

**PACIFIC PREVENTION OF DOMESTIC VIOLENCE
PROGRAMME**

Update of Baseline In-Country Review

Kiribati Report

Prepared for New Zealand Police

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PREFACE

The structure of the Pacific Prevention of Domestic Violence Programme (PPDVP) Baseline Review Reports (see Fairbairn-Dunlop and Lievore 2007a, 2007b and Lievore and Fairbairn-Dunlop 2007a, 2007b) have been used, at the client's request, as a template for this Baseline Review Update.

To a large extent, Part 1 of this report duplicates the introductory chapter of the baseline review. Some minor changes have been made to reflect the current study but it should be noted that the background of the PPDVP, the four country studies and the methodology sections generally replicate sections contained in the previous Baseline Reports. Part 2 of this report outlines the context of each specific country in which the review was undertaken. It also follows the structure used in the earlier baseline review reports. Where applicable, the original content has been amended to ensure the current report is as up-to-date as possible. We would therefore like to acknowledge the authors of those reports – Professor Peggy Fairbairn-Dunlop and Dr Denise Lievore – as providing this material.

We would also like to acknowledge the role Professor Peggy Fairbairn-Dunlop played in the Baseline Review Update. Peggy was involved in the tendering process and in reviewing the methodology. She also acted as a consultant to the project and peer reviewed the final reports.

EXECUTIVE SUMMARY

PART 1: 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 Aid Programme (NZPID) under the International Development Group of the Ministry of Foreign Affairs and Trade New Zealand Police (NZPOL) and the Pacific Islands Chiefs of Police (PICP). The programme builds on earlier NZPID 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 ongoing support. The initial programme duration is five years, which is due to expire on 30 June 2011.

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 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, the Cook Islands and Kiribati – providing on-the-ground sustained support for the development of Police domestic violence policy, strategy, action plans, systems and training programmes. An NZPOL mentor has been assigned to each of the four countries to support these efforts. Vanuatu joined the programme as a participating country from 1 July 2008.

PPDVP Baseline Reviews of the Cook Islands, Samoa, Tonga and Kiribati were completed in 2007, and the Baseline Review of Vanuatu was completed in 2009. The aim of these reviews was to gather baseline data and to engage agencies and communities in reflection on domestic violence.

Findings from the baseline reviews have provided a key awareness-raising tool for politicians, community leaders and communities, as well as a benchmark to measure the performance and effectiveness of the PPDVP. The aim of the current project is to provide an update on each of the four countries involved which the PPDVP Management Team will use to help them develop an appreciation of the impact of the PPDVP activities. A Programme Evaluation will be completed in early 2011, which will in turn inform any decisions on future activity or completion of the Programme.

This Kiribati Report on domestic violence is one of four Baseline Review updates carried out under the PPDVP, the others being for the Cook Islands, Tonga and Samoa. As with the baseline research, this study adopted the definition of domestic violence used by the PPDVP: that is, '*violence against women by a partner or spouse*'.

The broad aims of the research were to ascertain/assess the current state of:

- data available in each country
- the extent of domestic violence and people's responses to it
- agency and community views of domestic violence, particularly how things had changed since the baseline reviews were carried out in 2006.

The research team worked closely with the NZPOL 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 with one non-government organisation (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 ongoing partnerships for future PPDVP activities. The research was conducted predominantly in urban areas and the team acknowledges that the report findings may not be applicable to rural regions or outer islands.

PART 2: THE KIRIBATI STUDY

The fieldwork was conducted from 14 to 23 September 2010. The researcher was based at the Kiribati Police Service (KPS) Headquarters in Betio, South Tarawa. Unfortunately, it was not possible to recruit the services of an in-country NGO partner to assist with the fieldwork within the timeframe.

Historically and traditionally, Kiribati society and culture are conservative and male dominated. Women have traditionally been subordinate to their fathers, husbands and *te unimane* (male elders or old men). Male elders are accorded particular respect. It is not unusual for violence against women and girls, including sexual violence, to remain unreported because of social and cultural pressures from family members. Like many other countries in the Pacific Islands, Kiribati does not have specific legislation related to gender-based violence.

However, awareness raising by government, NGOs and the Police, with the support of the PPDVP, has meant that more people are aware of the fact that domestic violence is a crime. This has resulted in people being more willing to discuss the issues related to violence against women and children, which is an important step forward for Kiribati society

For many years, the extent of violence against women in Kiribati has been unknown and could not be understood due to the lack of reliable data and information. This encouraged the Government of Kiribati through the Ministry of Internal and Social Affairs (MISA) in conjunction with the National Statistics Office (NSO) to undertake and complete a year-long nationwide survey on the state of women and children in Kiribati – the Kiribati Family Health and Support Study (KFHSS). The KFHSS sought to quantify the prevalence of violence against women and children and identify the most common causes of violence and strategies to address them.

Kiribati acceded to CEDAW in March 2004. However, compliance with the reporting requirements has been slow – although the initial State Report was due in 2005 this has not been submitted; and work is ongoing. At the same time the Shadow Report¹ is being drafted, which has created a somewhat unusual situation. In addition, Articles of the Convention have still not been incorporated into legislation and the non-compliance of customary law with CEDAW is an issue of concern.

However, dissemination of the KFHSS research findings led by MISA has resulted in a groundswell of activity around the issue of violence against women and children, including the tabling of a motion in parliament and the development of a draft National Policy for the Elimination of Violence against Women (2010).

Section 1: Police Attitudes, Policy and Practice

Since the baseline review, the following key successes were identified in relation to police attitudes, policy and practice:

¹ A Shadow Report is a critique of the State Report by NGOs.

- **The Domestic Violence and Sexual Offences Unit** – the original Unit (Family and Sexual Offences – FASO – Unit) was established in 2005. The establishment of the Unit has resulted in improved levels of awareness raising and moves towards better responses by Police to domestic violence on Tarawa. The name of the unit changed in 2008 to the Domestic Violence and Sexual Offences Unit (DVSO). Initially there were four DVSO staff, all of whom were based at Police Headquarters in Betio. This changed at the beginning of 2010 when the number of staff increased to six following training conducted by the PPDVP. All South Tarawa stations are now staffed with one DVSO officer who deals solely with domestic violence and sexual abuse offences, while two, including the Coordinator, are based at Police Headquarters. There are five female and one male officer. DVSO staff are now assigned specifically to the Unit and not diverted to other duties. Their role is to be involved in all domestic violence cases and be responsible for keeping accurate records. Only female officers are involved in sexual cases. The role of the DVSO officer is to deal with the victim – take their statement and attend to their needs, e.g. transport them to the hospital if there are injuries. The Coordinator of the Unit conducts all DV-related training with new recruits.
- **Changes in reporting to the Police** – what is evident from the available data is that, where previously domestic violence has been considered a private family matter, now neighbours, family members, friends as well as victims are reporting this to the Police. This was commented on by a number of informants and seen to be the result of increasing awareness around the issue of domestic violence and the knowledge that it is a crime.
- **Improved data collection** – a major achievement, since the introduction of the PPDVP, has been the implementation of systems geared towards improved data collection. Much of this can be attributed to the PPDVP Case Management and Intelligence System (CMIS) domestic violence database, which was implemented as part of the PPDVP in 2007. The rollout of the CMIS domestic violence database has resulted in a more co-ordinated effort by DVSO officers to record the levels of domestic violence reported to the police. Summaries of domestic violence complaints are recorded in the Domestic Violence Registers at local Police stations and monthly summaries are sent to the DVSO Unit for entry into the CMIS database. There is some indication that repeat and serious offenders are being tagged by local DVSO officers, which will allow for them to be both tracked and monitored.
- **Improved partnerships** – the establishment of the DVSO Unit has created an ideal opportunity for KPS to set up strong partnerships with government agencies and NGOs and this appears to be happening. There was evidence of excellent working relationships with both government agencies (e.g. MISA, Courts and Health) and NGOs (including AMAK, KANGO, AAFR and the Crisis Centre). Examples of such partnerships include a dedicated phone line for domestic violence calls established by the KPS with funding from MISA and the provision of security services by the Police for the Crisis Centre.

Issues Needing to be Addressed

Possible barriers to the eradication of domestic violence in Kiribati were identified. These issues and barriers are presented below against suggested actions.

Issues	Suggested Actions
Unreliability of CMIS data – discrepancies between data from individual stations and those recorded on CMIS were noted. This will affect the usefulness of the DVSO Unit database.	Ongoing audits of the data need to be undertaken.
Under-reporting of domestic violence is an inherent problem. In addition, levels of case withdrawal are high and prosecution numbers low. This suggests that the community is unlikely to perceive the criminal justice system as an effective means of dealing with domestic violence.	<p>The following multidimensional approach was suggested:</p> <ul style="list-style-type: none"> ▪ Develop and implement specific policy and practice arrangements for dealing with Police Officers as domestic violence offenders so that the Police are seen to be leading by example. ▪ Increase senior Police leadership to ensure appropriate prosecution of domestic violence cases. ▪ A no drop policy may result in an increase in public trust and reporting.
Issue of in-service training and upskilling of longer-serving Officers to ensure best practice domestic violence guidelines and practices are seamlessly incorporated into Police operations. This addresses issues such as Police delays in investigations, the poor quality of investigations and suggestions that Police are not carrying out their duties.	<p>Suggestions include:</p> <ul style="list-style-type: none"> ▪ refresher courses for general duties police ▪ how to navigate tensions arising out of cultural pressure to reconcile rather than prosecute ▪ Police roles in relation to counselling and advice giving, the need for the police to issue messages about how to keep safe, victim empowerment, active listening, maintaining boundaries within the role of police ▪ senior / long-serving Police Officers need updated training on domestic violence best practice ▪ formalising a no drop policy will provide clear direction about arrest and prosecution expectations and procedures ▪ charges laid against a person resulting from a domestic violence incident should only be withdrawn at Court by a Magistrate. There should be standardised guidelines for this.
There do not appear to be any Police internal mechanisms to make officers accountable for failing to follow procedures. It is not clear whether such failures are related to a lack of understanding of the procedures – in which case, extra training is required – or whether it is related to attitudes towards domestic violence, which are more difficult to address.	The new practice of having a DVSO Officer attend each incident should ensure that correct procedures are followed, especially in relation to victims' needs and safety, and hopefully reduce withdrawals in the absence of a considered appraisal of each case.
Domestic violence cases are not currently tracked through to prosecution. In addition, few officers appeared to know what happened to cases after arrest.	Opportunities exist for improved tracking of domestic violence cases through to prosecution – the implementation of the Prosecutions Database is a step in the right direction.

The PPDVP has been a significant driving force for changing KPS practice around domestic violence, and the success of the DVSO Unit was greatly attributed to the role of the PPDVP mentor. However, it is clear that the sustainability of such changes must be driven from within the KPS and this becomes more important as the end of the project nears. The DVSO Unit is the public face of the PPDVP and as such needs to continue to grow in levels of professionalism and gender awareness.

Section 2: Government, NGO and Community Attitudes and Responses

Non-government and government agency representatives were interviewed alongside church representatives. To this end key successes were identified alongside potential barriers to the continued efforts to eradicate domestic violence in Kiribati.

Key successes

Key successes identified were:

- **KFHSS and increased awareness** – awareness of domestic violence has increased markedly in Kiribati; most people are aware that this is a crime and not a private family matter. The completion and publication of the KFHSS has resulted in a groundswell of government support and activity around eliminating gender-based violence. At the national level, the planning, advisory and monitoring support for the project provided by the Kiribati Family Health and Support Committee involved the collaboration of a wide range of stakeholders. These included those from within government (including KPS) as well as from civil society organisations (NGOs, Churches) and development partners and agencies. The KFHSS findings not only provided the first reliable data on the prevalence of domestic violence in Kiribati but also provided the impetus for new government policy and the development of advocacy groups such as K-WAN. This is one of the major steps forward in the fight against domestic violence achieved since the PPDVP baseline review was undertaken in 2006
- **Changes in social acceptance and cultural tolerance** – domestic violence is not a ‘women’s issue’ and efforts to change social acceptance of violence against women require male involvement and leadership. There is some indication that this is beginning to happen in Kiribati. Firstly, the findings of the KFHSS were launched by the President, and Parliament passed a motion giving full support to the enactment of laws that support the elimination of domestic violence. It is acknowledged by those involved in awareness raising and education in relation to gender-based violence that men accept these messages more readily when they are delivered by other men. The fact that both men and women are continuing to work together to challenge the notion of culture is a positive sign.

Issues needing to be addressed

Key areas of concern are presented below against suggested actions.

Issues	Suggested Actions
Limited/lack of resourcing for NGOs	<ul style="list-style-type: none"> ▪ In times of fiscal constraints such as presently exist worldwide, one way of addressing this issue would be to encourage organisations to coordinate their activities so that existing resources are directed towards projects that will build on rather than duplicate other agencies' efforts. ▪ Collaboration strategies may also reduce the need for organisations to compete with each other for limited funding.
The need for continued awareness raising and to address the lack of understanding and confusion around the law under which domestic violence is seen as a crime and how this differs from the traditional by-laws of each community or village	<ul style="list-style-type: none"> ▪ Use of radio and other media to raise awareness. ▪ Continued use of awareness meetings particularly in outer islands and rural <i>maneaba</i> (village meeting places) to discuss issues such as the law, Police and community partnerships, and problems with alcohol and domestic violence. ▪ Evaluations of campaigns and educational programmes to determine which strategies have been most successful at raising awareness and have resulted in some form of domestic violence intervention.
Lack of interventions and programmes for victims and perpetrators of domestic violence. At present the only programme is run by AAFR (the Alcohol Awareness and Family Recovery Centre), which focuses on families with alcohol issues.	<ul style="list-style-type: none"> ▪ The development of services, support systems and referral processes for both perpetrators and victims of domestic violence.
Lack of confidence in the Police may deter victims from seeking Police help	<p>Develop strategies to counter perceptions that the Police will:</p> <ul style="list-style-type: none"> ▪ blame the victim ▪ not take complaints seriously ▪ provide insufficient protection.
The view remains that there is still a place for the use of community relationships and sanctions for dealing with domestic violence and that village elders and catechists or pastors could lead this, involving the Police as a last resort. However, the use of such methods on their own would not solve the problems in families where violence is common.	<p>Those involved need ongoing support and supervision, and may need to be referred for professional counselling – it is not enough to secure apologies and say that reconciliation has been effected. Pastors or catechists could play a pivotal role in the overseeing of this due to the integral role that the church plays in Kiribati society and in the community.</p>

In a public statement Amnesty International lauded the Kiribati Government's efforts to address violence against women, particularly through its partnership with the Secretariat of the Pacific Community in conducting a survey on partner violence (Amnesty International, 2010). As stated above, this research not only provided the first reliable estimate of domestic violence in Kiribati but also contributed to public awareness of the issues surrounding gender-based violence and has been the

impetus for the development of the new National Policy Eliminating Gender Based Violence. This is truly something I-Kiribati people can be proud of. Nevertheless, it is important that the Kiribati Government does not rest on its laurels with these achievements and works towards developing laws that comply with CEDAW.

However, it is important to acknowledge and not undermine the significance of milestones to date. At this point, international assistance is likely to be needed to compensate for gaps in material resources and the expertise required to take the next steps towards legislative change and compliance with international covenants.

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 Aid Programme (NZAID) under the International Development Group of the Ministry of Foreign Affairs and Trade, 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 ongoing support. The initial programme duration is five years, which is due to expire on 30 June 2011.

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 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, the Cook Islands and Kiribati – providing on-the-ground sustained support for the development of Police domestic violence policy, strategy, action plans, systems and training programmes. An NZPOL mentor has been assigned to each of the four countries to support these efforts. Vanuatu joined the programme as a participating country from 1 July 2008.

PPDVP Baseline Reviews of the Cook Islands, Samoa, Tonga and Kiribati were completed in 2007,² and the Baseline Review of Vanuatu was completed in 2009.³ The aim of these reviews was to gather baseline data and to engage agencies and communities in reflection on domestic violence. Data collection included reviews/focus groups with Police Officers, victims, Government agencies, non-government organisations (NGOs), Women's Groups and a number of representative communities to assess the extent of domestic violence and people's responses to it.

Findings from the baseline reviews have provided a key awareness-raising tool for politicians, community leaders and communities as well as a benchmark to measure the performance and effectiveness of the PPDVP. The aim of the current project is to update the baseline data for each of the four countries involved. The PPDVP Management Team⁴ will use the updated baseline reviews to help them develop an appreciation of the impact of the PPDVP activities. A Programme Evaluation will be completed in early 2011, which will in turn inform any decisions on future activity or completion of the PPDVP.

² See Lievore and Fairbairn-Dunlop (2007a), Fairbairn-Dunlop and Lievore (2007a), Fairbairn-Dunlop and Lievore (2007b), and Lievore and Fairbairn-Dunlop (2007b).

³ See Fairbairn-Dunlop (2009).

⁴ The three partner agencies that make up the PPDVP Management Team are: New Zealand Ministry of Foreign Affairs (MFAT) International Development Group (IDG), New Zealand Police (NZPOL) and the Pacific Islands Chiefs of Police (PICP).

Research aims and terms of reference

As mentioned, the aim of this project is to update the baseline data in each of the four countries involved. 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 terms of reference (TORs) for each component are set out in Table1.

Table 1 Terms of Reference for the Research

Police Attitudes, Policy and Practice	Government, NGO and Community Attitudes and Responses
Current specific levels of domestic violence reported to Police	Current and historical levels of domestic violence reported to the key NGOs (women's crisis/refuge organisations)
Current policy and practice arrangements for dealing with Police Officers as domestic violence offenders	Assessment of the prevalence of domestic violence using the available Police and NGO data, and data available from other agencies, including the United Nations
The state and recent history of Police partner relations	Policy and other contribution of key NGOs to dealing with and reducing domestic violence
Current policy protocols and general processes and procedure (including record keeping) for dealing with domestic violence	General assessment of levels of social acceptance and cultural tolerance towards domestic violence
Current Police leadership practice around domestic violence	Current Government policy and practice arrangements directed at or associated with domestic violence
The current state of Police domestic violence training	Current state of legislative arrangements in relation to domestic violence, including compliance with international covenants and conventions (CEDAW)
History of change around Police domestic violence practice	Current state of any alternative approaches (village justice) to 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	A review of medical / death records indicating levels of domestic violence and reporting of domestic violence
Police attitudes and perceptions towards Police Officers as domestic violence offenders	The attitudes of key religious organisations towards domestic violence
Current state of Police prosecution of domestic violence	

As with the baseline research, this study adopted the definition of domestic violence used by the PPDVP: that is, '*violence against women by a partner or spouse*'.

The broad aims of the research were to ascertain/assess the current state of:

- data available in each country
- the extent of domestic violence and people's responses to it
- agencies' and communities' views of domestic violence, particularly how things had changed since the baseline reviews were carried out in 2006.

Our approach and methodological framework

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

This study continued the emphasis on partnerships utilised in the baseline review and partnered one national NGO in three of the four countries throughout the planning and implementation of research activities.⁵ This had the dual aim of empowering Pacific communities by fostering enquiry and debate on domestic violence, and consolidating ongoing 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 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 continued to build on the work done by the PPDVP mentors. This included, where possible, coinciding the fieldwork with the mentors' in-country deployment. Again there were wonderful mutual benefits in this strategy. Online support was received from the Kiribati mentor. In the Cook Islands, the researcher worked with the mentor for five of the eight days of fieldwork. For Samoa, the mentor provided key documents and information for the review. In Tonga, the researcher worked with the mentor for the entire period of the fieldwork.

Our approach was premised on the understanding that no single research strategy would fit the four countries: that, although the countries might have some common experiences, 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, information technology (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

⁵ We were unable to organise working with KANGO in Kiribati as the person we had worked with previously on the baseline review was unavailable.

- physical constraints, including the way in which the spread of the islands which make up Kiribati, the Cook Islands and Tonga influences people's knowledge of laws and access to policing systems and/or justice
- national commitments and understandings of regional and international agreements, such as CEDAW⁶ and the Pacific Platform of Action.⁷

It was important for us to remember that findings were set in the context of rapidly changing times and against a backdrop of initiatives promoting women's rights and gender equity and calls for the elimination of violence against women and children.

Finally, we saw that the update would continue to act as both a data collection and an education and advocacy exercise for domestic violence and related issues, as each interview was almost an awareness raising exercise on domestic violence, CEDAW and related issues.

We continued to draw on the significant resource base of knowledge and expertise in each country by utilising the relationships made in the previous study. As noted in the previous study, each country is either signatory to CEDAW or in the process of becoming so, and/or has participated in training provided by agencies such as the Fiji Women's Crisis Centre, the SPC/RRRT of the Regional Rights Resource Team of the Secretariat of the Pacific Community project, and, in the case of Samoa, the Secretariat of the Pacific Community (SPC)/United Nations Development Programme (UNDP) study. In fact, it is highly likely that domestic violence issues are perceived under a 'human rights framework' in addition to the 'Safer Pacific Free from Domestic Violence' framework of this PPDVP initiative.

The fieldwork was carried out in two-week blocks during September 2010.⁸ The methodology replicated that developed for the baseline study and each researcher visited two countries.⁹ Because of the geographical spread and remoteness of many islands in each country, the research was conducted predominantly in urban locations or on a central island. Therefore, 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, as found for the baseline study, the information would vary greatly in accessibility, coverage and quality. Qualitative methods were again deemed to be appropriate, given that a major research focus was identifying attitudes to domestic violence. We recognised that the topic had only recently been acknowledged as a Pacific

⁶ This is the United Nations Convention on the Elimination of all forms of Discrimination Against Women.

⁷ This is the Pacific Platform for Action on Advancement of Women and Gender Equality 2005–2015.

⁸ Ethics approval was given by the Victoria University Human Ethics Committee: No 17907/2010.

⁹ Venezia Kingi went to the Cook Islands and Kiribati, and Michael Roguski went to Samoa and Tonga.

development issue and that understanding the cultural and social underpinnings of domestic violence in the four countries required further extensive discussions with a broad group of people. Pacific research highlights that face-to-face communication is more appropriate and yields richer data than paper and pencil instruments or survey methodology.

As previously, we established general guidelines for the research process and assumed that data collection methods would again vary 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 Appendix A set out the general framework.

The four country reports

This four nation PPDVP review must be set within the wider happenings in the Pacific region in the past four years. Some of these influence the four nations directly, while others are influenced by the impacts of these.

The global recession is affecting all Pacific Island countries and territories through slower economic growth, increased economic uncertainty and worsening household vulnerability. The Asia Development Bank estimates that an additional 50,000 people were living below the poverty line in the Pacific in 2010 because of the global economic crisis. Continuing high rates of population growth in addition to escalating rates of urbanisation have seen the growth of overcrowded urban settlements in all Pacific Island countries and territories, with all the hallmarks of incipient poverty and social issues this entails. At the same time, rural areas are becoming the areas of women and children. The United Nations Children's Fund says children, youth and women are bearing the 'lion's' share of the burden of the global economic crisis, while surveys conducted by UNICEF in Tonga and Tuvalu in December 2009 reveal that a staggering 80 percent of families living in vulnerable communities do not have enough money for food.

The effects of climate change and natural disasters also impact on Pacific communities and are triggers for violence against women. The region's high vulnerability to earthquakes and accompanying tsunami is seen in the Western Solomon's (2007), the Viti Levu floods (January 2009) and the earthquakes and accompanying tsunami in American Samoa, Samoa and Tonga (2009). The extreme weather and climate variability and accelerated sea level rising associated with climate change are also impacting negatively on family livelihoods, economic wellbeing and health. In addition, Pacific Island countries and territories have witnessed increased political crises, social unrest and violent conflict in recent years. The political situation in Fiji is complex, while in Tonga, which is governed under a monarchy, advocacy is ongoing for a move towards democracy.

Views are that traditional family systems are weakening as people increasingly identify with modern regional and global ideas accessed through IT, education, migration and travel. Not only that, high levels of out migration have left many professional posts unfilled, with severe consequences for the delivery of violence against women, educational and health services, especially to rural areas.

We recognise that it is only relatively recently that domestic violence has been acknowledged as a Pacific development issue, yet 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 the roles and place of women, and post-

colonial and recent history. We felt that women's vulnerability to violence in a given country might also vary depending on age, urban/rural living and other factors.

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 containing two sections.

- Part 1 sets 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 nine 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 KIRIBATI STUDY

The fieldwork was conducted during the period 14 to 23 September 2010. I was based at the Kiribati Police Service (KPS) Headquarters in Betio, South Tarawa, and well supported by Sergeant Okura Iuka, the Coordinator of the Domestic Violence and Sexual Offences Unit (DVSO). Unfortunately I was unable to recruit the services of an in-country NGO partner to assist with the fieldwork. I therefore relied on Sergeant Toakai's guidance and assistance to set up interviews with all participants, guide me around South Tarawa and translate where necessary. She was professional, efficient, knowledgeable and, last but not least, welcoming. She played an important part in the success of my visit to Tarawa.

Kiribati consists of 33 coral atolls sub-divided into three main groups. The islands are located in the Central Pacific Ocean, over a distance of 800 kilometres north to south and more than 3,000 kilometres east to west (Figure 1). Given the remoteness of the outer islands and time constraints, all of the fieldwork was conducted on the main island of South Tarawa, which is home to almost half of the country's population of 92,533 (2005 census). The extent to which the results can be generalised to the outer islands is not clear.

Figure 1 Geographical spread of Kiribati islands



Source: <http://www.worldatlas.com/webimage/countrys/oceania/ciamaps/ki.htm>

The main data collection methods were:

- individual interviews with representatives of:
 - Police – senior and junior staff and new recruits
 - government agencies – Courts, Judiciary, Office of the People's Lawyer, Office of the Attorney General's Office (OAG), Ministry of Internal and Social Affairs (MISA)

- non-governmental and international organisations (NGOs), including AMAK, the Catholic Crisis Centre, UNIFEM, Regional Rights Resource Team (RRRT), Kiribati Women’s Advisory Network (K-WAN)
- church groups
- a small number of group discussions
- observation of an awareness-raising road show held on a village *maneaba*¹⁰
- document analysis of: legislation; Police statistics, policy and training documents; previous research; reports by international aid and human rights organisations.

Data collection methods replicated those used for the baseline review and mainly comprised semi-structured individual interviews. The review had noted that this approach had been taken on the recommendation of Police and NGOs who had advised that individual interviews would yield more honest and open replies. A translator (Sergeant Okura luka) was only required in some instances (e.g. translating on the *maneaba*) as the majority of interviewees had a good command of English. Interviewees from KPS were selected by Police Commanders (in the case of recruits) or Sergeant luka with my guidance. There were a small number of discussions with two or more people.

As the interviews and discussions were tailored to tap into the specific expertise of the interviewees, they tended to cover somewhat different topics. As a result, the data were analysed thematically. This means that the findings are presented in terms of key themes emerging from the discussions, rather than a count of how many people endorsed a particular view. Quotes from interviews are used to illustrate key themes.

Efforts were made to consult with as many government and non-government agencies as possible during the eight days of fieldwork, but some agencies were not covered. The reasons for this were similar to those identified in the baseline review. Firstly I was unable to set up meetings until I arrived and the period of fieldwork was relatively short. Secondly, I relied on local advisors to set up meetings or provide introductions and there was some initial confusion around the role that KANGO would play. Thirdly, although no-one failed to keep appointments, representatives of some agencies were either unavailable or unable to be contacted during the time I was in Kiribati. I have included information only on organisations whose representatives I met personally.

Kiribati – introduction to society

Historically and traditionally Kiribati society and culture are conservative and male dominated. Women have traditionally been subordinate to their fathers, husbands and *te unimane* (male elders or old men). Male elders are accorded particular respect. Gender inequities were reinforced by Christian missionaries and continue to be reproduced in social life, including the areas of education and decision-making (Ratuva, 2005).

It is not unusual for violence against women and girls, including sexual violence, to remain unreported because of social and cultural pressures from family members. Like many other countries in the Pacific Islands, Kiribati does not have specific legislation related to gender-based violence. Current laws on violence are inadequate, with no current specific domestic violence offences in the criminal law

¹⁰ This is a covered structure used as the focal point or meeting place of the village.

legislation. There are also no laws to protect women who are victims of domestic violence in a situation where they are living in a house situated on their husband's family land, which is the norm in Kiribati. To complicate matters further the law allows customary law to be taken into account in a criminal case. This provision allows customary law of seeking forgiveness to affect criminal sentencing of an offender, thereby reducing the deterrent factor of tougher penalties. In many instances, this allows the offender in domestic violence or sexual assault cases to escape punishment (Amnesty International, 2010).

However, as a result of awareness raising by government, NGOs and the Police with the support of the PPDVP, more people know that domestic violence is a crime. This has resulted in people being more likely to discuss the issues related to violence against women and children, which is an important step forward for Kiribati society.

Recent social changes

For many years, the extent of violence against women in Kiribati has been unknown and could not be understood due to the lack of reliable data and information. This encouraged the Government of Kiribati through the Ministry of Internal and Social Affairs (MISA) in conjunction with the National Statistics Office (NSO) to undertake and complete a year-long nationwide survey on the state of women and children in Kiribati called the Kiribati Family Health and Support Study (KFHSS). The KFHSS sought to quantify the prevalence of violence against women and children and identify the most common causes of violence and strategies to address them.

The KFHSS has for the first time in the history of the country provided a picture of just how prevalent and serious this problem is. The finding in the study that 68 percent of women between the ages of 15 and 49 years who have ever entered into relationships have reported experiencing physical or sexual violence, or both, by an intimate partner is a cause for concern (SPC, 2010). This level of prevalence is among the highest in the world. The study has been able to document the causes of violence in many instances.

The President of Kiribati had the results of the study early and released initial findings on 3 December 2008, during the 16 Days of Activism. He was firmly behind the project and worked to convince sceptics of the veracity of the findings (Jansen, 2010).

The launch of the report at parliament by the President meant that for the first time the whole country was aware of the extent of the problem of domestic violence. Dissemination of the research findings has been led by the Ministry of Internal and Social Affairs (MISA) and has resulted in a groundswell of activity around the issue of violence against women and children, including the tabling of a motion in parliament and the development of a draft National Policy for the Elimination of Violence against Women (2010).

Another outcome of the study has been the establishment of a new NGO: Kiribati Women's Advocacy for Violence Elimination (WAVE-K, commonly referred to as [K]WAVE). Researchers from KFHSS formed this group in 2008. Prior to that, in 2007, a group of mainly lawyers had formed the Kiribati Women's Advisory Network (K-WAN), and a stakeholder commented that a lot of the same people belonged to both groups.

Since the baseline study there has been a continuing public discourse on domestic violence and women's rights in Kiribati. This must be viewed as a significant achievement in itself, as one NGO participant reflected:

I'm told by people who have been here a long time, I-Kiribati people and expats, that the fact that it's been spoken about is a huge step forward and just the very concept of domestic violence as (a crime and) a human rights issue is just very hard for people to wrap their heads around but it's happening – so that's got to be something...

The national women's organisation, Aia Maea Ainen Kiribati (AMAK), and the Kiribati Association of Non-Governmental Organisations (KANGO) staged the first public commemoration of White Ribbon Day in Kiribati in 2006. The following year, 2007, this developed into a national commemoration followed by 16 days of advocacy for the elimination of violence against women and children. This has continued to be celebrated annually. In 2009 a group of women from NGOs and MISA, assisted by DVSO and Community Police, undertook candlelight marches through the villages with the highest rates of domestic violence. An NGO representative described the event.

A Candlelight march through the villages with high domestic rates... that was something suggested by the DVSO. We were going to march with candles and banners and we all wore black – women and a few men too. We are hoping now there might be more men this year. Last year was the first time we tried, we had three marches at Betio, Tearoraereke and Bikenibeu on three different dates and there was always a Police Officer talking. Initially we wanted to march at Bairiki but the police were the ones who told us it might be best to have it in Tearoraereke as they get so many reports from there which was great advice because we wouldn't have known that. It's really good, we also feel really secure having the police with us I think we have a very good relationship with them now.

The Secretariat of the Pacific Community's Regional Rights Resource Team (RRRT) is part of the 2010 Kiribati White Ribbon Day Committee and plans to run a four-day workshop on 'Advancing legislative reform on violence against women' as part of the 16 Days of Activism against Gender Violence. Participants will include government, NGO and international development agency representatives. The White Ribbon Day Committee will also organise a further two candlelight marches during this period.

Another recent significant event was a public demonstration organised by [K]WAVE in response to the death of a woman due to a domestic violence incident.

The march was more of a kind of solidarity thing and we all met at parliament and then walked down for about 10 minutes to her grave and then we all stood around her grave and some speeches were given about violence against women and how it's a major problem here. A lot of it was in I-Kiribati so I didn't understand much – [the principal researcher on the KFHSS project] gave one, and she's great and the president of [K]WAVE (a man) the president of AMAK – there were lots of speeches. (NGO representative)

Recent milestones in addressing violence against women in Kiribati are presented in Table 2.

Table 2 Kiribati milestones in addressing violence against women

Year	Milestone
1986	AMAK established and given responsibility for women's affairs
1986	KANGO established
1995	Women's Affairs Unit established with the Social Welfare Division of the Ministry of Environment and Social Development (now the Ministry of Internal and Social Affairs)
2003	Evidence Act amended, to exclude the corroboration requirement for rape
2004	Accession to CEDAW
2005	Family and Sexual Offences (FASO) Unit established through the Pacific Regional Policing Initiative (PRPI)
2006	First deployment of PPDVP in-country mentor
2006	New recruit training curriculum
2006	Safer Kiribati outreach programmes run by NGOs and government
2006	First public commemoration of White Ribbon Day, Bairiki Square
2007	K-WAN established
2007	First national public commemoration of White Ribbon Day, followed by 16 days of advocacy for the elimination of violence towards women and children
2008	PPDVP Police advanced domestic violence training DVD produced by Nei Tabera Ni Kai Video Unit
2008	[K]WAVE established
2008	Kiribati Family Health and Support Study completed, launched by the President at Parliament and endorsed by Cabinet
2008	Outer island police involvement in awareness raising on domestic violence with support from MISA/SPC and PPDVP
2008	Kiribati Development Plan outlining a strong commitment by Government to addressing gender inequality
2009	Parliament passed a motion giving full support to the enactment of laws that support the elimination of domestic violence
2009	Tarawa Safe-Network established
2010	Establishment of domestic violence desks in four South Tarawa Police Stations and dedicated phone line for domestic violence calls
2010	Kiribati Family Health and Support Study published
2010	Draft of National Eliminating Gender Based Violence Policy and National Action Plan 2010–2020

SECTION 1: POLICE ATTITUDES, POLICY AND PRACTICE

Current specific levels of domestic violence reported to Police

As noted in the baseline review, the FASO Unit was established in 2005. The name of the unit changed in 2008 to the Domestic Violence and Sexual Offices (DVSO) Unit and, as mentioned previously, now includes a specialist staff member at each of the four police stations in South Tarawa, in addition to the Coordinator and another staff member at National Headquarters.

The rollout of the PPDVP CMIS¹¹ domestic violence database in Kiribati has resulted in a more coordinated effort by DVSO officers to record the levels of domestic violence reported to the police.

The DVSO Unit database statistics are compiled as follows.

- Details of domestic violence complaints are lodged in the Incident Register at each local Police Station.
- There is now also a PPDVP domestic violence form that must be completed by the attending Officer.
- Summaries of domestic violence complaints are also recorded in the Domestic Violence Registers at local Police stations.
- Daily crime reports from the stations are sent to Police Headquarters. The statistics are collated for inclusion in the Police Commissioner's daily talk to Officers.
- Monthly summaries are sent to the DVSO Unit for entry into the CMIS database

The DVSO Unit database statistics include all offences categorised as domestic violence, including violence against the person, violence against property and verbal abuse. These are all included in Table 3. Data were unavailable for 2007.

Table 3 CMIS recorded levels of domestic violence: South Tarawa*

Year	Station				Total n
	Betio n	Bairiki n	Bikenibeu n	Bonriki n	
2008	108	20	22	16	166
2009	104	70	45	38	257
2010**	82	41	30	35	188***

Source: KPS CMIS database

* This excludes five cases reported in the outer islands during 2008

** Year to 15 August 2010 and is likely to be incomplete for all stations

*** Extrapolation allows us to estimate the number of cases for 2010 at 354. However, this figure needs to be interpreted with caution as it does not take account of the fact that the volume of reported cases usually increases over the Christmas period.

There had been no audit of records submitted by the DVSO officer at each station to the Unit at Police National Headquarters, so it is not possible to determine the degree to which the data in Table 3 accurately reflect the number of domestic violence incidents reported to the police over this period. Perusal of the domestic violence registers from each station indicated that the entry of cases was not up-to-date and

¹¹ This is the Case Management and Intelligence System that was rolled out in 2007 with the PPDVP. PPDVP staff provided training for CMIS operators.

data for 2008 did not match that included in the KFHSS report, which was also sourced from the DVSO Unit.¹² However, the DVSO CMIS database represents a significant improvement on the levels and rigorousness of data collection reported on in the baseline review.

The baseline review noted that domestic homicides were rare, and the available statistics supported this statement – during the period from January 2008 to August 2010, only two homicides had taken place and only one of these involved intimate partner violence. As mentioned, this incident in which a woman had been killed by her partner had taken place a few weeks before my visit. This, and the associated solidarity march organised by [K-WAVE], was still being talked about by most people.

The reporting of rape within marriage is also rare. Out of the seven rape cases recorded over the period from January 2008 to August 2010, only one involved a married couple, although all involved those with whom the victim had a close relationship – either a parent (n=5) or another family member.

What is evident from the available data is that, where previously domestic violence has been considered a private family matter, now neighbours, family members, friends as well as victims are reporting this to the Police. This was commented on by a number of informants and seen to be the result of increasing awareness around the issue of domestic violence and the knowledge that it is a crime.

Table 4 Who reported to the Police

Treatment	Stage			
	2008 n=166		2009 n=257	
	n	%	n	%
Victim	83	50%	223	86%
Neighbour	51	31%	1	1%
Family	24	14%	31	12%
Friend	6	4%	0	0%
Other	2	1%	2	1%

Source: KPS CMIS database

When we consider the data in Table 4, it is interesting to note that the number of neighbours reporting dropped off from 2008 to 2009, yet the number of family members reporting remained relatively stable. Data for 2010 indicate that 97 percent of the 188 complaints were made by victims and the remainder by family members. However, it is important not to make assumptions of trends in reporting based on these data as they are incomplete.

Interviewees were asked whether the awareness campaigns and the fact that most people now knew that domestic violence was a crime had resulted in any men reporting their partners. They said this probably happened but was not being reported.

It's rare for women to hit men. We had one man who phoned us – this is rarer but we would arrest the wife if the husband wanted us to.

Despite this, CMIS records show that men are victims of domestic violence and are reporting this to the police. Over the period covered by the CMIS records we had, 75 victims of domestic violence incidents were recorded as male. Of this number, approximately one-third had been assaulted by a current or former partner or wife and almost two-fifths by a parent.

¹² The figures included in KFHSS for 2008 were Bikenbeu n=79; Bonriki n=19; Bairiki n=79 and Betio n=160, all of which are significantly higher than the CMIS data I received.

Discussion

The rollout of the PPDVP CMIS domestic violence database has allowed for the comprehensive collection of Police statistics. This is a significant step forward and will allow for the tracking of trends over time. There is some indication that repeat and serious offenders are being tagged by local DVSO officers, which will allow for them to be both tracked and monitored. However, it is important to remember the inherent problem of under-reporting, which is acknowledged in jurisdictions across the world, and that the low numbers of reported crimes are likely to reflect under-recording (see discussion of next TOR). This will affect the accuracy and usefulness of the DVSO Unit database. Another issue is the discrepancy between data from individual stations and those on CMIS, and the marked difference in the data reported in the KFSS and those in this report. An audit of the data needs to be undertaken.

Current Police policy, protocols and general processes and procedures (including record keeping) for dealing with domestic violence
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There have been two major changes since the baseline review: the development of a written protocol for domestic violence and the production of a DVD by the Nei Tabera Ni Kai Video Unit in collaboration with the PPDVP, providing examples of undesirable and best practice for Police when dealing with domestic violence (see the TOR on Police Training). The DVD is used for the advanced domestic violence training, i.e. Investigation of Domestic Violence.

The document *Kiribati Police Service Domestic Violence: Standard Operating Procedures* set out the principles underlying the police response and notes that domestic violence must be treated seriously. KPS has reinforced this message by establishing a dedicated phone line for domestic violence calls (funded by MISA), based at Police National Headquarters, in addition to the standard emergency phone line based at Bairiki. The call is taken and relayed by radio to Officers at the station nearest to where the incident has taken place, who then respond.

The formal protocols for processing a report of domestic violence are summarised in Box 1.

Box 1 Attending to a domestic violence situation

Attending to a domestic violence situation

Staff should enter all domestic violence matters in the Incident Register at their station, no matter how many times they have been there, as well as the Domestic Violence Register.

Communications Response

On receipt of the call, the call taker must gather all available information, including:

- Location of incident – this is the first priority in the event the call is ended
- Caller's identity and location and their safety needs
- Is medical assistance required
- Who is present
- What is happening
- Any weapons involved or accessible
- Other risks to Police, e.g. dogs, history of previous violence to Police
- Description of the offender and victim
- Have Police attended before.

Source: KPS Domestic Violence: Standard Operating Procedures

DVSO Officers based at each of the Police Stations in South Tarawa now respond to all domestic violence calls with a frontline officer between the hours of 8am and 4pm. The role of the DVSO Officer is to deal with the victim – take their statement and attend to their needs, e.g. transport them to the hospital if there are injuries. Three of the DVSO officers are female and one is male. Calls after hours are usually attended to by frontline staff, who advise the DVSO staff of the case the next day. It is not unusual for the DVSO Coordinator to be contacted after hours to attend callouts.

It was noted in the baseline report that whether or not Police attend domestic violence incidents relies on the availability of a vehicle. This still happens. The unavailability of vehicles can also result in injured victims having to be taken to the hospital on crowded public transport.

Each station has one vehicle and accessibility [to attend incidents] is an issue. If there is no transport sometimes we have to take victims to hospital on the bus.

KPS protocols for the investigation of domestic violence incidents are set out in Box 2.

Box 2 Domestic Violence Investigation Practice

Domestic Violence incidents have the potential to include a wide range of offences ranging from homicide, sexual offences, assaults, threatening behaviour, and wilful damage, trespass and burglary to incidents where no criminal offence has been committed but some form of police intervention is still required.

Action taken by the Police must focus on:

- Protection of victims (including child witnesses)
- Identifying and investigating offences
- Arresting the offender

Responding Officers shall investigate the incident thoroughly and:

- Address immediate safety of all parties, including Police Officers
- Separate parties involved in the family violence
- Take control of any weapons
- Secure the scene and preserve all evidence
- Note all admissions and/or incriminating statements
- Obtain medical assistance if required
- Interview all victims/witnesses, persons involved or present
- Consider the need to obtain photographic evidence of all parties and of the scene
- Note any injuries to the victim and damage to property
- Suggest victim undertake a medical examination if required
- Ensure all elements of the intended charge are covered and all exhibits are collected and preserved
- Make an arrest if reasonable suspicion exists
- Complete the reports and register in a timely manner.

Source: KPS Domestic Violence: Standard Operating Procedures

Details of the complaint are lodged in report books at local Police stations and a domestic violence form is completed. The DVSO Officer records the details of each case in a domestic violence register. The summary includes: the serial number; date and time of complaint; particulars of the complainant and the accused; injuries; incident details and involvement of alcohol or weapons; Police action; and outcome. Some registers include the relationship between the victim and offender.

There is a domestic violence form that should be completed by the officer attending the incident. In the past these have not been consistently completed by frontline staff. Now this task is undertaken by the DVSO Officer attending and it is hoped that this will improve the process.

Daily crime reports from all stations are included in the Police Commissioner's daily talk to Officers at Headquarters. DVSO Officers at each station forward reports to the DVSO Unit for entry on to their database. As noted above, there is no monitoring or auditing to check if these numbers correspond to the actual number of complaints made or recorded.

The Coordinator of the DVSO Unit is working hard to try to change practice around police responses to complaints: once an assault is committed it is an offence, not a family dispute. The victim should not be asked if she (or he) wants to lay charges.

What we're trying to improve now is they don't ask the women whether she wants the offender arrested or make a complaint – assess the situation.

Although the KPS does not have a 'no drop' arrest policy for domestic violence the Standard Operating Procedures developed clearly indicate that this is an expectation and that withdrawal of the case by the victim cannot be decided by frontline police officers (see Box 3).

Box 3 Domestic Violence Arrest Policy

Arrest

- Offenders who are responsible for family violence offences shall, except in exceptional circumstances, be arrested by police. Upon cases where action other than arrest is contemplated, police officers must seek approval from their immediate supervisors before taking the intended action.
- When the victim makes a formal statement but refuses to sign the statement police will continue with the investigation.
- Where the victim refuses to give evidence in Court having already made a formal statement police will continue with the case and it will be up to the Magistrate to determine whether the charges are withdrawn.
- No family violence related charges will be withdrawn by Police unless directed by the OCS Station or O/C Prosecutions.

Source: KPS Domestic Violence: Standard Operating Procedures

Frontline Police Officers who are approached by a victim/complainant to withdraw their case often carry this out without referral to DVSO staff. The Coordinator described the process that she is trying to implement as best practice.

Women go to the Police Station and say they want to withdraw. I'm now trying to get stations to let me or the DVSO in the station know because we have to do something before the case is withdrawn. We have to make sure if the victim is safe and if the behavior has stopped and we can refer them to do some counseling if we need to.

As mentioned previously, it is now KPS practice for a DVSO Officer to attend domestic violence incidents wherever practicable. They are responsible for ensuring that the victim is safe and gets medical treatment if she is injured and for taking her statement. They will also escort her to the Catholic Crisis Centre if she has nowhere to go and needs to leave the house for reasons of safety. The shortage of available vehicles can make this particularly challenging.

But the thing is if it happens in the night we have to sleep with them at their home to make sure they are safe. Then the next morning we have to find transport if there's none we go on the bus.

At the time of the baseline review there were problems related to the lack of clarity around Police powers to enter domestic premises without the householder's permission or in the absence of an arrest warrant. This has been addressed through the new Police Powers and Duties Act 2008, Part II of which relates to General Enforcement Powers.

As more cases have been reported there has been confusion around powers of arrest. Police think they can't go into an offender's home without a warrant. This

has been sorted in the new Police Act 2008 where it is clearly defined what we are supposed to do there is no longer any more confusion about privacy issues.

Clear guidelines are also set out in the Standard Operating Procedures under the section containing guidelines for attending domestic

Discussion

There do not appear to be any Police internal mechanisms to make officers accountable for failing to follow procedures. The baseline review noted this and commented that it is not clear whether such failures are related to a lack of understanding of the procedures – in which case, extra training is required – or whether it is related to attitudes towards domestic violence, which are more difficult to address. However, the new practice of having a DVSO Officer attend each incident should ensure that correct procedures are followed, especially in relation to victims' needs and safety, and should hopefully reduce withdrawals in the absence of a considered appraisal of each case.

Police need to think more about whether they allow cases to be withdrawn and to work together with us before they make decisions – they can run the show but they need our input.

The matter of confusion around Police powers appears to have been addressed since the baseline review. However, the fact that Police are still withdrawing cases on the request of the victim without conferring with the DVSO or, in fact, following procedures stated clearly in the Domestic Violence protocols would indicate that there is still a reluctance to interfere in private family matters and to follow prescribed official protocols.

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

A lack of reliable recording systems means it is not possible to estimate levels of case withdrawal, prosecutions or the overall numbers of offenders being held accountable for their actions. For one, data are fragmented and dispersed and coordinated systems are not in place to track cases across the various agencies. Although I was informed that in the Magistrate's Court the Registrar now notes which cases are domestic violence related, I was unable to access this information.

There was some information available on withdrawals and outcomes of prosecution in reports from Police Stations provided to the DVSO Unit but this did not seem to have been transferred to the CMIS database. It might have been possible to obtain a rough estimate of case withdrawal relative to reporting by examining the domestic violence registers. Aside from the time-consuming nature of this task, however, the information would be unreliable. The DVSO Coordinator estimated that only two out of ten cases result in prosecution.

Nonetheless, it is possible to make some general statements on withdrawals, prosecutions and accountability, based on consistent themes emerging from the interview evidence, as discussed below.

Outcomes of cases

The action taken on cases recorded in the CMIS records I accessed is set out in Table 5. There was no information recorded on case withdrawals or outcomes of prosecutions/court appearances.

Table 5 Action taken on cases, 2008–2010

Action Taken	Year		
	2008 n=166	2009 n=257	2010 n=188
Advice given	2	0	0
Arrest – Prosecution	2	34	21
Attendance sufficient	1	6	1
No complaint made	3	5	1
Reported*	158	212	165

Source: KPS CMIS database

* These are cases that have been reported and attended and no further action is taken.

It is interesting to note that, based on these figures, the percentage of cases being prosecuted appears to be increasing, although this may be a result of the incomplete data for 2010.

Case withdrawal

Anecdotal evidence points to continuing significant levels of case withdrawal, most at the request of victims/complainants. The KFHSS cited a Police key informant who estimated that three-quarters of cases are withdrawn (SPC, 2010a). However, there is evidence that Police are working to reduce the number of withdrawals, as discussed previously.

I know the practice here – if wife makes a complaint against man, male or husband – sometimes the case does not go to the court – it's closed – charges withdrawn, don't have no-drop policy ... wife comes in to ask for withdrawal if it's minor case police can do it officer in charge of the station – if it's of serious nature court decides ... or we send it to the Attorney General's office for advice.

Some of the wives they come and ask about the withdrawn case I had two cases and I informed the DV Officer in charge and she came and saw them and said that victim has to go to court and withdraw her case.

A stakeholder commented on a typical scenario.

It is difficult, because the women they love their husband and most of the cases I heard from the Police the wife came to lodge a complaint the next day they came over to change their evidence and want to withdraw their complaint. The Police say, "What a waste of time next time you come we don't have to investigate your case; you have wasted our time. We have gone around looking for witnesses and now you came and ask us to withdraw the case."

Police Officers said that a common reason for withdrawals is that criminal justice sanctions will impose further hardship on families.

Most victims are not employed have no job and that is the problem because they can't escape from the husband because they depend on him for the kids and every time they argue and are assaulted they come to report and after two days they come to withdraw the complaint – we record their statement and bring along the file to court where the judge can decide ...

One of the major reasons for withdrawal is that wives assume that their husband will go to prison and that they will not be able to cope financially without him. The DVSO Coordinator attempts to get victims to proceed to court by explaining that the husband will probably not get a sentence of imprisonment and that by prosecuting the case a clear message is sent to men that this behaviour is unacceptable.

Levels of prosecution

The baseline review noted that most prosecutions are handled by prosecutors based at the stations where the complaints were lodged and that serious cases are dealt with by the Attorney-General or the prosecutor at Police Headquarters. This is still the case. However, a computer database is currently being set up at Betio which will ultimately contain a record of all prosecutions. This will not only provide easy accessibility to the status of each case from a central point but also allow for analysis of prosecution numbers, withdrawals and sentencing trends.

Number of offenders being held accountable for their actions

There were no available statistics on conviction rates or sentencing, yet the available prosecution figures would indicate that offenders are not being held accountable for their actions. The baseline review reported that both Police Officers and Magistrates had some criticisms of the quality of investigations, preparation of cases and delays in prosecution. However, there is some evidence that cases are at least no longer being withdrawn or closed due to lack of evidence and that the quality of Police investigations is improving. This may be due to a workshop that was held by the New Zealand Police to upskill KPS officers in interviewing and investigative techniques, including taking statements and gathering evidence.

And if you want to withdraw the case or close we submit the cases to the AGs office ... sometimes there is insufficient evidence ... before the investigation is very bad but now there's an improvement. Before we used to return files but since I've been in this position I haven't returned any files because everything is in there ...

A number of informants felt that sentences handed down in the Courts were too lenient and did nothing to deter further offending.

If there is reconciliation we think that everything is all right but it happens again. I think the court should penalise the offender accordingly under the law that would deter them. The court is mostly too soft – fines them \$50 – they should go to prison that would stop them.

Discussion

Anecdotal evidence indicates that the situation has changed little since the baseline review: levels of case withdrawal are high, prosecutions are low and few offenders are being held accountable. While a number of factors contribute to this situation, it suggests that the community is unlikely to perceive the criminal justice system as an effective means of dealing with domestic violence.

Of particular concern are reports of Police delays in investigations, the poor quality of investigations and suggestions that Police are not carrying out their duties.

Any history of change around Police domestic violence practice

The establishment of the DVSO Unit has resulted in improved levels of awareness raising and moves towards better responses by Police to domestic violence on Tarawa. One senior officer stated:

The thing that surprised me when the unit was established first, was that reported domestic violence went up because the women basically know their rights. I think that's one of the reasons – more are aware and more are reporting.

The current Coordinator, who is the third since the unit's inception, has been acting in this role since 2009. Initially there were four DVSO staff, all of whom were based at Police Headquarters in Betio This changed at the beginning of 2010 when the

number of staff increased to six following training conducted by the PPDVP. All South Tarawa stations (i.e. Betio, Bairiki, Bikenibeu and Bonriki) are now staffed with one DVSO officer who deals solely with domestic violence and sexual abuse offences and two, including the Coordinator, are based in Police Headquarters. There are five female officers and one male officer. Their role is to be involved in all domestic violence cases and be responsible for keeping accurate records. Only female officers are involved in sexual cases.

Things that have changed are the DVSO staff with sexual offences interview not like before when the male officers would interview a female victim and that was not comfortable for the victim but now it's changed – female officers from DV Unit interview victims here and in the outer islands.

All Police spoken to were aware that domestic violence is a crime and none overtly supported the use of physical violence by husbands against their wives. However, it is still unclear the extent to which the change in attitudes has resulted in changes in society. This is to some extent understandable, due to the nature of traditional practices in Kiribati.

Discussion

The PPDVP has been a significant driving force for changing KPS practice around domestic violence. However, it is clear that the sustainability of such changes must be driven from within the KPS and this becomes more important as the end of the project nears. The DVSO Unit is the public face of the PPDVP and as such needs to continue to grow in levels of professionalism and gender awareness. Nonetheless, since the baseline review there have been significant changes. DVSO staff are now assigned specifically to the Unit and not diverted to other duties, there are written standard operating procedures for dealing with domestic violence as well as a training DVD that is used in advanced training and gives examples of poor and best practice in dealing with such cases. In addition, the introduction of CMIS has allowed the beginnings of an efficient data collection system. Ongoing training would allow DVSO staff to develop expertise that will assist in dealing with the public. This expertise could then be passed on to their colleagues, thereby augmenting the capacity of the entire KPS to deal effectively with domestic violence.

Current Police leadership practice around domestic violence

The current Commissioner of Police is presently on study leave in Fiji but appears to be held in high esteem by members of the KPS, the community and international agencies. A representative of an NGO provided an example of his longstanding involvement in addressing domestic violence.

The Police Commissioner when I first started here we asked them to do awareness raising with us he was in the police training school – he was a trainer, and a few years later he's the commissioner and he assisted in the implementation of Community Policing. He was also involved with AMAK in the 1990s and we had meetings that he attended and he facilitated a few sessions for us.

The Commissioner also supported the production of the PPDVP training DVD, providing examples of how Police should intervene in family violence situations. This included examples of both good and bad practice and was a visible indication of his commitment to addressing domestic violence. This DVD is widely used in delivering advanced domestic violence training (the Investigation of Domestic Violence) across PPDVP sites and has been provided to PICP member countries, RRRT, UNIFEM and UNDP.

The Acting Commissioner has a similar profile; he is the executive sponsor for the PPDVP and has been responsible for increases in staff numbers as well as providing more general support for the unit.

The development of the Community Policing Unit and the DVSO Unit were considered to be two visible examples of Police leadership around domestic violence. The work of the two Units often overlaps, as both have a remit to address domestic violence and they are encouraged to work as a team, predominantly in the area of community awareness. The Community Policing Unit has played a significant role in setting and running the Safer Kiribati strategy and the related awareness raising road shows. There are now dedicated Community Policing and DVSO Officers at each of the four Police Stations on South Tarawa.

The Police are continually involved in most initiatives and sit on all committees related to domestic violence where government agencies collaborate. For example, the KPS are partners with MISA and the Office of the Auditor-General in implementing strategies relating to increasing public awareness of gender-related issues and increasing support to agencies who work in this area included in the Kiribati Development Plan 2008–2011. The incidence of domestic violence by gender is one of the key policy indicators arising from this. There is also an indication that opportunities for women in the KPS may be changing, with the appointment in 2010 of a female Inspector as Coordinator of Prosecutions.

Discussion

As noted in the baseline review Police commanders and staff can play a major role in changing community perceptions about gender roles and attitudes towards domestic violence. There is some evidence that this has occurred over time, with Police involved in most campaigns or initiatives around domestic violence. However, this would appear to relate to specific units or individuals (i.e. Community Policing and DVSO) rather than the KPS as a whole.

The idea of teams of female and male officers attending domestic violence incidents was raised in the baseline review; this is now the usual practice where possible. Dedicated DVSO Officers, three out of four of whom are female, are based at each station and involved in attending all domestic violence callouts with frontline staff. This is an indication that efforts are being made to attend to the needs of female victims, who usually prefer to deal with a female officer.

Police attitudes to and perceptions of domestic violence

There was consensus among Police interviewees that domestic violence is a widespread problem in Kiribati. Some felt that levels of domestic violence were rising; others felt that there were more complaints to Police rather than an increased incidence, i.e. women were now aware of their rights and so had more confidence to report to the Police.

Attitudes towards domestic violence

There was no overt support from Police interviewees for men who physically disciplined their wives. However, many were aware that, although more women were reporting, it is difficult to change generations of tradition and culture, and that this is a long-term and slow process.

I don't think people know that it's a crime for a man to hit his wife because in our culture the man is the boss and I think they think that is their right to hit their wife –

those who deal with the people know that domestic violence is a crime but most of the people don't.

It's very hard to change – women are very scared because they know it's strongly supported by the culture that's why they go to the Police. And the people say she deserves to be beaten she's got no right to go and report like that – but she has the right.

Police attitudes to dealing with complaints

There is bound to be tension for Police Officers between their duties as a sworn member of the KPS and their membership of a community where traditionally domestic violence has been viewed as a private family matter. As we discuss elsewhere in this report this had resulted in confusion around police powers in terms of entering private property without a warrant or a lack of knowledge of whether an offence had been committed. Despite this, all Police interviewees spoke positively and in an informed manner about their role when dealing with complaints.

Repeat offenders ... always report and withdrawing cases ... my observation in the past but think things have changed ... this is part of our awareness we encourage especially the wife to report by the time they report the idea / habit of causing trouble might be gone so they change their minds.

In training I learnt that domestic violence is a crime and that is why when a man hits his wife that is what I will talk to them about.

It remains to be seen whether or not such attitudes result in officers counselling parties and encouraging reconciliation, instead of arresting offenders.

In small communities, Police Officers may be called to attend incidents involving family members. Some preferred not to deal with these, saying they would pass the call on to a colleague. Others indicated that their professional duty to enforce the law would come first.

Yes – when the offender is my family I have to do the right procedure the first thing I must do is explain the offence he has committed – and he doesn't have to hit his wife – would arrest – our family would agree with it but maybe the man will hate me or avoid me or something like that.

Police attitudes to prosecutions and holding offenders to account

Police attitudes to prosecutions and holding offenders to account have not discernibly changed since the baseline review. In fact there did not seem to be much knowledge about what happened to cases once they were passed on to prosecutions. One young officer remarked:

Most of the time two of us would go and bring the victim and offender to the office and then contact the DV Officer to deal with them – I think most of my cases go to court.

Overall, the concept of offender accountability was underdeveloped among the officers interviewed, in line with the baseline review findings. However, all interviewees acknowledged that domestic violence is a serious crime, and they wanted to see offenders held accountable and were constantly trying to persuade women to proceed to court.

I know that some women still think they deserve to be beaten because they did the wrong things according to our culture – I hear from one of my friends that their cousin was beaten by her husband because she was asked not to go and drink kava while the husband go to overseas but the wife doesn't listen. He came back heard from other friends that the wife was attending the kava drinking group and

drinking with males and he was jealous and he beats the wife. I asked the friend to go and ask the cousin to report to the Police because she is bruised and she said no because she deserved to get beaten because of doing the bad things like that – it still exists.

Before it's different but now they get an idea on the rights of women and they agree that they have to report to the Police and stuff like that and sometimes the wife they didn't do the report but other family do ... communities slowly changing.

Working on awareness – to let them know even if they are wife and husband it is a case in law and a violation of rights when domestic violence happens – I hope people are aware but in most areas still looking back to the past ...

One the other hand, as described previously, some had little faith in the deterrent ability of the criminal justice system and felt that penalties for offenders were too lenient.

The high level of alcohol use is still a problem in Kiribati and is linked to the majority of domestic violence incidents. Although the baseline review noted that offenders were often excused for their actions due to being drunk at the time, there was not a lot of discussion along these lines during my visit – informants mainly commented on the misuse of alcohol and the problems it caused in society and in particular within families.

Alcohol is a big problem ... involved in most of the domestic violence callouts – I estimate 90%.

With the availability of the CMIS data we can, for the first time, gauge the degree to which the anecdotal evidence matches the reality in terms of the relationship between alcohol use and domestic violence. Available figures for the years 2008, 2009 and part of 2010 indicate that the use of alcohol, usually by offenders, had been involved in 62–77 percent of cases reported to the Police.

As discussed previously, the situation with withdrawals does not seem to have changed since the baseline review was undertaken – women will ask for charges against their husbands to be withdrawn, usually the day after the incident has been reported. This is frustrating for officers who want to see more cases going to court and/or resent Police time and resources being 'wasted'. A stakeholder commented on this and speculated whether or not westernised legal systems worked in places like Kiribati.

This culture is changing but there has been a culture of trying to dissuade victims from reporting mainly because they then withdraw afterwards and it seems like a waste of time. But even if it goes to court a lot of the time the judges will say to the women "Are you sure you want to lose your husband?" ... It's impossible for them to live there's no support from the government and taking a husband to court is probably disgraceful ... you often wonder whether the whole kind of western legal system works here at all ...

There is still little evidence that Police Officers are aware of the wider dynamics of power and control that underpin violence against women and children. Although they talk about the reasons why women may withdraw complaints and the effect that culture has on the perpetration of domestic violence there is little discussion around the complicated nature of abuse, other than the effects of physical violence. Whether this means that they are not aware of these issues or do not talk about them unless asked specifically is another matter. The establishment of the DVSO and specially trained staff may also have resulted in a lack of training and upskilling for frontline officers around domestic violence.

Police attitudes to traditional cultural attitudes towards domestic violence

Interviewees did not overtly support the traditional view that a husband has a right to beat his wife, depending on her behaviour. However, several were of the view that these attitudes still existed in the community, especially the outer islands.

Yes I can believe most of the people think that a husband can beat a wife but that the wife deserves that – it's different from your way of thinking.

Police attitudes to traditional local or village approaches towards dealing with domestic violence

Some Police Officers still felt that domestic violence was best dealt with by the family, the *maneaba* and the church in a traditional manner. In particular, reconciliation was favoured, even though this can result in a woman being pressured to stay in a violent relationship.

Commentary on linkages between attitudes and behaviour

The Police Officers interviewed all agreed that most people in Kiribati, including themselves, know that domestic violence is a crime and that more people are reporting this to the Police. However, it is widely acknowledged that, although attitudes may change, this is not necessarily accompanied by a change in behaviour.

The thing is how can we change the attitude? Because most us know now, we understand but the thing is we can change the attitude but changing the behaviour is the big one ... We have awareness on HIV and sexual abuse and people understand that but they don't care ...

There has traditionally and historically been a high level of male violence against women in Kiribati. This is accompanied by the view that this is a private matter and not to be interfered in. There is thus a tension for Police Officers between their professional duty to prevent crime and uphold the law, and expectations around their conduct as members of small communities with strongly traditional ways of life.

You just don't do things then stop and expect a miracle to happen it's ongoing there are male attitudes in the police that need constant monitoring – PPDVP has done excellent work ...

We are responsible to spread the awareness to people that some of our culture is not good and we can learn how to help but it takes time ...

The baseline review noted that, given the entrenched nature of domestic violence and that it is firmly rooted in culture and tradition, it may be preferable for Police to work with the community to find local solutions to gender-based violence. This is a view that some Police agree with. One senior officer explained:

I think the police alone cannot solve domestic violence we need to work together – I think men understand that this is wrong. BUT ... and there's a but there ... I think it has to start from the home kids copy their parents so there is a lot of work to be done.

Police attitudes and perceptions towards Police Officers as domestic violence offenders

There was no overt sympathy or support among KPS interviewees for colleagues who were domestic violence offenders. All said they would follow standard procedures and treat fellow officers as they would any other perpetrator.

However, there were indications that some would be unlikely to be proactive in following up on knowledge that a colleague was perpetrating domestic violence, and would only take action if a report was filed. New recruits interviewed said that they would report this to their commanding officer.

Yes we know it happens, there are a few right across older and younger Police Officers. They are treated the same as other offenders. If I knew of one I think I would report it to my supervisor.

All were clear that the consequence of domestic violence offending for Police Officers was dismissal.

We have professional standards unit – they have to go thru a disciplinary process – if convicted – if imprisoned are dismissed – depends on the nature of the violence – are dismissed if convicted.

Discussion

The baseline review stated that, in many respects, it is not surprising that some KPS members were willing to overlook a colleague's violence unless the matter was reported. Strong social and cultural norms against interfering would be powerful disincentives. However, it was interesting that, in the update, recruits were at least saying they would report other officers if they knew they were domestic violence offenders. Yet, whether or not they would report if it meant transgressing social, traditional and hierarchical norms is unclear. Despite this, it is in the younger generation and the re-education of older I-Kiribati that hope lies for addressing violence against women and children.

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

Current policy and practice for dealing with Police Officers as domestic violence offenders does not appear to have changed since the baseline review was undertaken in late 2006. The policy and procedures established by the Professional Standards Branch in 2004 still stand (see Lievore and Fairbairn Dunlop, 2007b).

I was informed that any Police Officer who had committed domestic violence would be treated no differently from any other offender and that conviction would result in dismissal from the KPS.

Discussion

Inasmuch as I was unable to determine whether Police Commanders were consistently applying policies and procedures, there appear to have been no changes in policy or practice since the baseline review. A community stakeholder commented on how it was usually known in communities which Police Officers were involved in domestic violence and that this had an impact on how they were viewed.

I think it really depends on who you talk to I'm not trying to undermine what the police are doing – some police are the salt of the earth very, very down to earth demand respect not by what they say but how they behave themselves in their lives.

Added to this, there were indications that frontline staff did not always follow procedures when it came to their colleagues, particularly in relation to allowing the withdrawal of a case before it went to court. One Police Officer estimated that:

Most of the men in the police are involved in domestic violence – and when we look at the report book their names are in there as an offender – The normal procedure is to charge – there were a lot of people involved last year but they were fortunate when the wife came and withdrew the case – but normally they would be charged for that. One name keeps turning up and the wife withdraws it ...

Even if the preceding estimate was exaggerated there was no indication that action was being taken against officers. No-one remembered any incidences of officers

being charged or reprimanded for committing domestic violence. Needless to say, considering the comments above, this has implications for community perceptions of Police credibility.

I think it really depends on who you talk to I'm not trying to undermine what the police are doing – some police are the salt of the earth very, very down to earth demand respect not by what they say but how they behave themselves in their lives or communities however, others talk but they don't get the respect because of what they do in their own lives.

The current state of Police domestic violence training

All new recruits receive training around domestic violence as part of the curriculum. The module has been developed by the PPDVP and takes two days. It is presently taught by the DVSO Coordinator or by the PPDVP mentor if he is in-country. New recruits were said to have little understanding about the concept of domestic violence as a crime and the involvement of the Police in this.

In the first place they think it's all right, they don't even know what domestic violence is. They don't have a full understanding of the role of the police in relation to domestic violence and think that it happens everywhere even with the police – with everyone.

I talked to four recruits from the all male cohort currently undergoing training at the Police Training School adjacent to National Headquarters in Betio. They defined domestic violence fairly basically as “A crime in the home – it includes assault, violence against mothers and children and sexual assault.” Their recollection of what they had learnt was a bit hazy but they could remember learning about: the definition of domestic violence; how to deal with the victim/complainant; and how to assess the victim's condition and safety.

Although they considered the level of training to be good, they said it would have been useful to know more about some areas that had been covered, such as:

- reducing harm to mothers and children
- safety of victims
- how to deal with family members as victims or offenders.

One frontline officer who had undergone training as a new recruit in 2007 also had views of how domestic violence training needed to take account of the Kiribati culture and way of life

Training was really good but could have been better, according to my view. [PPDVP] mentor sometimes didn't really know much about the culture. Some things are good but some things we know we couldn't practice in our culture it's not good – it wouldn't work and most of our people wouldn't accept it. For example, some of the domestic violence offences like child abuse sexual abuse mainly that because some of our people don't understand. Most of our people don't understand other things that are classified as sexual abuse – touching that sort of thing. Also hitting a lady some people say that's not an offence ...

Comments around training indicated that there should be refresher training for all officers, not just those in the DVSO Unit.

Police need more gender awareness training and next time the ones who are taken for domestic violence training should be the men not us women.

A new training DVD for Police in Pacific regions was produced for the PPDVP by the Nei Tabera Ni Kai Video Unit in 2008. This was funded by NZAID and supported by the Commissioner of Police. The DVD tells the story of a Kiribati family – Miriam, her

husband loane and their two daughters. loane is violent towards his wife, fuelled by alcohol and jealousy. Miriam reports the violence to the Police and the DVD gives examples of good and bad practice in how the Police respond to the call. The areas covered are:

- first contact with Police and dispatch
- journey to the incident and approach used
- first contact with victim and handling the suspect
- interviewing the victim and the outcome.

This resource is used for advanced domestic violence training across PPDVP sites, i.e. Investigation of Domestic Violence, which is an additional three-day course run after the basic recruit training course. In some cases these two courses have been joined, with the basic awareness (cycle of violence, myths, human rights etc) taking 2.5 days and the investigative skills component (where the DVD is a key) being used in the next 2.5 days. The DVD has also been aired on the national television network in the Cook Islands, where it received positive feedback from those who saw it.

Discussion

The interviews raised the issue of in-service training and upskilling of longer-serving officers. Most of the interviewees thought that all officers should be trained in domestic violence and the majority also said that they needed more training and knowledge to be able to deal effectively with domestic violence.

Everyone in the Police should have domestic violence training – we need to be well trained.

The production of the training DVD is a significant step towards providing standardised advanced training materials for the upskilling of frontline Police across Pacific countries and territories.

The state and recent history of Police partner relations

The baseline review noted that, historically, there have been few linkages between Police, government and NGOs and that the establishment of the DVSO (formerly FASO) Unit provided a link between Police and other agencies.

On this visit, there was a clear indication that the Coordinator of the DVSO has a good working relationship with both NGOs (including AMAK, KANGO, AAFR and the Crisis Centre) and government agencies (e.g. MISA, Courts, Health) and is well respected.

A government stakeholder commented on how their working relationship with the Police and in particular the DVSO is improving all the time.

We are working very closely with the Police, it is there in the past but it is getting better – DVSO is great and it is getting more efficient I really appreciate it – now they have DVSOs at every station – before if you have a domestic violence one person deal with it, then the next morning it's another different man and another different one so the case might get lost, but now things are getting very good ...

In addition, for the last two years the DVSO has been involved collaboratively with the Marine Training Centre in the training of new recruits. The Coordinator talks to them about domestic violence and sexual issues as part of the course component that addresses appropriate social behaviour in foreign ports and different countries.

Discussion

As noted in the baseline review, the establishment of the DVSO Unit has created an ideal opportunity for the KPS to set up strong partnerships with government agencies and NGOs. The current Coordinator of the DVSO Unit is highly regarded by community members, is professional and has good relationships with all stakeholders. She has continued the work of the previous coordinator and has been proactive in seeking out ways to engage the community in workshops and public discussion of gender-based violence.

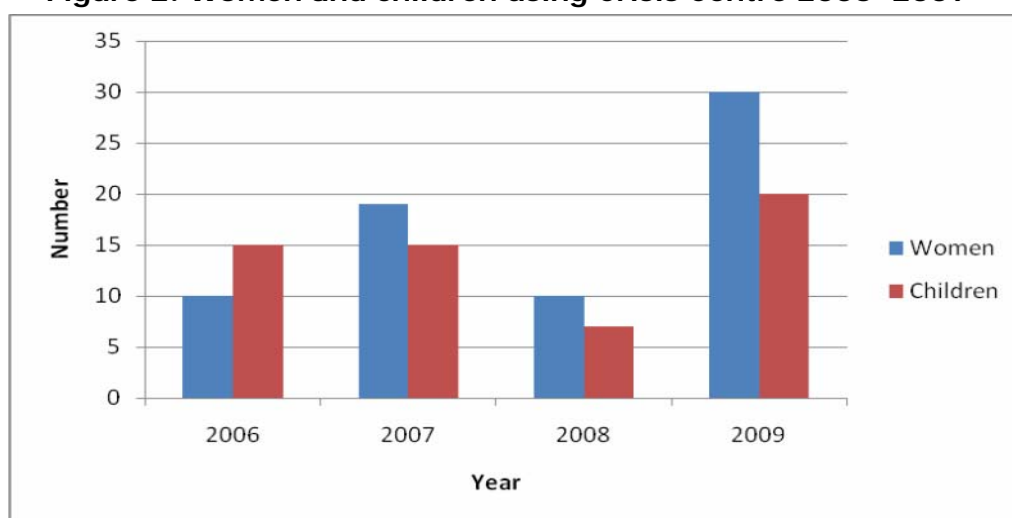
SECTION 2: GOVERNMENT, NGO AND COMMUNITY ATTITUDES AND RESPONSES

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

The baseline review noted that there was no way of estimating how many women report to NGOs, as there are no national women's crisis or refuge organisations as such in Kiribati.

However, on this trip I was able to source some data on the numbers of women and children who had accessed the services of the Crisis Centre (the refuge run by Catholic nuns). These data cover the period 2006 to 2009 and are presented in Figure 2.

Figure 2: Women and children using Crisis Centre 2006–2009



Source: Crisis Centre

These data indicate that numbers of women seeking refuge with their children at the Crisis Centre fluctuate but appear to be on the increase. Keeping in mind that the busiest times at the centre are Easter and Christmas, numbers of clients for 2010 would appear to be following this trend, with 20 women and 15 children having been clients of the sisters at the time of the fieldwork (late September 2010).

Numbers have been rising ... Christmas time, Easter time – numbers are higher – most go back to their husbands but a few want to go home to the outer islands because their husband is always beating them.

It was evident that, although there was no MOU between the KPS and the Crisis Centre, the working relationship between the two has improved, particularly since the implementation of the PPDVP and the increase in reporting of domestic violence. The police also provide security for the Centre when there is trouble with partners of the women who are seeking refuge.

Yes more victims are phoning the Police ... they are now recognising the police and the police always come here to deliver clients and we look after them. We work with them ... Also if there is trouble we call them ... we start from 2006 when [PPDVP mentor] contact increased more ... we thank him for what he did he always comes to see us – we are very happy with [PPDVP] they encourage the Police ...

Although the sisters at the Crisis Centre had not received any financial assistance to cope with their increasing number of clients, they had received a grant to expand their facilities by building a dedicated counselling room. This would provide a private space for counsellors to meet with clients of the centre.

Discussion

There is an indication that since the baseline review women have begun using the services provided by the Crisis Centre in increased numbers. This seems to be the result of a closer working relationship with the DVSO and the PPDVP mentor. However, this raises the issue of what would happen should the demand continue to increase, as the centre only has the capacity to deal with 3–4 women and their children at any one time.

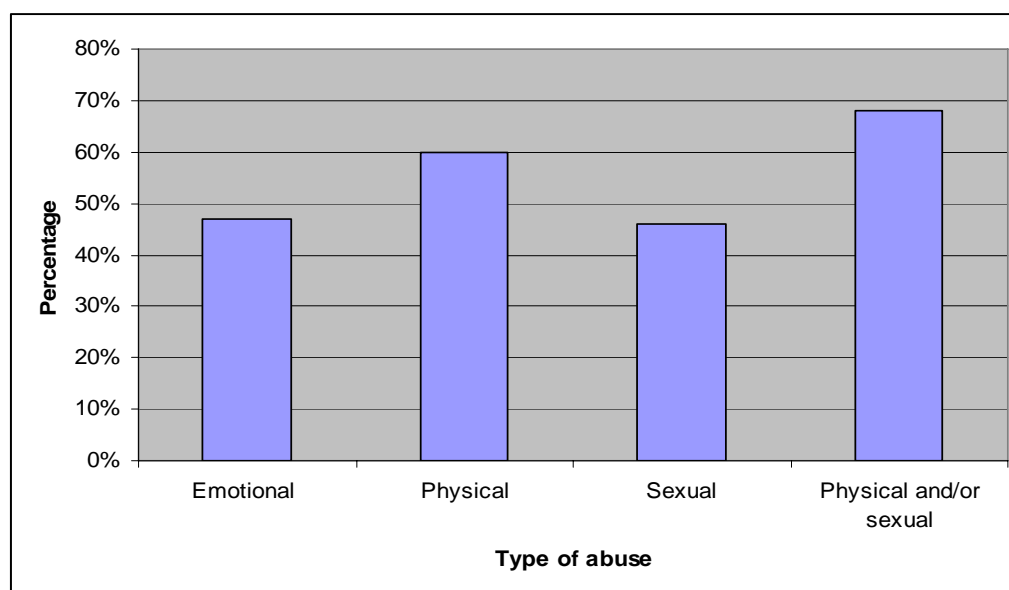
In addition to ongoing funding and resourcing issues there is the issue of the safety of the women and children who seek shelter and that of the sisters themselves. The baseline review also drew attention to this and commented that it is virtually impossible to have a safe house system where the locations of the houses are unknown due to the size of Tarawa. There is some indication that the KPS are providing some form of security for the centre. However, at the time I was in Kiribati a woman and her daughter had to be relocated to the Catholic Church headquarters for safety reasons, until the trial of the offender. If more women are going to use refuge systems in Kiribati serious thought has to be given to devising measures to ensure their safety.

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 baseline review noted that it was impossible to estimate the prevalence of domestic violence in Kiribati given the lack of reliable data. Interview data collected for that study, however, did indicate that domestic and family violence were widespread and that the level of under-reporting was significant. At the time of the review, mention was made of a forthcoming survey on gender-based violence to be modelled on the WHO multi-country study on the health effects of domestic violence. The Kiribati Family Health and Support Study (KFHSS) has now been completed and has provided for the first time the most reliable estimate of the prevalence of violence against women and children in Kiribati.

Available anecdotal information has suggested that levels of domestic violence are high in Kiribati. As we can see from the data in Figure 3, the findings of the KFHSS have confirmed this.

Figure 3 Percentage of women aged 15–49 who have ever experienced emotional, physical and sexual partner violence



Source: KFHSS (SPC, 2010a)

Of the 1527 women between the ages of 15 and 49 who took part in the study, 47 percent said that they had been in a relationship where they had experienced emotional violence from their partner, 60 percent reported experiencing physical violence, 46 percent had experienced sexual violence and a total of 68% of women had experienced physical and/or sexual violence from a partner at some stage of their life (SPC, 2010a).¹³

These figures caused widespread concern and MISA developed an official plan for the dissemination of the findings so that these could be explained to the community. The lead researcher on the project described the process and the potential for change engendered.

Things are changing slowly there is resistance from the men but for me after this experience on the dissemination of the findings after explaining them well and the relevance to social and economic development they accepted that ... Like 15–49 year olds were interviewed women of 30 or 40 being interviewed might have been married for 10 or 20 years that's common so one bash in that life of say 20 years of marriage from moderate to severe so that one incident even if light is a count of violence ...

Discussion

The completion and publication of the KFHSS has resulted in a groundswell of government support and activity to eliminate gender-based violence. At the national level, the planning, advisory and monitoring support for the project provided by the Kiribati Family Health and Support Committee (KFHSC) involved the collaboration of a wide range of stakeholders. These included those from within government (including KPS) as well as from civil society organisations (NGOs, Churches) and development partners and agencies.

The KFHSS findings not only provided the first reliable data on the prevalence of domestic violence in Kiribati but also provided the impetus for new government policy and the development of advocacy groups such as K-WAN. This is one of

¹³ This included all forms of violence, ranging from a push or a slap to a severe beating or worse.

the major steps forward in the fight against domestic violence achieved since the PPDVP baseline review was undertaken in 2006.

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

The KFHSS found that the majority of women in Kiribati believe that a man is justified in beating his wife under some circumstances (SPC, 2010a). This belief contributes to the norms and social mores that legitimise the use of domestic violence as a form of discipline for female behaviour that is in breach of certain expectations (e.g. infidelity, disobedience, not completing domestic duties).

The study also noted that the majority of the women in their sample did not seek help from formal services, as they believed the violence was 'normal' or 'not serious' enough to warrant this (SPC, 2010a: p. 11).

Almost everyone I spoke with had a story about domestic violence; they had experienced it, seen it or been told about it by someone else.

I know that some women still think they deserve to be beaten because they did the wrong things according to our culture – I hear from one of my friends that their cousin was beaten by her husband because she was asked not to go and drink kava while the husband go to overseas but the wife doesn't listen as long as the husband leaves the country the wife goes out and she's scared to do it because she knows she will get beaten when the husband comes back. He came back and the wife didn't tell him but he heard from other friends that the wife was attending the kava drinking group and drinking with males and he was jealous and he beats the wife. I asked the friend to go and ask the cousin to report to the police because she is bruised and she said no because she deserved to get beaten because of doing the bad things like that – it still exists.

Victim attitudes towards domestic violence

No-one denies that people are more aware of domestic violence and that it is a crime. However, people's attitudes and behaviours do not always coincide.

I'm more shocked when I hear the stories there seems to be a lot of people who are very outspoken against domestic as a concept but no-one will talk about the reality of what's happening to them.

My landlady is a very well educated woman she's lived abroad the whole family are educated have money, they own properties and for just some reason you assume they're above it in some way. And I woke up one morning and there was this massive fight between her daughter and someone (her husband) and you could hear him hitting her and she was crying – I was just shocked!

It is clear that in some respects things have changed little since the baseline review. Women are still blamed for causing the violence by making their husbands angry or failing to pacify him. The intergenerational transfer of violence means that some women accept it as their lot in life and women themselves often blame violence on the wife for not being obedient (SPC, 2010a).

Women in our community were telling a story about a woman being beaten up and all that you can tell from their story that – oh it's her fault because she was doing this and that and so she deserved to be beaten ... and they are women and they are talking about the other woman.

Not all women tolerate violence, however, and some speak out when others make harsh judgements.

You know that last case where one woman was beaten up by the partner and she died and the community were talking about it. Some women in my village I heard them talking about it and they were saying it was her fault .And I interfered and said you are wrong, even if that woman went out drinking it's not her fault to be beaten up – no-one has a right to beat up on another person ...

The baseline review commented that some women do not accept violence so much as they put up with it for various reasons. Having nowhere to go and no money to support themselves and their children was a reason frequently referred to as causing women to stay in a violent relationship or withdraw a complaint made to the police. At other times the woman is forced to take extreme measures – the following is a typical scenario:

Our culture usually says 'go back to your husband' but our people now are starting to realise that it's getting serious but at the same time even our culture says that's another mouth to feed. We've got a case and this mum she has two children they are unable to go and stay with their relatives it means extra mouths to feed she feels embarrassed and so she goes and stays on the maneaba. And the case comes to court, she was represented by the people's lawyer and an order was made for maintenance and at the same time a restraining order to the husband because he always leaves but every time he comes back he will beat her and do all sorts of nasty things and then leave again. There isn't a welfare system, we've got a crisis centre but it still isn't enough to respond although I think people are now aware of the crisis centre.

Women can apply to the Courts for custody, and although I-Kiribati women are not experienced in seeking legal advice and taking cases to Court, it is apparent that they are seeking legal advice from the Office of the People's Lawyer.

Women come in to seek maintenance orders and custody again that's all dealt with in the Magistrates Court ... but I don't have feel of whether there's been an increase or not.

To some extent the conclusion made in the baseline review that help-seeking and intervention by outsiders are frowned upon still stands. Even though I-Kiribati women are increasingly aware of their rights as a result of education and awareness-raising campaigns, attitudes and behaviours are slow to change.

Victim attitudes towards reporting domestic violence to Police

The KFHSS found that the KPS was the agency that women most often sought help from for domestic violence. However, the numbers were small (SPC, 2010a). One reason given was fear of their husband and the belief that the Police could offer little protection. Another reason was fear of the consequences of reporting.

Women are afraid to do that, they are prepared to take it to court but then they drop out of the case because they fear so many reasons, love for the husband, children not having a father, the father is breadwinner and the woman is ashamed how society might see her.

Police responses to domestic violence also impact on women's reporting decisions and there is still some work to be done in this area, as discussed in Part I of this report. However, on a positive note many stakeholders commented that women were feeling that things had changed for the better.

Before if domestic violence happened the action was very slow for those concerned especially by the police but currently even our clients have commented that their response is very fast. I remember at one of the churches in the maneaba women tend to speak out on their experience with the police – they split women and men into groups and talk about domestic violence. Women are saying that now they are feeling more confident that when domestic violence happens they would report and there would be immediate action from the Police.

Finally, although domestic violence would appear to be ‘normalised’ to some extent, it is clear that some women are not only hearing the messages being disseminated about domestic violence and their rights but are also acting on these.

I still experience domestic violence around me with my neighbours there's still violence in the home, they're still fighting. Two weeks ago I went to the police station and the wife was inside crying and the husband was in the cell and he was pleading "Please forgive me let me out of this cell," and the wife was there crying but at the same time saying, "No you've had enough (chances) I've always forgiven you for the sake of my children but you are still abusing me." ... It's good in a way that they have the strength to come forward.

Discussion

There is evidence that over that last four years there have been some developments that may encourage women to acknowledge that domestic violence is a crime rather than a traditional part of life. Continued development of the DVSO Unit, with its female Coordinator, may further help to overcome some of the social and cultural barriers to reporting and seeking help for domestic violence. A significant step forward is the placement of a DVSO Officer at each Police Station (all bar one of whom are female) and their attendance at the majority of reported incidents, which may give women confidence to report violence to the Police.

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

At the time of the baseline review there were a small number of Kiribati NGOs involved in dealing with domestic violence. These were KANGO and AMAK, both of which are primarily involved in education or awareness-raising activities. The Alcohol Awareness and Family Recovery Centre (AAFR), which offers an alcohol rehabilitation service, also provides counselling on domestic violence. This number has been increased by the establishment of two new NGOs involved in advocacy for women and eliminating violence against women and children: K-WAN and [K]WAVE.

K-WAN

K-WAN (the Kiribati Women’s Advisory Network) was established in 2007 and is a women’s activist group working to promote the human rights of the women of Kiribati. The current membership is made up of 16 women from varying professional backgrounds, many of whom are lawyers. This group lobbies on all issues concerning women. K-WAN as a member of KANGO has been tasked by MISA to produce the CEDAW shadow report (i.e. a critique of the State Report by NGOs).

As part of their work K-WAN also focuses on issues relating to domestic violence and at the time of my visit were planning to hold meetings at secondary schools along with UNIFEM.

[K]WAVE

The WAVE (Women Advocating Violence Elimination) of Kiribati is a non-profit registered NGO established in 2008. Its mission is to: *strengthen the cultural and societal roles for protection of women and children by building a strong community understanding of violence against women (VAW) and children (WAVE Constitution, 2008: Article III).*

The organisation is committed to:

- promoting the prevention of violence against women, children and families through community awareness and education
- providing basic counselling services to survivors of violence.

The membership of this group is largely made up of former researchers involved in the KFHSS project who wanted to carry on their involvement in this area once the project had been completed. Although the group is predominantly female it also includes male members. One government stakeholder described it thus:

[K]WAVE it's just registered as an NGO and what they do is they speak out for the victims it is made up of men and women there's 70 to 80% women and 30% men. It's a step in the right direction but in some ways they need guidelines because they are very active in pointing out the wrongs but at the moment they don't really have the solutions. For example – a child is beaten and they go and intervene but they have no alternatives to offer on how you should discipline a child.

The involvement of men in issues relating to domestic violence has not always been viewed positively, and there are no specific men's groups in Kiribati as there are in some other countries. However, several stakeholders commented that I-Kiribati men are more likely to listen to messages around violence and families if these come from other men.

In the olden days men who associate themselves with women in support of a more peaceful existence by the women are looked down on. However now all the women look at these male role models as the ideal to be part of their awareness – men listen more readily to other men that's another ... it's them talking about their own problems or sharing it without being threatened or thought of as being weak.

I was unable to formally meet with KANGO during my time in Kiribati but met with representatives of AMAK and attended the celebrations to acknowledge the 21st anniversary of AAFR.

AMAK¹⁴

At the time of the baseline review AMAK (or the Kiribati National Council of Women) was best described as a quasi-NGO, since MISA provided funding for their operational costs. MISA's Women's Affairs Unit, which advises the government on policy issues for women, was also part of AMAK at that stage. Most women's NGOs in Kiribati are church-based. This means that the membership of AMAK is made up of both church and community women's organisations (SPC, 2010a).

While the focus and structure of the organisation has not changed, it is now an independent council of women, not funded by or located in government. AMAK is currently working with MISA towards registration as an NGO – they have made an application and are waiting for the response and approval from the

¹⁴ This is the umbrella organisation for women's groups.

government. They are hoping that this will be approved in 2011 and are currently working on a draft Strategic Plan which will include focus on: capacity building and strengthening the organisation; women's health, empowerment and education; and domestic violence and women's rights.

An issue of concern for the organisation at present is raising funds to enable them to continue their work, which includes their involvement in the organisation of White Ribbon Day and National Women's Day.

AAFR

Although no official figures were available, I was told by the Catholic sisters who run the facility that the AAFR (Alcohol Awareness and Family Recovery Centre) is currently trying to expand their resources to cope with increasing numbers of clients taking part in their three-week residential rehabilitation programme and counselling for couples and individuals affected by alcoholism. The classroom is too small for the increased numbers and they lack a dedicated room for counselling clients and their families around domestic violence and strategies for strengthening families. As described in the baseline review, AAFR is self-funded and relies on contributions from those using the centre, overseas grants and the sale of goods and produce.

Discussion

As in many other Pacific Island and developing countries reliance on volunteers plays a significant part in NGO activities and, as was pointed out in the baseline review, is also part of Kiribati culture (Garcia, 2006). However, most of these organisations are under-resourced, which raises the question of how to build the capacity of such disparate organisations to respond effectively to domestic violence. There is also the issue of how to coordinate their activities so that existing resources are directed towards projects that will build on rather than duplicate other agencies' efforts and that in times of fiscal constraints organisations are not forced to compete with each other for limited funding.

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

There was general consensus from interviewees that most, if not all, I-Kiribati now understand that domestic violence is a crime and not a private family matter. This would seem to be supported by the fact that, as discussed earlier in this report, family members and neighbours, as well as victims, are reporting incidents of domestic violence to the Police. Nonetheless, the fact is that violence is imbedded in Kiribati society to the extent that it is not seen as unusual or something to respond to. This remains an issue of concern.

They have this perception that domestic violence stays within the family so it's not for anyone to interfere with the family. The woman that got killed about a month ago – from what I understand people saw it happening and they just didn't stop it and that's what people do. I've witnessed several domestic violence situations where people will stand there and watch, they actually form a crowd and watch it happening.

Comments made by informants indicated that although they were starting to see changes in the social acceptance and cultural tolerance towards domestic violence this would take time, particularly in the more traditional communities in the outer islands.

It's going to be quite a challenge to the outer islands because not much awareness comes quickly there and at the same time they are more closely bound to our culture and traditional ways and thinking so it will take time ... but the message is getting out.

Maybe they are aware of women's rights issues because awareness is going on but I think up in the head they still stick with the old traditions – I think it needs more time.

Nevertheless I was told the following story which indicates that women are speaking up publicly against resistance and being heard.

When we were on one of the outer islands going to talk about rape and sexual offences – this was related to child protection programme. The majority of the community were there, a lot of people, and you can imagine where the women were sitting behind and around the corner and the men were up front and listening. One of the questions was "What if our husbands rape us? Can they rape us and can we report?" Because we explained what rape is and we said, "Of course you can." And straight away one of the men said "How dare you want to report us we have vowed you should obey the husband, you are my wife you should do this and this for me and I should do this." I said, Yes but I don't think one of your vows is to rape or force your wife to have sex when she is not well or not consenting." ... He said 'Then just do it, go ahead and complain then!'

Although women are more aware of their rights and are speaking out about domestic violence this was not always viewed favourably. Some considered that legislation and social norms imposed by those from other countries were not always desirable – the traditional way was best.

Some support some don't, but like I say this year women know where to go – have special number women start to use it now – yes, status of women changing a little bit – because if you want to change, you the woman, other people especially your relatives say 'oh you want to be a foreigner you belong to Kiribati don't bring any culture from somewhere else' but you know if you change no-one in your family will support you.

Much can be done at a community level – it's sad to see much legislation focused on individual rights – European laws forced on Kiribati – where are the community rights – no community rights.

There is some indication that a high tolerance for violence still pervades Kiribati society and that domestic violence is still viewed as a private matter by at least a portion of I-Kiribati people. This is not surprising considering the mainly conservative religious-based lifestyle adhered to by the majority. The following comment was made by a well-educated professional woman.

That's a private matter – we need more awareness on this because in our culture we don't perceive a couple's conflict as our business. If we see a woman being beaten up by the husband we just walk past them – maybe there's a change but I don't really think so.

Others felt that, although there was still a problem in condoning the use of physical violence to discipline wives in the outer islands, this was becoming less of an issue in Tarawa.

Most of the people on the outer islands still think it is all right to discipline a wife by hitting her – in Tarawa still some but most of the people now on South Tarawa know and especially women know what they should do because of awareness and things like that.

Although there are no men's groups against violence in Kiribati there is an indication that men are becoming involved in the campaign to address domestic

violence albeit in a small way. Men belong to K-WAN and they are trying to encourage younger men to become involved. AAFR also provides men-to-men counselling for issues related to domestic violence, which are seen as a positive move and have been features in an educational video produced by the Nei Tabera Ni Kai Video Unit.

Discussion

As so aptly stated in the baseline review, domestic violence is not a 'women's issue' and efforts to change social acceptance of violence against women require male involvement and leadership. There is some indication that this is beginning to happen in Kiribati. Firstly, the findings of the KFHSS were launched by the President, and Parliament passed a motion giving full support to the enactment of laws that support the elimination of domestic violence. It is acknowledged by those involved in awareness raising and education about gender-based violence that men accept these messages more readily when they are delivered by other men. The fact that both men and women are continuing to work together to challenge the notion of culture is a positive sign.

The issue flowing on from that is how to disseminate new ideas and stimulate further debate and there appears to be some advancement in this area. While I was on Kiribati a large billboard was erected on the side of the road adjacent to the toll booth at Bairiki. This was erected by MISA with support under the SPC/RRRT 'Changing Law Protecting Women and Families' project. The project is supported under the UN Trust Fund on Elimination on Violence Against Women. Messages in I-Kiribati on both sides of the billboard related to stopping violence against women. This is an indication that getting the anti-violence message out is being taken seriously at a governmental level.

The continuing celebration of White Ribbon Day and the 16 days of advocacy for the elimination of violence against women provide an ideal opportunity to raise awareness and create solidarity in the campaign to address the issue of gender-based violence. The introduction in 2009 of candlelight marches through villages where there are high incidences of domestic violence as part of White Ribbon Day activities indicate that those involved are not resting on their laurels but continuing to expand their advocacy and activism around gender-based violence.

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

Ministry of Internal and Social Affairs (MISA)

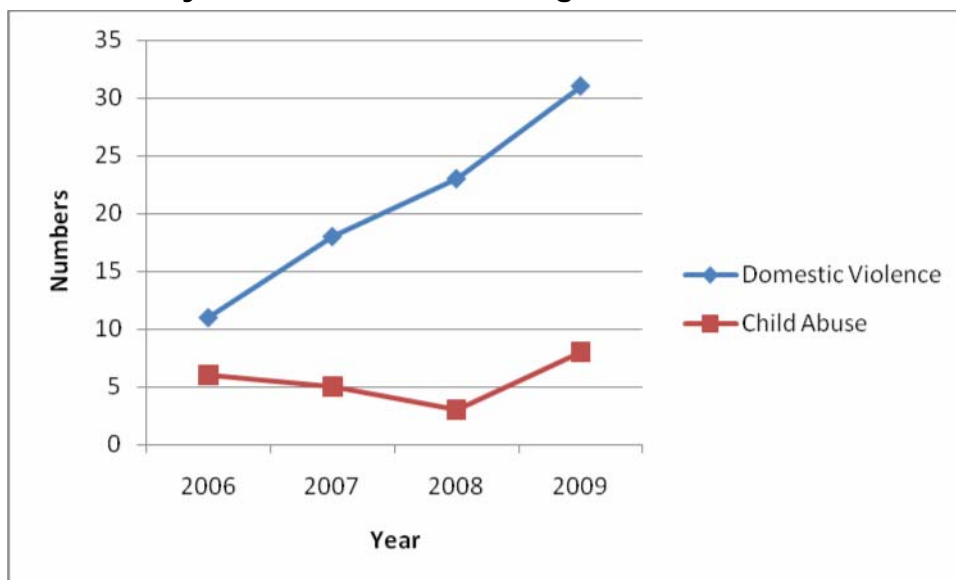
MISA's Women's Affairs Unit is no longer located in AMAK, as it was at the time of the baseline review. There is only one staff member at present who was previously the LRTO officer at AMAK. There are currently plans to develop it into a full division for women with a policy-related focus. This is seen as the logical next step in strengthening government response and attention to matters of women. The goal is to eliminate violence against women which is seen, for the most part, as being the result of gender inequality.

The drafting of a Women's Policy, referred to in the baseline review, has not yet been undertaken. I was advised that MISA has hired a consultant to work on developing a National Women's Development and Gender Equity Policy. Consultations have already taken place with the National Council of Women in

each outer island and Tarawa where government and NGOs were also part of the process. The plan is to have a draft by early November 2010.

The main duties of the Welfare and Counselling Unit of MISA are related to counselling and assistance with family issues, which include domestic violence and child abuse. They were able to provide data on the number of cases they had dealt with during the period 2006–2009.

Figure 4 Numbers of domestic violence and child abuse cases dealt with by Welfare and Counselling Unit of MISA, 2006–2009



Source: Welfare and Counselling Unit, MISA

The data in Figure 4 indicate that there has been a steady increase in the numbers of domestic violence cases either being reported to or coming to the notice of the Welfare and Counselling Unit over the period that the PPDVP has operated in Kiribati. It is difficult to tell whether this is an increase in domestic violence or an increase in reporting due to heightened levels of awareness.

Tarawa Safe Net

As part of their role, in 2009 the Welfare and Counselling Unit spearheaded the establishment of Safe Net – a network of all key service providers in the areas of gender-based violence and child abuse. A committee has been formed and tasked with the development of a standard operating procedure (SOP) for dealing with violence against women and children. Every stakeholder in the network is required to develop an SOP in relation to dealing with gender-based violence and child abuse. The next step will be to develop an MOU between all the member stakeholders.

The object of the Safe Net is to:

Create a working mechanism that facilitates coordination and builds a strong working relationship between key service providers who have that responsibility to ensure that all children, women and vulnerable people who are victims of domestic violence, and child abuse get full and proper support. (Safe Net Terms of Reference MISA, 2010)

Community against Violence against Women Committees (CAVAW)

Another new initiative developed by MISA relates to Tarawa Safe Net. Assistant Welfare Officers on the outer islands are setting up CAVAWs, which are modelled on Safe Net. Training and support have been provided by the Counselling and Welfare Unit on South Tarawa. The CAVAWs will play an important role in the support of women and their children (victims of domestic violence) repatriated to the outer islands from South Tarawa.

National Policy Eliminating Gender Based Violence

In October 2010 MISA completed the development of the *Kiribati Government National Policy Eliminating Gender Based Violence*. The draft documents state that the evidence base for this policy is the KFHSS project undertaken by MISA. After the endorsement of the draft report by Cabinet in June 2009, MISA embarked on a wide consultation process with their stakeholders and other key ministries to write a 10-year National Action Plan (NAP) to Eliminate Gender Based Violence.

NAP outlines important strategic activities aimed at supporting the policy's goal of eliminating violence against women and children. Interventions under NAP will include a wide range of activities across sectors that will begin the key work of preventing violence and ensuring that survivors are treated with respect and given care, treatment and service as needed.

Discussion

In a public statement Amnesty International lauded the Kiribati Government's efforts to address violence against women, particularly through its partnership with the Secretariat of the Pacific Community in conducting a survey on partner violence (Amnesty International, 2010). This research not only provided the first reliable estimate of domestic violence in Kiribati but has also contributed to public awareness of the issues surrounding gender-based violence and has been the impetus for the development of the new National Policy Eliminating Gender Based Violence. This is truly something I-Kiribati people can be proud of. Nevertheless, it is important that the Kiribati Government does not rest on its laurels with these achievements and works towards developing laws that comply with CEDAW.

The current state of legislative arrangements in relation to domestic violence, including compliance with international covenants and conventions (CEDAW)

Legislation

Gender-based violence is still not recognised as a specific crime (SPC, 2010b). There is no specific domestic violence law and domestic violence offenders are still charged under the provisions for assault and injuries contained in the *Penal Code*.

The 'Changing Laws Protecting Women and Families Project' focusing on law reform for Kiribati began in 2009. The main aim of the project is to build a multi sectoral team committed to legislative change in the area of violence against women and family law legislation. A task force comprising DVSO, government and NGOs, AMAK and K-WAN. Two national consultations have been held in Kiribati since 2009 which focussed on developing the capacity to advocate and lobby for comprehensive, integrated violence against women legislation.

There is a planned national consultation on law reform in 2010, with the aim of developing a timeline for drafting the new legislation. RRRT will facilitate this process. At present the intention is to consider a piecemeal approach, starting with a review of the *Penal Code* as it is felt that the chance of getting new laws in place within the span of a three-year project is unrealistic.

The review of the *Penal Code* will result in work in the following areas:

- definition of rape – currently this is confined to the penetration of the vagina by the penis
- review of penalties for sexual offences (i.e. rape and indecent assault)
- the possible inclusion of a definition of domestic violence
- the inclusion of a range of domestic violence-related offences.

There are also plans for the development of Family Law legislation which would contain all the diverse laws relating to family issues, including marriage, divorce, matrimonial property and violence against women.

The revision of the Police Ordinance Act referred to in the baseline study (and funded by the Australian Government) has been completed and resulted in the repeal of said Act. The resulting new legislation is the Police Services Act 2008 and the Police Powers and Duties Act 2008. The latter has provided some clarity for frontline Police in terms of their powers around the arrest process and attending domestic violence incidents without a warrant.

We had the Police Ordinance and it was repealed we have now powers and duties separate from the Act – stuff like warrants and searches ...

Compliance with CEDAW

Kiribati acceded to CEDAW in March 2004. The Women's Affairs Unit of MISA is responsible for ensuring that Kiribati complies with international agreements related to women's development and has the overall responsibility for the State Reports. The baseline review drew attention to the fact that although the initial State Report was due in 2005 this had not, at that stage been submitted; this is still the case. Although a consultant was hired to undertake this task the report submitted was not of an acceptable standard.

Consequently the State CEDAW Committee met and decided to recruit another consultant who will work with UNIFEM to assist government ministries and departments to gather the information needed to complete the report. The aim is for the consultant to then draft the report over the next few months with the guidance of UNIFEM, who also fund this process. There was some doubt as to whether this would be a smooth process for two reasons. First, although questionnaires had been given to each government ministry relevant to their particular area of expertise, these had not yet been returned to UNIFEM. Second, there was a shortage of suitably qualified consultants to undertake the analysis and writing.

At the same time the Shadow Report is being drafted, which has created a somewhat unusual situation. As one informant commented:

Now we've got the Shadow Report which is nearly finished –but it's not really a shadow report because we haven't got anything to shadow.

Articles of the Convention have still not been incorporated into legislation and the non-compliance of customary law with CEDAW is an issue of concern. This

is due to the widespread preference for more traditional ways of dealing with domestic violence supplemented by criminal justice system responses for serious offending.

Cairns Communiqué

As noted in the final communiqué of the 40th Pacific Islands Forum, held in Cairns, Australia in 2009:

Sexual and gender-based violence (SGBV) is now widely recognised as a risk to human security and a potential destabilising factor for communities and societies alike. It remains pervasive across the Pacific, and as it is still considered a sensitive issue in most Pacific cultures, its prevalence often goes underreported. There is an urgent need to acknowledge the prevalence of SGBV in the Pacific at all levels of the community, whether occurring in the domestic context or during conflict and post-conflict situations. (PIFS, 2009: para 64)

In effect, the communiqué placed the onus on all Pacific Island governments to lead the campaign against domestic violence.

The regional Beijing +15 update (SPC, 2010b) reports that the Cairns communiqué is generating considerable discussion on domestic violence issues, including the need for more in-depth scrutiny of long overdue legislative and policy changes. In Kiribati the Cairns communiqué was seen to embody the 'green light' for legislative changes, with public observations that *'in the past, women NGOs had to do it in the cultural way, sit and wait for what will come next'* (SPC, 2010b: p. 42).

Discussion

The PPDVP baseline review commented on the fact that the legitimacy of initiatives to address gender-based violence relies to a large degree on support from the highest levels of government. The findings in relation to legislative arrangements and compliance with CEDAW provide mixed evidence as to government support in this area, although they openly concede to the shortfall. However, it is important to acknowledge and not undermine the significance of milestones to date. At this point, international assistance is likely to be needed to compensate for gaps in material resources and the expertise required to take the next steps towards legislative change and compliance with international covenants. One NGO informant commented:

I kind of get the impression here, to be very blunt with you, that a lot of the time that if people from outside don't kind of push things they just don't happen.

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

Historically and traditionally Kiribati society is essentially male dominated (UN Human Rights Council, 2010) and gender roles are strictly defined. Nowhere is this truer than in the outer islands, where life is modelled on traditional lifestyles and practices. In Kiribati society, conflict resolution, including dealing with domestic violence, is usually carried out by the extended family. Problems that cannot be resolved by the family can be handled by the *maneaba*. Apologies and reconciliation are an integral part of this process.

Traditional family and village approaches

There has been a concentrated effort to educate communities and raise awareness of domestic violence, and the law around this, not only on South Tarawa but also on the outer islands. There is some indication that attitudes are changing, although there is still some resistance to the message when it is delivered by women, particularly from *unimane* – older men – and especially in the outer islands.

Another thing is with the domestic violence awareness it makes a big difference when we get the Police to talk about it. So we usually invite the DVSO and Community Policing when we talk about the issue it's much better than coming from us women all the time.

Stakeholders remarked that I-Kiribati people were now admitting that domestic violence was wrong and sharing their own stories with others.

Men, oh I'm sure they beat up their wives that's their reaction to it but a lot I know tend to listen more and think maybe it is an issue since that man is talking about it so it must be an issue. Sometimes they talk about their own experiences how they used to do it but now they know that it's wrong.

The dissemination of findings from the KFHSS at *maneaba* on Tarawa and the outer islands has also helped to raise the profile of issues related to gender-based violence. In some communities this has been viewed as inciting women to rebel against their husbands and their customary roles in society and that the focus is on the rights of women to the exclusion of those of men.

There are different attitudes between younger and older men – the young are more receptive when I visit communities sharing the findings. The young are more receptive and they ask questions that are very constructive the older ones they raise questions but ones that are a bit destructive. I think they probably intend well but they are conservative sometimes like – “Oh you're a group encouraging prostitution” ... this kind of thing. And then they are concerned about the equality factor – saying, “Why are you encouraging women to speak out when it gives families more problems?” And I say, “No we are not coming to tell women to go above the men or to be empowered in a way that would destroy the harmonisation it's to do with getting you to speak about the violence. Is it proper? Is it good to continue using that in the family? Because for us it is not we don't want the children to suffer when couples fight” ...

Understanding the law and working in partnership with the Police

There is confusion amongst many I-Kiribati people about the law under which domestic violence is seen as a crime and how this differs from the traditional by-laws that each community or village has. At the time of my visit a national sports tournament was being held and a group from the Police and AAFR were visiting each *maneaba* where people from the outer islands were staying to hold awareness meetings talking about the law, the relationship with the police, problems with alcohol and domestic violence. One of the aims of these meetings was to talk about how community policing is about Police working in partnership with the community.

The crime rate is rising we can't do this alone. There's no excuse if you don't know something is a crime – the eyes and ears of the public are the Police and the Police are the public.

In relation to the law it was explained that although there are different laws on different islands all I-Kiribati people come under one law under the government. The response of one of the *unimane* present was heartening.

We appreciate the messages you have given us especially those aimed at youth about drinking alcohol and violence against women – they need to be reminded. There was nothing like that in our time, so don't say we are bad. I wish we had been told about these things sooner. We are grateful on behalf of our sons and grandsons who will be the new leaders.

Discussion

There have been some small but significant changes around traditional ways of viewing men's violence against women and how this is dealt with. Many of those I spoke with felt that there was still a place for the use of community relationships and sanctions for dealing with domestic violence and that village elders and catechists or pastors could lead this, involving the Police as a last resort.

However, the use of such methods on their own would not solve the problems in families where violence is common. Those involved need ongoing support and supervision, and may need to be referred for counselling – it is not enough to secure apologies and say that reconciliation has been effected.

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

The baseline review report noted the absence of data on medical and death records related to domestic violence. I found that there was no change in this situation. I did not have the opportunity to meet with anyone from Tungaru Hospital and, although I was informed that they kept records, the information they contained was not shared with any other agency due to issues of confidentiality.

The attitudes of key religious organisations towards domestic violence

It was noted in the baseline review that the Kiribati government had called on the churches to take a more active role in promoting social change. Whether they can or will do so is debatable although religious organisations are unlikely to endorse domestic violence.

It's part of the 'good news' message we don't allow violence in the church.

The majority of I-Kiribati people are Christians, the predominant churches being the Roman Catholic Church and the Kiribati Protestant Church. Even on the outer islands both of these churches maintain a presence and on some islands village *maneabas* have been replaced by church *maneabas* (SPC, 2010a). Most active women's NGOs are church-based.

The church is seen as the centre of the community and plays an important role in village life; church leaders are highly respected and consulted on a range of family-related issues. All those who favoured more traditional methods of dealing with domestic violence saw the church as playing a pivotal role in this.

A combination of traditional and law – pastors of churches have been talking about these issues at devotions and mass – to deal with domestic violence.

Usually the church views domestic violence more as an issue affecting the community rather than just individual families and as such should be dealt with at this level, with the assistance of pastors/catechists.

The individual belongs to the community, can't exist with just family – need to discuss this thing on community level – work towards reconciliation

catechist/minister head of community can deal with cases on this level If it is going to work have to do it at a community level.

One church leader felt that the involvement of the Police should be reserved for serious matters or as a last resort.

It's not necessary to involve Police, they take too long to get there – people should look after themselves. We used elders before they knew what had to be done in these cases. Leave the bigger matters to the Police.

However, some churches have begun to make moves to address issues related to gender equity and to support the campaign against family violence.

We have communities Catholic and Protestant where women can be chairpersons and speak on the maneaba. It is changing ... churches support the campaign –they are part of it stakeholders. The church is big part of family life most people are Christians and go to church.

The implications of church-led approaches to resolving domestic violence

One of the main issues with church-led approaches to addressing domestic violence is the message around the sanctity of marriage. This doctrine does not lend itself to supporting women to speak out about violence, report to the police or leave violent partners. Rather it relies on religious tenets that involve counselling women to be obedient to their husbands as the head of the household. There is no corresponding admonishment to husbands to treat their wives with respect and to value their views.

Some view women victims as 'troublemakers' being the source of their own demise

Church-led approaches to domestic violence centre on counselling to end the violence and achieve reconciliation. Women victims of violence are often viewed as 'trouble-makers' or disobedient wives and as such not to be trusted. A church leader explained why it was preferable to deal with such issues in a traditional manner involving village elders and the catechist or pastor.

From the point of view of the husband it's all right to correct the wife. We don't know if she is right, maybe she is causing all the trouble – you need a third person to decide whether there will be reconciliation.

This approach is consistent with traditional ways of resolving conflicts and may be suitable for some couples. However, there are important issues that need to be addressed.

With the Catholics one of their strategies is to say sorry and then that's when [DVSO] talk to them and say what are you going to do next?

What support systems are set in place to support families after the apology, counselling and reconciliation? Will the pastor or catechist provide supervision, support and counselling for the couple to ensure the problems do not keep occurring?

Discussion

At present, heads of churches are not seen to be doing their part to reduce domestic violence. The main thrust would appear to be keeping things at a community level and only involving the police in serious cases. This is seen to be a particular challenge in the outer islands, where communities are based on a more traditional lifestyle.

It's going to be quite a challenge to the outer islands because not much awareness comes quickly there and at the same time they are more closely bound to our culture an traditional ways and thinking so it will take time – the church are the main centre of focus in the life of our people I don't think they have taken up the challenge around domestic violence – I think that's our next target.

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APPENDICES

APPENDIX 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 (Police and Ministry of Justice files) Key informant interviews
Current policy and practice arrangements for dealing with Police Officers as domestic violence offenders	Key informant interviews (Police leaders, judges, key partner groups – government and NGOs) Document research (Police records, policy and training documents)
The state and recent history of Police partner relations	
Current Policy protocols and general processes and procedure (including record keeping) for dealing with domestic violence	
Current Police leadership practice around domestic violence	
The current state of Police domestic violence training	
History of change around Police domestic violence practice	
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.	
Police attitudes and perceptions towards Police Officers as domestic violence offenders	Interviews/focus groups with Police
Current state of Police prosecution of domestic violence	Key informant interviews

TABLE A2: GOVERNMENT & NGO RESPONSES	
Terms of reference	Method
Current and historical levels of domestic violence reported to the key NGOs (women's crisis/refuge organisations)	NGO / stakeholder group meeting Key informant interviews (NGO representatives) File analysis (NGO records)
Assessment of the prevalence of domestic violence using the available Police and NGO data, and data available from other agencies, including the United Nations	Document research (Police and NGO records, previous research)
Policy and other contribution of key NGOs to dealing with and reducing domestic violence	Key informant interviews Analysis of policy documents
General assessment of levels of social acceptance and cultural tolerance towards domestic violence	Analysis of the number and language of reports on domestic violence in newspapers Synthesis and analysis of all information collected
Current Government policy and practice arrangements directed or associated with domestic violence	Consultations with relevant Ministries Stakeholder group meeting (Law Society, Attorney General's Department, Ministries of Justice, Women, Social Development, Health)
Current state of legislative arrangements in relation to domestic violence, including compliance with international covenants and conventions (CEDAW)	
Current state of any alternative approaches (village justice) to domestic violence	Village meeting Key informant interviews
A review of medical / death records indicating levels of domestic violence and reporting of domestic violence	Key informant interviews (Ministry of Health, Accident and Emergency Department, Coroners)
The attitudes of key religious organisations towards domestic violence	Consultation with National Council of Churches/other church groups

