keeping Missions had seen priority being given to training in professional standards, ethics and communication skills, and in how to deal with violence-related issues. Noted also was that those returning from service were coming back with new attitudes and skills as well as a wider perspective of the policing role.

### Women police

In earlier times, women police had been confined to administrative posts, ‘to protect them from the awful crime scenes. That is not a woman’s place’ (*Personal Communication*). Today women are very visible through all sections of policing, from General Policing through to CIB and community policing sections. Some women police, such as the former female Assistant Police Commissioner (now retired) have been strong gender equity advocates.

### Current Police leadership practice around domestic violence

Police leaders were supportive of the place of domestic violence as a criminal act within the police mandate. However, there is little evidence that police leadership saw the full implications of the domestic violence picture, or the policy and programme level actions this implied. Generally speaking, the effectiveness of the PPDVP and other domestic violence related interventions will depend on how well these can be brought together to form an integrated and cohesive set of strategies within a wider police plan of action for domestic violence. For example:

- A Police representative sits on the Government-NGO CEDAW partnership, which is the committee responsible for ensuring gender equity in national policy and programme planning. Inclusion on the CEDAW partnership is by invitation and these are extended to agencies which are strategically placed. The practice has been for a female police officer to attend these meetings: however, the same person does not attend every meeting (which would facilitate continuity and capacity building). Those attending do not have the power to make decisions; often do not have the information CEDAW partners might want and/or need and are not required to report back. There is no evidence of how, and if, information and learnings from these CEDAW partnership meetings is being mainstreamed into police discussion – or back again.
- Training Partnerships with NGOs. Police had asked NGOs to carry out domestic violence training in the past, so drawing on NGO expertise, knowledge and skills in this field. NGOs reported that more recently their offers of training assistance had been ‘mostly turned down and no reasons given’. As a result, training had tended to be ‘one off’ rather than an integrated and consolidated skill building package, firmly linked into on-going Police training programmes.
- Police MOU with the Samoa Victims Support Group. By way of contrast, the Police has entered into an MOU with this more recently established NGO. Many of the members of the SVSG are ex-police women and they have developed a really close and trusted relationship with the Police. The training the SVSG provides focuses on ‘making sure the police systems deal properly with victims of sexual and physical abuse cases’.

NGOs expressed the urgency of there being more serious police leadership and/or dialogue on domestic violence. They said:



*If the Police Commissioner and the top officers really commit to this programme and work to develop a comprehensive model for dealing with domestic violence, then all the staff will follow their lead. At the moment, this leadership is missing.*

Box 1 suggests that police leadership in domestic violence had been strong in the past.

### **Box 1. Domestic violence training workshop 1988**

A former Police commissioner said he had attended a Domestic Violence training workshop in 1988,<sup>\*</sup> the aims of which were:

*To sensitise and assist policy makers with Commonwealth police forces to recognise the importance of police training on the specific issues of violence against women and child sexual abuse*

*To develop through the course of the seven day workshop a set of Guidelines for Police training which the Women and Development programme will publish and make available throughout the Commonwealth.*

Following the meeting, he presented a proposal to the then Prime Minister to establish a Police Training academy in Samoa, with the intention that an associated curriculum review would include domestic violence. The proposal was unsuccessful and the idea had not been taken up again.

It is notable that this 1988 workshop had been envisioned by the Women and Development programme of the Commonwealth Secretariat as a stepping stone to closer relations between police and women's departments in addressing domestic violence.

<sup>\*</sup>See Commonwealth Secretariat, Guidelines for Police Training on Violence Against women and Child sexual Abuse (1988).

Strategies to ensure that the Police Commissioner and section heads have access to accurate information about domestic violence is a priority. So too, is the need for efficient in-house communication systems so that all police personnel have assured access to this information as well as a chance to debate these and other development issues.

### **Police attitudes and perceptions of domestic violence**

Information for this section was gathered from group sessions and individual interviews with commissioned staff and recruits in training.<sup>1</sup>

#### **Attitudes to domestic violence**

Domestic violence was not seen to be unusual. Some police said they had done it themselves in the past 'but not now'. Most staff and recruits' responses to whether they thought domestic violence was 'okay' (Table 7) were in the 'never' category, with a small number saying it was 'sometimes okay'. One comment featured a rights perspective.

<sup>1</sup> Three group meetings were held, with male police officers (10); women police (7), and a group of recruits.

**Table 9. Is domestic violence okay? Staff and recruit answers, by sex**

	Commissioned staff		Recruits	
	M:10	F:10	M:	F:
Sometimes	↓	3	3	1
Never		7	29	6
All the time	0	0	0	0

Three of the seven responses listed in the ‘sometimes’ category were female, which suggests these policewomen may hold what could be termed more traditional views about women’s roles and place. Despite a lengthy discussion, the male police group could not decide between the ‘sometimes’ and ‘never’ categories. Comments made by the recruits included:

*It is not our custom to hit our wives.*

*(Domestic violence) is not good for family harmony.*

*The teachings of our church are against this. God said love one another.*

*There is no point in hitting anyone: (this is) not the proper way to solve an issue.*

*We are a pair who works together for the family good – (hitting) affects the relationship*

*I don’t have a right to hit and my wife has the right not to be hit. (Rights language).*

*Because this is an offence. It is illegal in other countries.*

Broadly speaking, while police presented what could be termed the expected answer to this question, impressions were that they were not totally convinced that domestic violence was a criminal act. Group discussions were vigorous and police wanted to learn more about domestic violence and development issues generally. One said jokingly, ‘Oh. So now Samoa’s laws are being made by the UN?’ in response to a question about CEDAW.

Most believed that domestic violence has increased in recent times (see Table 10), but that this was less likely to occur in the rural areas, where the family systems ‘managed’ domestic violence disputes reasonably well. By way of contrast, in the town ‘every Tom, Dick and Harry’ (literally, people from many different families and villages) were ‘together’ and no disciplining systems were accepted by all. Changing times, new ideas and recreations such as alcohol, were frequently mentioned as factors contributing to increased domestic violence, as well as people’s lack of respect for others and a lack of education. For others, an increase in domestic violence was due to NGOs – ‘most of the women who come and report, come with an NGO... NGOs are showing them what they should do’.

**Table 10. Extent of domestic violence, staff and recruits by sex**

	Commissioned officer		Recruits		Comments
	M:10	F:10	M	F	
<u>Does DV</u>					
Happen a lot in Samoa	↓	10	19	7	More because:
Not much		0	6	0	*It is now reported
Sometimes		0	6	0	*NGOs tell them what to do
<u>Is DV</u>					
Increasing	0	10	7	4	More is reported today.
Decreasing	0	0	3	0	No stats for old days so how do we know?
The same	10	0	2	0	Village structures deal with these incidents
<u>Where more prevalent</u>					
Urban	NA	NA	13	3	Many new influences in urban areas
Rural			12	0	
Both			07	3	

### Attitudes to dealing with complaints

There was little difference between male and female views about how complaints should be dealt with. Most found it hard dealing with domestic violence incidents in a small society such as Samoa where everyone knows everyone and ‘often we are family with them’. Males said they found it difficult ‘not to take sides’. Further, that they could understand why males might hit, because women ‘often nag nag nag’. The comment was made that ‘females hit males too. Shouldn’t that be included in discussions?’ A significant level of impatience and annoyance was expressed with women who withdrew cases. This suggests a lack of understanding of the factors which make women do so:

*Women come back 3 or more times with the complaint, but then they always withdraw. It’s a waste of our time.*

*If the same woman comes x times, I won’t even fill in a form because I know she will come back again and withdraw the complaint.*

### Attitudes to dealing with prosecutions, offenders and holding offenders to account

As noted, police preferred to try to reconcile cases before these went to the charging stage. ‘Accountability’ through legal processes did not appear to be priority. During the review period, a member of the Samoa Victims Support Group called a meeting with the CIB and the Prosecutions Section, because ‘they are not doing their jobs the way they should’. She had read in that days’ newspaper a Judge’s comment that the Police had failed to provide the key witnesses to a rape case and, that if the case had been a less serious one, he ‘would have thrown this case out’. The Judge said he would give the police additional time to present the witnesses. The SVSG members had been outraged. They told me:

*We knew where the girls are. So we went to see them. They said that the police hadn’t even gone to tell them they were due to appear, or provided transport to take them to the trial.*

And so, the SVSG members conducted quite a lengthy discussion with the CIB and the Prosecutions Section about their professional duties, responsibilities and correct procedures. They had also made sure that the witnesses did appear at the rescheduled time.

### Views on traditional cultural attitudes to domestic violence

A significant number of police saw domestic violence to be a family matter to be solved within the family. Police agreed with the cultural norm that reporting such incidents to the police could ‘bring shame to the family name’ and that ‘families should be able to resolve these cases’. More concern was directed to the code of silence which surrounded sexual

violence, especially in cases involving young females. Women's right 'not to be hit' was mentioned one time.

#### **Views on traditional local or village approaches towards dealing with domestic violence**

The majority view was that traditional systems were dealing with domestic violence. Further, and related, that there was less domestic violence in the rural areas because of the leadership provided by the chiefs and more in the towns, because people there were not 'under the chiefly systems'. The importance of maintaining village and family harmony was mentioned many times: a peaceful village was the sign of a good village where the organizational systems were operating well. There was less questioning of the effects that striving to maintain the group peace might have on the individual. When probed with the question, 'what would you do if it was your sister being hit?' police replied 'I would want justice'. Generally, those questioned did not like this question being posed in terms of their own family members.

A small number questioned the fairness of the village systems in handling domestic and sexual violence cases today and mention was made of cases where the victim 'might not have got a fair deal'. The fact that most of the village council were males was seen to be an issue. However, views were that women's committees were not terribly 'good' at dealing with these issues either. Women too were concerned about family shame. It was suggested that training for village council and community members in how to deal with domestic violence issues would be greatly beneficial.

#### **Police attitudes and perceptions towards Police Officers as domestic violence offenders**

Interviews and group comments showed participants knew that police officers had been and were offenders. Incidents involving both male and female police were recounted. Younger staff appeared to be more open in discussing this aspect, while older police commented that their views about domestic violence had changed over time. A small number made comments such as 'when we deal with violence and rubbish all day every day, we can't help taking this home'. One suggested that counselling services for police would help them unburden their difficult cases before going home. There was also the suggestion that police wives needed support so they could understand the pressures their husbands faced.

#### **Current policy and practice arrangements for dealing with Police Officers as domestic violence offenders**

The Professional Standards Unit has responsibility for incidents involving police officers who violate regulations. Police procedures for dealing with police officers involved in domestic violence were 'exactly the same as for the public' – 'police are answerable to the law'. Incidents reported to the Professional Standards Unit were investigated and recommendations for proceeding with these were made to the Police Commissioner for consideration. Police action related to the severity of the case. If considered to be a minor disciplinary matter and able to be settled by action at family matai level for example, then that was the route recommended. There might be no formal charge. Other more serious cases were usually referred to and dealt with under Police Regulations, while serious cases resulted in a formal charge. In the latter, staff might be suspended awaiting the court decision. A prosecution resulted in instant dismissal from the Police. Appeals could be made at the discretion of the Police Commissioner. While these avenues were considered to be fair, comments were made that 'too much is left to the discretion of the Police Commissioner'. This view warrants further review.

### The current state of Police domestic violence training

As shown in Table 11, domestic violence is not on the curriculum of the recruit training or the in-service training programme. A small group of police were involved in the regional training (PRPI), which includes domestic violence curriculum development, and some were enrolled in USP extension courses. The table shows that NGOs, such as MOA, had carried out domestic violence related training with police groups on request. The number of these was not recorded.

**Table 11. Police domestic violence training**

Level	Domestic violence related training
Recruit training	Using old curriculum which has no domestic violence component Awaiting new curriculum which is being prepared in Fiji
In-service training	Rotation: Every police staff has training scheduled for one day every 5 weeks The regional curriculum is being used. This includes a Child Abuse unit. Some of these points have relevance for domestic violence training The NGO, MOA, has run domestic violence training for this group, but not in the past year Under the PPDVP, the RRRT officer (SUNGO) ran violence training in November 2006
PRPI training, Fiji	Trainers are involved in writing a new curriculum, which will include domestic violence issues
Independent study	Extension training Certificate in Police

The theme for the in-service training carried out in the review week was Ethics and Police Professionalism. Topics included: police power; factors influencing ethical behaviour; values, including potential clashes between traditional and statute laws; and how to make ethical decisions 'on the spot'. Each of these themes could have applied a domestic violence perspective. There are likely to be other places in the existing curricula where domestic violence discussion could be included.

None of the 10 female police in the group discussion had had domestic violence training. Two had been to an ISP workshop in the last two years which had included some domestic violence discussions. One was interested in CEDAW and knew what the acronym stood for, and eight knew about the CRC (Convention on the Rights of the Child). 'Rights' was mentioned once by this group. All group members wanted to know more about the draft Domestic Violence Bill and what this might mean for police. It is notable that the draft had been circulated to executive level staff for comment, but not to lower level staff.

Recruits were asked where they got information about domestic violence and related issues from. As seen in Table 12, television and radio rated highly and this was followed by friends and school. Police training was rated fourth.

**Table 12. Access to information on domestic violence, male and female recruits**

	F	M	Total
Radio	4	21	25
Television	6	22	28
School	3	13	16
Police Training	5	8	13
Friends	2	16	18
Pastors	-	6	6
NGOs	-	2	2
Drama/ role play	2	9	11
Other	0	0	0

*Note: respondents could give more than one answer*

### The state and recent history of Police partner relations

*As a matter of priority, we need comprehensive statistics about the frequency of domestic violence, how these actions have been dealt with and whether they are dealt with in an interdisciplinary manner – for example by the police, the judiciary, doctors, or village institutions. This research will enable us to lobby more effectively for change. (Sina Schwalger, 2004: 41) <sup>1</sup>*

Police partnerships are vital because domestic violence is a cross-cutting issue and so requires cross cutting measures. The police programme has broadened in scope to include also a preventative focus – as in the community policing programme. This reinforces the importance of police developing strategic partnerships as well as the benefits to be gained from sharing resources. There is considerable room for the Police to establish agreed-to ways of working with: a) Justice, Courts and Legal enforcement agencies; b) other Government Departments, and in particular the Ministry of Women, Community and Social Development (MWCSD), which has responsibility and considerable expertise in gender and equity policies and programmes and Health and, c) NGOs.

#### Ministry of Justice, Courts and Legal Systems

To achieve robust reporting and tracking systems, Police relations with Justice and court systems should be more regular, systematic and, ‘a matter of routine’. Agreed-to ways for working together are a priority. As noted, informal meetings are already being held with the aim of looking at law enforcement and legal issues in a holistic way. These meetings comprise representatives from the Police and Justice Ministries, the Prime Ministers’ Department, the Secretary of Foreign Affairs and the NZ High Commission. This is a start.

#### Partnerships with other government ministries

##### Ministry of Women, Community and Social Development

The policy and programme aims of the Women’s Division (WD) align with *CEDAW* and the *Pacific Platform of Action for women (PPA)* which is the regional mandate. In the 2004 government restructuring measures, the Ministry of Women (MOW) was combined with the Ministries of Youth and Internal Affairs to form the Ministry of Women, Community and Social Development (MWCSD). The bringing together of these three ‘people’ focused units offers huge potential for the PPDVP and for efforts to address domestic violence as a community, family based and male/female issue. Ministry partnerships with pulenuu (village mayors), Government Women’s Representatives (GWR) and Youth provide a natural network for domestic violence discussion and awareness raising activities in every village.

It was found that domestic violence related training is being carried out by the Women’s Division. Furthermore, at the request of the reviewer, the Ministry included a domestic violence discussion at the monthly meeting of the Government Women’s Representatives

<sup>1</sup> Sina was formerly legal ‘Rights Training officer with the MOA and RRRT.

(GWR). The reviewer prepared the questions and the discussion was facilitated by staff from the Programme and Planning department unit. A highly provocative half-hour discussion indicated that rural women are debating these issues and quite seriously. The interviewer was also invited by the Director of the Community Development Section to present at the monthly meeting of the Puleuu. Unfortunately this was scheduled for the week after the review. This could be a key entry point for the Domestic Violence Team and the PPDVP.

The Women's Ministry is also developing expertise in gender research. The Ministry coordinated the Samoa Family Health and Safety Study (2000) with SPC and UNFPA.<sup>1</sup> The Ministry is using data from this study in all its training activities (see also Section 2 of this report). It was noted that the Ministry will coordinate the second phase of the Samoa Family Health and Safety project timed to start in 2007. There is potential for PPDVP partnerships in this second phase.

The Minister and the CEO of the MWCSD both emphasized a desire for more involvement with Police in domestic violence related training especially. Mention was made of police interventions where the Women's Division could have played a part. There was a feeling that the Women's Division was often regarded 'as delivery systems and sometimes as speakers' in police activities, but certainly not as an agency with expertise in domestic violence training, research, advocacy and planning. The MWCSD had recently entered into an MOU with the Health Department 'because many of our programmes overlap and we support each other better this way'. The possibility of a similar MOU with the Police Department was raised.

### Health Ministry

Meetings were held with the CEO of the Health Department, the Head of Nursing training and the CEO Medical. Each saw the establishing of the Police Domestic Violence Team to be a major milestone and one which meant that a) Health services would 'know exactly where to report to' (i.e. a face); and b) would increase public and medical staff confidence that there was a police group with expertise in dealing with domestic violence issues and reporting requirements.

The Health Department was very interested in the IT record systems being introduced by the police. In their view, the introduction of similar systems at the Health Department would ensure a smooth flow of information between the two departments and encourage more collaboration on domestic violence issues.

Ways for Health and the Police to record and share information about suspected violence cases was also discussed. The view was that Health services probably 'identify the big ones, but there are probably quite a few smaller injuries which we may not be picking up on... are not reported or followed through'. Again, this 'gap' is a potential intervention point for the Domestic Violence Team and the PPDVP.

The CEO recounted the case of a woman who had reported falling over and hitting her head in the shower. She had died three days after being admitted to the hospital. He said 'we knew this was not an accident. But the husband and the children stood here and they all kept saying she had slipped'. After their mother passed away, one of the children had told their grandmother that the father had hit their mother because she had come home late from a church gathering. This man was now awaiting trial. In this case, the 'silence' was lifted.

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<sup>1</sup> This study involved 1646 interviews with women in the 15-49 years age group.

## NGOS

### Maposaga o aiga (MOA)

The MOA was established in 1993 by women with a concern for human rights. Its focus is domestic violence, child abuse, discrimination and related issues (MOA Strategic Plan. See also Box 2). Until 2006, the RRRT project and staff were based at MOA and provided significant training expertise and materials support to the MOA programme. In fact, the two current MOA staff were trained under this RRRT programme. The MOA networks with the Fiji Women's Crisis Centre (FWCC) which provides education and training support and policy level advice to the MOA. The MOA operates under an Executive council of nine and has a current membership of 50. Two full time staff are employed and there are a number of part time counsellors. MOA said they had had strong working partnerships with the Police in the 1990s through to the 2000s, when MOA was the only domestic violence agency. The MOA-Police relationship was not so good at the time of the review. Briefly

:

- the MOA President sits on the Police committee for ISP;
- an MOA representative sits on the Government-NGO CEDAW partnership; and
- MOA plays the key public advocacy role for domestic violence on television and print.

### Box 2. Mapusaga O Aiga goals, vision and mission

#### Goals

Promoting partnership with ECPACT and the Women's Development Committee (Komiti Tumama) and other project developments.

#### Vision

To be the leading organization committed to eliminating violence and abuse against women and children in Samoa.

#### Mission

To provide timely and effective support services for victims of violence and abuse and promote awareness and educational programmes to eliminate all forms of violence against women, men and children throughout Samoa.

#### Priorities for Action

MOA staff listed these as: counselling women and girls about their rights; trying to get them to understand that they can take a stand against domestic violence, and that it's not their 'fault' if they get hit'; teaching them about the justice processes, such as how to report a complaint; accompanying women to the police station; and supporting women through the court systems.

### Samoa Victims Support Group (SVSG)

The SVSG was started in 2004 by a group of former women police officers and community members and is a joint initiative with the Office of the Attorney General and the Ministry of Police. Aims are to support victims of sexual abuse. SVSG goals and aims are set out in Box 3. The PPDVP is already assisting SVSG access support networks in New Zealand.



### Box 3. Samoa Victims Support Group

#### Goals

Providing for maintaining or supplying necessities for those who have suffered harm, physical or emotional loss, due to sexual abuse, violence or crime.

#### Aims

Represent, coordinate and communicate Victims Rights.

Advocate the Rights of all Victims.

Develop Support Group Structures for Victims.

Promote Awareness of Sexual crimes and to recognize a victim's suffering or loss or emotional harm.

To build capacity of the organization to help empower victims of sexual crimes

### SUNGO (Samoa Umbrella Association of NGOs)

The RRRT officer is now located to SUNGO, and is developing a domestic violence programme. Under the PPDVP, the RRRT officer has been contracted to run domestic violence training programmes for police officers.<sup>1</sup>

### National Council of Women (NCW) and Komiti Tumama

Both the NCW and Komiti Tumama are seen to be the traditional national groups, and they link into all villages. While their programmes have a general focus, domestic violence issues are a focus as for example the Tete Atu programme of the NCW.

### Discussion

Building partnerships across government ministries and with NGOs is a priority for police so as to: share resources and expertise; avoid program duplications and overlaps; and help set in place a coordinated and comprehensive set of policy and program level actions to address domestic violence. A national meeting along the lines of the Tonga PPDVP Stakeholder meeting would be a model for an intervention of this nature in Samoa.

<sup>1</sup> The first training was completed in December 2006

## SECTION 2: GOVERNMENT, NGO AND COMMUNITY ATTITUDES AND RESPONSES

### Current and historical levels of domestic violence reported to the key non-government agencies (women's crisis/refuge organisations)

#### Current data

Three sets of data are presented from: the Mapusaga O Aiga (MOA); the Samoa Victim Support Group (SVSG); and the national multi-site domestic violence project that was coordinated by the Ministry of Women.

#### Mapusaga o Aiga

Table 13 data is from the MOA daily records. Domestic violence is highlighted in 46 cases. However, the categories are not well defined and overlaps between categories are likely. The MOA CEO described this database as 'only the little tip of a very big iceberg'. She also noted that alcohol is increasingly playing a central role in many of the incidents reported to them. As a result, the MOA has added alcohol abuse education to their advocacy and training work.

**Table 13. Current MOA statistics<sup>1</sup>**

Nature of Problem	Total
Adoption	6
Assault (adult)	4
Child Abuse / Neglect	38
Custody	7
Divorce / separation	5
Domestic violence	46
Family relationship problems	27
Financial problems	18
Housing problem	4
Maintenance	25
Other	19
Parenting problems	9
Partner relationship problems	36
Sexual abuse Adult	2
Sexual abuse Child	18
Counselling	9
Murder	1
Rape	1
Human Right	1
<b>Total</b>	<b>278</b>

*Source: Adapted from MOA data (2006)*

The second set of data is from MOA's Domestic and Sexual Violence Against Women in Western Samoa carried out in 1996. This survey was the first of this kind and is a regional landmark. The survey size was 257 women drawn from four villages from Savaii and Upolu. The participants were females aged 15 years and above, with the oldest being 80 years of age. For the study, physical violence was defined as consisting of the following elements: unwanted, physical touching of varying force and intimacy, by a male (including husband/father/brother/ de facto husband) on a female, in the home. Findings included:

<sup>1</sup> The period this data covered was not determined.

- Of the 257 women surveyed, 72% (184) said that they had never experienced violence and 28% said they have been victims of violence; 54% said that violence against women existed.
- Of the 28% who said they had been victims of violence, 78% (57) experienced domestic violence, 11% (8) experienced sexual violence, and 11% (8) experienced indecent violence.
- There were wide variations by village: 40% (29) were from Village A, 38% (28) from village B, 16% (12) from Village D and 6% (4) from Village C.
- There were some differences by education: 49% had primary level schooling, 47% secondary level, and 4% never attended school.
- Younger women were more likely to experience violence. Variations in the age at which violence occurred were as follows: 15-24 years (70%); 25-34 years (27%) and 35-44 years (3%).
- Victims of domestic violence said they were subjected to frequent beatings by their husbands at the early stages of their marriages. However, once couples began to have children and became more mature and responsible members of church and communities, the wives were less subjected to beating (33).

### Samoa Victims Support Group

Workload (Nov 2006):

- 43 current cases (33 females, 10 males, aged 2-56 years).
- Average cases referred: at least one per day.
- Cases involved: sexual abuse, assault, abduction, murder, BBH, arson.

### Ministry of Women and SPC/ UNFPA/ Multi-site study of Domestic Violence

In 2000, the Government of Samoa, in collaboration with the SPC and UNFPA, carried out this regional pilot research in domestic violence. Aims were to provide detailed information on the prevalence and frequency of different forms of violence in the family (including de facto partners); examine risks and protective factors at the household and community level; document the health and legal consequences of domestic violence; explore strategies and interventions that are used by victims, families and communities; and assess the impact of attitudes on the prevention and intervention of violence. The project was located at the Ministry of Women and the sample size was 1,646. The research comprised quantitative and qualitative measures. Findings included:

- Overall, 46% of women sampled had experienced some form of partner abuse, of which: 38% had experienced physical abuse; 19% emotional abuse; and 20% sexual abuse.
- The most common forms of physical abuse were slapping and throwing objects (experienced by 35%, with 7% saying this happened often). Punching was second (18% of respondents, with 6% saying it occurred often). Eleven percent had been kicked, dragged, or beaten, with 4% saying this happened often. Other forms of physical abuse experienced by respondents included pushing and shoving, and threats with a gun or knife.
- Abuse was more common amongst respondents from households of low economic status and least common among those from households of high economic status.
- 53% came from rural as opposed to urban (35%) households.

An MOU between the SPC and UNFPA has been signed to begin Phase 2 of this project in 2007. The strategy piloted in phase one in Samoa will be replicated in Kiribati.

Some assessment of the prevalence of domestic violence using the available Police and non-government agency data, and data available from other agencies, including the United Nations

This rough assessment presented in Table 14 uses data from the MOA research and the Samoa Government/ UNFPA/SPC study. Estimates that 5% of domestic violence incidents are reported to the Police<sup>1</sup> must be taken into account in interpreting these estimates.

**Table 14. Prevalence of domestic violence estimates, research data**

	% of total number by type	Ratio
SPC/ UNFPA/GOS (n=1646 )	38% had experienced physical abuse	1:5 women
46.4% of respondents had experienced some form of partner abuse (4.5 in every 10 women)	19 % had experienced emotional abuse (possibly in combination with physical abuse)	1:10
	20% had experienced sexual abuse (possibly in combination with physical and/or emotion abuse)	1:10
MOA (=257)	Of the 28%:	1:9 women experienced abuse
28% said they have been victims of violence (Just over 1:4)	78% (57) experienced domestic violence	1:7 experienced physical abuse
	11% (8) sexual violence	
	11% (8) indecent violence	

### Broad trends in victim attitudes towards domestic violence and reporting to the Police

This section draws on materials from the MOA research, the Government of Samoa/ SPC/UNFPA research, the MOA video and participant observation at the MOA rooms

#### Victims had little confidence in the police assistance to address domestic violence

*The police come and talk and try and solve (Question - is that their role?).*

*They 'knew' the man, and so they just come and almost joke about it. Probably the easiest way to do this, but they don't take it (domestic violence) seriously.*

*I am learning. I have been putting up with this for 10 years. Before I first came to the MOA, I just took it. But now I have had enough.*

*We are still made to feel it is our fault... that we are 'upsetting the status quo'.*

Women also felt that Police still do not understand domestic violence issues

*(We feel real) despair at what can be done –there does not seem to see a solution. We are in a no-win situation.*

Three groups came to the MOA rooms during the review period for counselling. One, who was accompanied by her sister, recounted a four year history of coming to the MOA for advice, reporting her husband to the police and then reconciliations taking place. When she had been beaten again two days earlier, she had called her sister, who had come with her

<sup>1</sup> Ibid.

husband to help subdue him. They had called the police. When the police arrived, they 'were known' to the husband and so 'they sort of made a made a joke about it'. The woman had made the decision to leave her husband and was now living with her sister. Her husband was now living in the family house and the children were with him. That morning she had caught a bus to town (to come to the MOA) and she had seen her husband waiting at the bus station. She knew he was looking out for her to arrive on the bus. She had hidden in the bus shelter until he was gone. She made an appointment to see the police.

### Health related effects

Data from the Pacific Multi-Site Study indicated that recently-abused respondents were significantly more likely to report their health as only good or fair, to have had problems performing their usual work (in the past four weeks) and to have experienced dizziness. An association between recent abuse with thoughts of and attempts at suicide was also reported. Overall, 26 respondents who had been abused in the preceding year had attempted to commit suicide at some stage of their life.

### Not reporting

Tables 15 and 16 list reasons women gave for not reporting or seeking help for domestic violence. As seen, 72.5 % (or 1 in 4) women in the Multi-site research did not seek help because they saw abuse as 'normal, or not serious'. In the MOA study, 36 (1:2) perceived domestic violence as a 'husband and wife scenario'. One wonders just when acts of domestic violence were seen to be serious enough to warrant reporting.

**Table 15. Reasons for not reporting violence**

	Total	Domestic	Sexual	Indecent
Husband and wife scenario	36	36	-	-
Minor offence	9	8	-	1
Love my husband	7	7	-	-
Offenders family apologies	6	1	3	3
Other	6	4	1	1
Unknown offender	4	-	1	3
Afraid and embarrassed	3	1	2	-
Total	71	56	7	8

Source: MOA Report (1996)

**Table 16. Why women did not seek help**

Why did not seek help	%
Don't know	1.8
Fear of more abuse	2.5
Abuse is normal, not serious	72.5
Embarrassed/ ashamed	0.0
Not likely to be helped	0.2
Might end the relationship	2.7
Might lose children	1.6
Bad for family reputation	4.1
Other	2.3

N=421 (All respondents ever physically abused)

Source: Pacific Multi-Site Study, extracted from Table 2.25

### The policy and other contribution of key non-government agencies to dealing with and reducing domestic violence

As noted, the two main NGOs working in domestic violence are the MOA and the SVSG (see Table 16). MOA promotes a rights based approach and is very prominent on the national scene in public advocacy for violence issues, CEDAW and the CRC. This is the NGO contacted for media statements, for example. The MOA is the national voice for domestic and abuse issues. The MOA sits on the CEDAW partnership.

The SVSG focuses more practical level and hands on action. The SVSG Board members are strategically placed. The President is CEO of the National Council of Churches (NCC); other members are lawyers from the Attorney General's office and business men. The Prime Minister has made a government house available for the SVSG to use as a safe house for victims.

**Table 16. Contributions of key NGOs in dealing with domestic violence**

Organization	Strategic actions	Activities
MOA <i>Training, Advocacy, Counselling</i>	Represented on: <ul style="list-style-type: none"> <li>Government – NGO CEDAW partnership</li> <li>AusAid ISP project board</li> <li>Media reports and advocacy on domestic violence issues</li> </ul>	NZAID review noted MOA progress in: <ul style="list-style-type: none"> <li>Increasing awareness of the issues of domestic violence and sexual abuse of women and children</li> <li>Informing women of their legal rights</li> <li>Identifying appropriate actions for victims of violence(Quinn and Afamasaga 1998)</li> </ul>
Samoa Victims Support Group <i>Support for victims of sexual violence</i>	<ul style="list-style-type: none"> <li>MOU with Police</li> <li>Affiliations with AGs office and Justice systems</li> <li>Victim advocacy</li> <li>Safe House established</li> <li>Building a network of safe houses (Women's church committees and pastors wives)</li> </ul>	Response area is growing to cover many other needs, including poverty-related needs
SUNGO	<ul style="list-style-type: none"> <li>RRRT training</li> </ul>	Is carrying out Domestic Violence training for PPDVP
National Council of Women and Komiti Tumama	General training programmes, but have a domestic violence and rights focus.	

Both NGOs said they were severely under-resourced for the work which needs to be done. In their need to raise cash for staff and operating expenses the MOA has started to take on too much 'other' work. This is detracting them from their core purpose as a domestic violence NGO. Similarly, anecdotal reports were that the SVSG schedule of activities had broadened alarmingly to include basic needs-type assistance - such as distributing clothing, food and assistance for poverty related cases. Again this 'spread' had the potential to weaken the violence focus of the SVSG. This situation highlights very glaringly the huge scope of the 'needs' and the tremendous amount of work to be done to address domestic violence in Samoa.

On-going and guaranteed funding for domestic violence activities are an issue. Second, considerable capacity building is needed, in for example, knowledge and skills building, counselling skills, confidentiality and ethics, and record keeping. For the SVSG, running a Safe house – which is a highly significant achievement – requires skills in management;

providing protection and counselling for victims; knowledge of options to meet schooling requirements; and how to make decisions as to the best way to re-integrate victims back into communities. As noted, Samoa's PPDVP mentor has initiated support for the SVSG through NZ partner organizations.

#### A general assessment of levels of social acceptance and cultural tolerance towards domestic violence

It was hard to gauge the level of social acceptance of domestic violence. Actions such as Samoa's first reporting to CEDAW, the increased number of cases being reported, the significant body of national research being built up and the draft Domestic Violence Bill, suggest an increased knowledge of and a lack of acceptance of domestic violence. On the other hand, many police and members of the public had never heard of the draft domestic violence bill. In addition, there were various understandings about CEDAW.

Data from the Pacific Multi-site study indicated that Samoan women did have a high level of acceptance of domestic abuse (Box 4)

#### Box 4. Do Samoan women believe partner abuse is justified?

The Pacific Multi-Site study found patterns that suggested a substantial percentage of respondents were resigned to partner abuse in some way and felt partly to blame for it. These included accepting abuse as 'part of normal married life', not telling medical staff how they became injured, reluctance to seek help when abused because of shame or embarrassment, or seeking help only from family members rather than social services. The main reasons given by respondents as to why their partners physically abused them were family problems and their own disobedience. Only 14.8% attributed the abuse to drunkenness and only 3.5% said there was no particular reason for the abuse. This tends to imply that most respondents thought there was a good reason for the abuse, and in effect were making excuses for their partners (2000:47).

Similar views were expressed at the GWR meeting.<sup>1</sup> However, the GWR did not see domestic violence to be 'a good thing'. The Women's Division Training officer summed up the GWR views with the words that 'violence is seen to be a cultural mechanism, enforced to upkeep traditional roles, and a response to problems within the family' She added that this recognition of violence has become embedded in the mind frames of women. In her view also, men attending their training tended to be more open to thinking about changing male/female relations while women appeared to be 'stuck' in the mould of 'that's what we expect ... accept?'

However, some comments by members of the Lotofaga Women's Committee indicated that some women were beginning to frame their views in terms of male/female power relations:

*When the wife voices her opinions or speaks her mind, the husband feels she is trying to stamp her authority over him.*

*When a wife doesn't know her role in the household... not looking after the children properly, never at home, answering back. That's when it happens.*

*The solution lies with us women/mothers. It is our duty as with peacemakers to make the peace, not only with our families, but with ourselves. It's a question of personal analysis and reflection.*

<sup>1</sup> The Department of Women staff led these discussions, which were conducted in the Samoan language.

*It is important for a mother to counsel her son if he is abusing his wife.*

In the ISP community survey, domestic violence was listed as the third most prevalent crime after assault and drunken driving. Again, it is highly likely that the assault, fighting and drunkenness categories also included domestic violence cases.

**Table 17. Perceptions of prevalence of types of crimes, (Samoa ISP) 2006**

	M	F
Assault	7	7
Driving under the influence	6	6
Domestic Violence <sup>1</sup>	5	5
Sexual assault	4	4
Stealing/ Burglary	3	3
Fighting	2	2
Drunkenness	1	1

*N=300*

*Key: 1 most prevalent, 7 least prevalent*

*Source: unpublished data, Samoa ISP project, AusAid: 200. Sample Savaii and Upolu*

Finally, a review of media reporting showed: a significant increase in the amount of reporting of domestic and sexual violence cases by print, radio and television in the past five years, both in English and Samoan; the reporting of quite explicit descriptions and case details; and that Judges were making extremely forceful statements in their summations on domestic violence cases, including the use of rights language.

#### Newspaper Survey

Results from the newspaper survey are listed in Table 18. During this period of the review, a young child died as a result of injuries received when his mother threw a stick at him (Sunday 15 October). This incident sparked a nationwide discussion about physical abuse (see Monday 16 and Tuesday 17), including an MOA report condemning this (Wednesday 18). The CEO of the MOA also discussed this incident on television. Two reports from a community forum on domestic violence held in Amerika Samoa were reported, as well as an incident involving a Samoan student in New Zealand.



**Table 18. Newspaper Observer, 14 – 24 October (Samoan and English)**

Date	Content
Sat 14 October	Nil
Sun 15	Front page - Family tragedy mother throws stick that kills son
Mon 16	Mother charged over son's death (thrown stick) Policemen face sex offences (Pago) NZ rugby player jailed for assaulting partner (Wanganui) Chinese in Pago – importing women from China for prostitutes
Tues 17	Mother faces manslaughter (threw stick at child killing him) Man pleads guilty to raping cousin
Wed 18	Domestic violence meeting in Pago... trust and arguments Lawyer threatened Mapusaga o Aiga condemns child abuse Editorial: Nudity on TV Content of TV
Thurs 19	Mother accused of hitting reporters denies (2 stories) Man jailed 4 years for raping cousin Editorial: one more young life wasted (young child drowned) Pago Pago Community Forum on domestic and Sexual Abuse Forum
Fri 20	Father convicted of daughter's death (ran over) Football player held for rape
Sat 21	Nil
Sun 22	Indecent assault on teenage girl Girls in incest case missing Samoa's leaders can stop violence against children (2 pages) Cops descent into murder (NZ) HIV/Aids corner: violence against women and HIV/Aids (one page)
Mon 23	CEO Journalist Handbag hit alleged Customary fashion to solve violence cases Indecent assault against 2 boys Man assaults father (26 years old and drunk) Prime Minister denies Police assaulted 16 year old in custody at Tafaigata Parents say they cannot control their child. Give to village council to look after American Samoa: Domestic Violence Conference
Tues 24	Samoa student manslaughter charge in New Zealand

These and other findings reinforce very compellingly that domestic violence has become a subject of public debate and concern. Also, the urgency of an extensive and comprehensive grass roots training programme aimed at increasing understanding about the nature of domestic violence and influencing factors. Some inroads are being made. But there is still a significant level of social acceptance and cultural tolerance of domestic violence. Access to and the use of accurate information and data is vital to this task. So too is information about interventions which are 'working' in other Pacific countries especially.

#### Current government policy and practice arrangements directed or associated with domestic violence

The Government of Samoa is party to global commitments such as CEDAW, CRC, and the Millennium Development Goals and regional commitments such as the Pacific Plan (Pacific Island Forum Secretariat) and the Women's Pacific Platform of Action (SPC Women's Bureau). A National Policy for Women is in draft form.

#### The MWSCD

The Women's Division advises government on policies and legislation of concern to women and ensures government departments consider the impact of potential policies on women. The Division's Programmes and Training section mainstreams CEDAW and domestic violence issues through all of the MWSCD programmes and in its work with other ministries and NGOs. The aims of the MWSCD Strategic Plan (2004-2007) are to partner with other stakeholders so as to strengthen the social structures of the faaSamoa and to ensure the

sustainable development of the spiritual, cultural, social and economic well being of families and communities (page 3).

The MWCSO has considerable expertise in domestic violence and related issues and the mandate to address these issues. Fostering mutually reinforcing links with the MWSD and the Division of Women is a vital intervention gap for the PPDVP.

<b>The current state of legislative arrangements in relation to domestic violence, including compliance with international covenants and conventions (CEDAW)</b>
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### Legal

Jalal (1998) notes that:

- Perpetrators of domestic violence can be charged with common assault, but there is no specific legislation relating to domestic violence.
- Sexual offences are covered by the *Crimes Act* part 6 SS. 46-58.
- The *Crimes Amendment Act 1969* replaced SS 42-58 of the *1961 Crimes Ordinance*. Forms of sexual assault include rape, indecent assault, incest and sexual intercourse with a related girl under age 20 by a man responsible for her care and protection.
- A non-molestation order can be obtained from a court to prevent a woman's husband from beating her, going near her, telephoning her, or otherwise bothering her. However, courts will only accept applications for non-molestation orders if they are accompanied by applications for maintenance, custody or divorces.
- Samoa does not recognize the category of marital rape, relying on the common law principle that a man may always assume his wife's consent to sexual intercourse and therefore cannot be guilty of raping her.

### The Domestic Violence Bill (Draft) - the Attorney General's Office and the Justice Department CEDAW

Samoa presented its first and second CEDAW reports to the United Nations in January 2005. The report noted that the Samoa Government intended to:

- amend the penal code to make rape in marriage an offence;
- enact domestic violence legislation; and
- amend the family code.

### The UN CEDAW RESPONSE

The UN CEDAW Committee response <sup>1</sup> to the Samoa presentation are listed (see items 23, 24 and 25). Samoa will report back on these in its next reporting. The UN recommendations highlight the raft of measures that addressing domestic violence will require a raft of measures including education, awareness-raising and compliance related training and legislation (see 24 below) As outlined, State need to ensure that public officers, especially law enforcement personnel, the judiciary, health-care providers and social workers are 'fully sensitized to all forms of violence against women and are adequately trained to respond to them' (see 25).

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<sup>1</sup> See CEDAW report back, Samoa (2005) sections 21-25.

The UN committee called upon the State party (Samoa) to include in the Constitution or other appropriate domestic legislation a definition of discrimination against women (in line with article 1 of the Convention). Other issues identified were gender-based violence, family, employment law and criminal law.

22. While noting that the Government has identified several areas where legislation inadequately protects women against discrimination, namely in regard to gender-based violence and in family and employment law, the committee is concerned that no time line or benchmarks are in place for undertaking the legal reform efforts necessary to bring domestic legislation into conformity with the Conventions. The committee is also concerned that although the Law Reform Commission Act was passed in 2002, the office has not yet been established for lack of resources.
23. While noting the State party's intention to review all criminal laws within the next two years, and the courts' adoption of a 'no-drop' policy in regard to charges of domestic violence the Committee is concerned that the prevalence of domestic violence needs measures to prevent and combat various forms of violence against women.
24. The committee recommends that the State party put in place without a delay a comprehensive strategy to prevent and combat all forms of violence against women, including domestic violence, which is a form of discrimination against women and a violation of their human rights. Such a strategy should include measures, including legislation, to prevent violence against women, provide protection, support and rehabilitation services to victims and to punish offenders.
25. The committee urges the State party to ensure that shelters are available to all women victims of violence. It also calls upon the State party to ensure that public offices, especially law enforcement personnel, the judiciary, health-care providers and social workers are fully sensitized to all forms of violence against women and are adequately trained to respond to them

#### THE WOMEN'S DIVISION

The Women's Division aims are to develop a framework for addressing issues on VAW (4.1). These include facilitating and coordinating:

- the legislative review process so as to reflect the issues highlighted by the UN CEDAW Committee; and
- programme and activity implementation in line with the issues on women's political participation and women's access to social services (Women's Division)

#### The current state of any alternative approaches (village justice) to domestic violence

Cases of domestic violence are usually settled within the family and village systems. Sumeo (2004:133) notes that if these cases are discussed at all, this is usually within the family-amongst women, mothers and aunties. Discussion may then expand to include the family matai and then perhaps the matter may proceed on to the village council and perhaps then on to the police. In some villages, members are expressly told 'not to report to the police'.

The role of the village systems to deal with domestic violence cases is still strongly supported, as was the role of parents:

*In each village the chiefs and orators have the authority to do this. People should also rely on their village pulenuu (mayor) for advice for the youth and the children in the village. They have the authority to discipline and encourage people to stop violence.*

*The parents can also help. It's easier in the rural areas because they have the authority over the children and they discuss their feelings and share their views.*

The Lotofaga women agreed with this, saying that there little violence in their village because of the work of the pulenuu and faipule (Member of Parliament) and the village council. They also said:

*We keep a special look out for it in marrying wives ... we know that they are sometimes not fairly treated in the past.<sup>1</sup>*

At the same time, comments showed that some of this group are beginning to question whether village councils are able to deal fairly with such incidents:

*Women and girls don't take these cases to the fono. The fono are all males.*

*Usually if they go, it's the same males and maybe the culprit sitting in there.*

*Women can't even go to the women's committees, because the culprit may be one of their husbands. They don't like doing that.*

*I have seen women who have complained being ostracized from both the women's committees and the village.*

In responding to these and other views, the CEO of the Ministry of Women, Community and Social development (MYCSD) agreed that there was an urgent need for those in decision-making roles at village level to receive training for this said:

*Just as we have institutional strengthening projects for government departments, our village councils and pulenuu (village mayors) and Government Women's Representatives (GWR) need institutional strengthening as well, in what their roles should be. We must ensure their understanding of and commitment to accountability and transparency in relation to domestic violence cases (Personal Communication. 2007).*

She also identified the need to target young people within the family and the schools 'because it may be too late to change older people's attitudes'.

Findings from the Safer Samoa community research project were that there was 'a greater need for police visibility in rural areas'. Almost all (93%) of those surveyed wanted to see greater involvement of police in community safety and crime prevention programmes. Over 92% stated that they would like the police to visit their town or village on a regular basis and 94% wanted police to visit schools and work with children and young people as a part of crime prevention and community safety. Two-thirds (67%) thought that the police were not doing enough in the village to prevent crime (ISP 2006<sup>2</sup>).

#### Overview of nature and extent of systems in place for reporting and sharing information on medical and death records relating to domestic violence

This was not available

#### The attitudes of key religious organisations towards domestic violence

*The church minister should also be able to help because he is another one who the village listens to. He can also advise and discuss such matters at the time of church when they assemble the youth and the Sunday school (Police)*

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<sup>1</sup> See earlier discussion regarding the vulnerable place of in-marrying wives.

<sup>2</sup> Sample size was 300 drawn from rural and urban areas.

Domestic violence was not a priority on the agenda of the mainstream churches. Comments were made that the church and the church ministry needed to look to their own practices first. At the same time, churches were seen to be the agencies which should be playing a lead role in addressing domestic violence and abuse issues.

- The National Council of Churches (NCC) and the Catholic Church appeared to have more involvement in issues based programmes, including domestic violence and rights based programmes.
- The Mafutaga Tina (women's committee) of the Congregational Christian Churches (CCWS) had run a seminar on Domestic violence in 1996, resourced by the Fiji Women's Crisis Centre and RRRT. The workshop was a huge success but there had been no further developments from this initiative.
- The Mafutaga Tina had since offered to provide safe houses for the SVSB. This offer is being reviewed.

National data shows that most people in Samoa attend church. This being so, religious organizations today are a vastly under utilised agency for awareness-raising and education in domestic violence issues. Plans to introduce domestic violence training into the third year curriculum at the Malua Theological College in 2007 have the capacity to change this situation. As reported, this curriculum was prepared for the South Pacific Association of Theological Schools (SPATS) by men and women from theological colleges in the South Pacific region working together with NGOs representatives (see Pacwin 1 August 2006). Hopes are that this training will see the church playing more of a leading role in domestic violence advocacy, training and support.

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## ANNEXES

## ANNEX A

## PROPOSED METHODOLOGY FOR DATA COLLECTION

TABLE A1: POLICE ATTITUDES, POLICY, PRACTICE	
Term of reference	Method
Current specific levels of domestic violence reported to police	Document review (e.g. recorded crime statistics) Consultation with Police
Current policy, protocols and general processes and procedures (including record keeping) for dealing with domestic violence	Document review (e.g. policy documents where available) Interviews/focus groups with Police
The current state of Police prosecution of Domestic Violence including levels of case withdrawal, levels of prosecution against reporting and the overall number of offenders being held accountable for their actions	Document review Consultation with Police, Magistrates, etc.
Any history of change around Police domestic violence practice	Interviews/focus groups with Police
Current Police leadership practice around domestic violence	Interviews/focus groups with Police
Police attitudes and perceptions of domestic violence, Including attitudes to dealing with complaints, prosecutions, offenders, and holding offenders to account. Police views on traditional cultural attitudes towards domestic violence and views of Officers regarding traditional local or village approaches towards dealing with domestic violence.	Interviews/focus groups with Police
Police attitudes and perceptions towards Police Officers as domestic violence offenders	Interviews/focus groups with Police
Current policy and practice arrangements for dealing with Police Officers as domestic violence offenders	Document review (e.g. policy documents where available) Interviews/focus groups with Police
The current state of Police Domestic Violence training	Document review (e.g. training curriculum) Interviews/focus groups with Police, trainers
The state and recent history of Police partner relations	Consultation with Police and partners (NGOs, government agencies)



TABLE A2: GOVERNMENT, NGO &amp; VICTIM RESPONSES

Terms of reference	Method
Current and historical levels of domestic violence reported to the key non-government agencies (women's crisis/refuge organisations)	Document review of NGO records
Some assessment of the prevalence of domestic violence using the available Police and non-government agency data, and data available from other agencies, including the United Nations	Synthesis of available data, including previous research
Broad trends in victim attitudes towards domestic violence and reporting to the Police <sup>1</sup>	Analysis of media coverage (e.g. newspaper) Previous research
The policy and other contribution of key non-government agencies to dealing with and reducing domestic violence	Data from all TORs (1 and 2)
A general assessment of levels of social acceptance and cultural tolerance towards domestic violence	
Current government policy and practice arrangements directed or associated with domestic violence	Consultations with relevant Ministries
The current state of legislative arrangements in relation to domestic violence, including compliance with international covenants and conventions (CEDAW)	Consultations with relevant Ministries Review of legislation
The current state of any alternative approaches (village justice) to domestic violence	Community meetings Discussions with NGOs
Provide brief overview of nature and extent of systems in place for (a) reporting and (b) sharing information on medical and death records relating to domestic violence	Consultation
The attitudes of key religious organisations towards domestic violence	Consultation with National Council of Churches/other church groups

<sup>1</sup> The original brief from NZ Police asked us to interview victims, but our partner NGOs advised us that the women were unlikely to discuss this sensitive matter with us. Additional ethical issues associated with speaking to victims in small communities include confidentiality and participants' safety if their partners suspect they have disclosed the abuse. Given that the exploratory nature of the research, we considered that we would gather sufficient information on this through stakeholder consultations.

**ANNEX B**  
**DIARY**

Monday Oct 16	
9.30	Police commissioner was off island. Met Acting Police commissioner, Papalii Lio.
10.30	Interviews, Steve Roast, ISP, AusAid, Paul Brennan
11.15	Barry Wilson (IT) Computer Systems
12.30	Interview, Faoliu Wendt, Mapusaga o Aiga, setting up programme for next week
3.00	Meeting with Minister of Women, Community Development, Fiame Naomi, re a) Participation of Women's Affairs. b) Rural visit with the Women's committee
4.00	Meeting with Luagalau Etuati Shon (CEO, MWCD) re possible stakeholder meetings Notified that a meeting of the Sui o le malo (one woman from each village on 26 <sup>th</sup> and the pulenuu on the 27 <sup>th</sup> )
Tuesday 17	
8.00	Met Tiatia (CEO Training) and Helen re participation in training sessions participation Meet ISP team – catch ups on research Meet Vaalele (PPDVP) and Muliaga (Community Policing) to discuss project and arrange small group discussions a) women's group and b) male group
10.00	MOA meeting to discuss the contract with them (Board Enquiries – see Letter) Interview with President, MOA, Maiava Visekota
1.00	Visit to hospital to request message with the CEO regarding health department Visits. Brief talk with Acting CEO planning, Sarah Asi Faatoese regarding reporting of DV. a) This issue has been discussed in the CEDAW and CRC partnerships (highly recommended that this be done for reporting also) b) Hospital chief superintendent reports back to the Police on certain issues, but the police reports are not for circulation (can see him). Not sure where initiated (police or the hospital) c) Cause of death is reported as 'a result of assault' etc., Cannot tell whether it is domestic violence related or not
2.00	Visit to Ministry of Women (Kuiniselani) to request meeting (Wednesday at 8.30) Visit to Victim Support Group (Mandy) Meeting set for Wednesday 10am Rang Leaula Tavita (CEO of Pulenuu) re meeting with Pulenuu.
4.00	Return to Police department.
Wed 18	
8.30	Ministry of Women – Kuiniselani, re the GWR meeting next Thursday
9.30	MOA to get invitations out to the stakeholder meeting (Tuesday next)
10.00	Victim Support Group interview, Lina, Anna, Taualo Excellent overview of SVSG
2.00	Group meeting 1, Women police
4.00	Minister of WCSD to discuss rural trip and arrange meeting with Masinalupe (Justice CEO)
Thurs 19	
8.30	Meeting with Amoia Nonu (Training officer, Refresher Courses Training) Excellent overview of regional programmes, curriculum development and career development options (polytechnic certificate)
9.30	Maposaga o Aiga
10.30	Justice meeting. Did not happen, error with timing
2.00	Group meeting 2 with male police officers. Excellent group
3.00	Arrangements for rural meeting for Monday
Friday 20	
8.00	Watch the MOA video at MOA rooms
9.00	NZ High Commission
10.30	Justice meeting CEO Masinalupe
Afternoon	Police Station
Sat 21	
11.00	Interview. Former Principal Apia Primary School, Mrs Reed
3.00	Interview. Former Police Commissioner, Saunoamalii Sonny Schuster
Monday 22	
8.00	Meet with Sergeant Muliaga to set up the one week General Policing Book
9.30	Meet with Barry re possible stats (starting with dropped charges)
10.30	Lotofaga rural meeting (accompanied by MOA, Faoliu Wendt)
3.30	Call in on CEO Hospital and CEO Women's Affairs to confirm appointments.
4.00	Prosecutions section meeting, Nadine, Afamasaga and Silia
Tues 23	
8.00	Photocopying of papers for recruit training

9.00-10.30	Recruit training
10.30	CEO Health
11.00	Samoa Victim Support Services (SVSG)
1.00	NZ High Comm., Phillip Hewitt
2.00	NGO stakeholder meeting
Wed 24	
8.00	Meeting with Sergeant Joe Stowers (Professional Conduct) Helen (Training, BA in Criminology VUW) Eunice Peseta Sio (19 years with police force now migrating to NZ)
11.00	Michi Lima (Education Office, CCCS) Regarding Domestic Violence Curriculum
1.30	Visit to victim support unit and Safe House
3.00	Acting CEO Health Pelenatito Stowers Mapusaga O Aiga to collect stats
Thurs 25	
8.00	Meeting with CEO Health Service, Dr Stanley Dean
9.00	Suli o le malo (80 women mayors from the villages of Upolu). Group discussions were carried out by Ministry of Women staff. Interview with Louisa Apelu
12.00	Lunch meeting with Judge Tuala Kerslake (former MP and former Head of the Ministry of Justice Social Services) and Maria Kerslake (National university)
3.00	Meeting with former Police Inspector Annie Eves (first woman inspector, now Counsellor at the National University of Samoa)
Frid 26	
8.00	Fepai Kolio, NCC CEO (he did not show)
9.00	APC Reverend Siaosi and Mrs Malu Siaso
10.00	Waited for final meeting with Acting Police Commissioner
2.00	Final meeting with Philip Hewson, NZHC. Round up with NGOs and Ministries
Late evening	Depart for NZ

**ANNEX C**  
**PEOPLE INTERVIEWED**

NZHC	Phillip Hewson
Acting Chief commissioner, Judicial Support services	Lio Taeu Masipau
Director, Corporate & Strategic Services	Afoa Uelese Vaai
Head, Community Policing	Muliaga Tiumatu chief Inspector
Chief superintendent, Training	Tia Tia
Training	Amoia Nonu, Helen, Vaalele
Professional Development Unit	J. Stowers
Police rep on CEDAW partnership	Lorraine
Prosecutions Section	Afamasaga, Silia
Group discussion	8 constables male
Group discussion	10 constables female
Recruits session	46 (8 females, 38 males)
Samoa Police Project Team (ISP, AusAid)	Steve Roast, Team Leader Paul Brennan, Police Adviser Nadine Seifert, Prosecutions Adviser, SPP
Adviser IT Communications ISP	Chief Petty Officer, RNZN Technical Barry Wilson
Mapusaga O Aiga (MOA)	President, Maiava Visekota, Faoliu Wendt, CEO Salanieta Uelese, Social Worker
Samoa Victims Support Group (NG)	Lina Chang, Anna Schmidt, Iosua Iosefa
Ministry of Women, community and Social Development	Hon Fiame Naomi, Minister Luagalau Etuati Shon, CEO Kuiniselani Tagi, Head, Women's Affairs Louisa Apelu (Project Officer, PCP project) ..... (Youth Policy officer)
Komiti Tumama (NGO)	Bryce Faletose
SUNGO rep	
Ministry of Health	CEO, Palanitina Toelupe
National Health Service	CEO, Dr Stanley Deans
Nursing, Personnel	Professor P. Stowers (and Acting CEO)
MOH, Acting Planning	Sarah Asi Faletose
CEO Min of Justice & Courts Admin	Masinalupe Tuisipa Masinalupe
Former Commissioner Police	Saunoamalii S Schuster
Former Head, Apia Primary School	Mrs P Reed
Lotofaga Women's Committee	17 women
Government Village Reps (meeting)	80 from Upolu villages
Key informants	Mrs Maria Kerslake (Head, Social sciences NUS) Tuala Kerslake, Judge Samoa Land Courts Former Police Sergeant Annie Eves Laumea

**ANNEX D**  
**RECRUITS' RESPONSES**

FEMALE	Comments
Is there domestic violence in Samoa? Reasons for answer	There is more reporting and convicting I know from my family. Many factors associated with this Many families are breaking up because of this, poverty, suicide People cannot show their rights Cultural reasons... it is said that it is good to spank a child... discipline Men are the head of the family
Where most prevalent	Because rural areas are very strong 'culture' & tradition They think it's right to beat their children to get their respect. Also, uncles just rape their own nieces The rural areas are 'hardly educated'. They do not know it's not a good thing.
Why is DV a problem?	Not 'right' Affects so many people, family friends, everyone Parents cannot understand the rights of children Leads to greater violence People die Makes us frightened, a life of fear 1 It's against morality Education shows us this is wrong to hit anyone National problem, economically and socially We are all human beings and should be treated equally. This affects the future of our children... People are not being fairly treated or given equal rights I disagree with any physical violence at all Does not solve... finish Not good for any person to hit another, cause injury We are all human beings ... should be treated equally
MALE	Comments
Is there domestic violence in Samoa? Reasons for answer	It happens in my family, and I see it everyday, but they don't report We heard more about this. News. Influence of other countries pornography, drugs, guns Increases in rough appearances (fathers and daughter) Lack of communication. It is our culture...our parents did this Seem to be more problems in families today – mother and father, fathers and daughters, not the good fellowship of families there used to be
Is DV happening in the rural areas, or is it more a town 'thing'	Hard for police to control the rural areas, far from town A lot of children from villages hanging around town selling goods and trying to earn money for their families ... these group are vulnerable Foreigner and foreign ideas, lots of attractions that change people's lives Because people in town drink beer and that is a cause: they take these ideas back to the village Because rule of law is not strong in the towns FaaSamoa in rural areas is stronger: matai control prevents DV happening. Increase in broken families The need to look for jobs, pressures in families, don't talk to each other Rural, because people are losing their respect for the alii and faipule
Why is DV a problem?	Because we understand the laws of the police and customary laws Because Samoa is a Christian country We are better educated today The influence of rights Only happens in some families, who can't plan We are understanding the effects of development more and area trying to deal with these... Parents don't want to take a chance in developing their children. Disgrace to our country, shame to our culture Wasting innocent lives Against the will of God It affects us personally and our ability to do good things and the self concept of those being hit Causes unhappiness, unhealthy, feelings of others No good personally Economical costs to the country Rights of the women and children Leads to destruction once starts of family and other life experiences Destroys the Christianity in our people Affects our children who are watching Can lead to suicide

## ANNEX E

### REVISED PACIFIC PLATFORM OF ACTION FOR SUSTAINABLE DEVELOPMENT FOR WOMEN 2005-2015, REGIONAL CHARTER, SECRETARIAT OF THE PACIFIC COMMUNITY (2005: 4)

#### **Theme 2 Women's Theme Legal and Human Rights**

- 2.1 Elimination of all forms of discrimination against women
- 2.2 Full participation of women in political and public decision-making
- 2.3 To eliminate sexual and family violence

#### Polices and programmers for theme 2.3: To prevent sexual and family violence

Objective 2.3.1 Polices and programmes to prevent sexual and family violence

Strategy

- 1 Analysis of legislation s regarding violence
- 2 Seminars for lawmakers, police and the judiciary attitudes towards sexual and family violence
- 3 Change public attitudes towards sexual and family violence
- 4 Government support for Programmes to assist female victims of violence
- 5 Sexual harassment policy and guidelines
- 6 Prevention of trafficking of women and children and sex and paedophile tourism

Objective 2 Collect and public data on violence against women

Strategy 1: Measure trends in cases of violence against women

Indicators

- Incidence of domestic or family violence
- Incidence of rape
- Assaults on women
- Homicides in which women are the victims
- Gender Difference in crime