

Service Users' Perceptions of the Domestic Violence and Victims' Support Unit, Ghana Police Service



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Executive Summary

Studies in Ghana estimate that three out of five women suffer some form of domestic violence and one in three women have experienced some form of assault during their life.¹ The family is the prime site of violence and abuse and the perpetrators primarily men known by the victim. The Domestic Violence and Victim Support Unit (DOVVSU), a special unit of Ghana Police service, has addressed issues related to domestic and gender based violence since 1998. During this time new legislation (2007) and policy (2008) has also been introduced in Ghana.

This study was conducted at the Kaneshie DOVVSU office in Greater Accra region. The service users that participate had all reported crimes of domestic and sexual violence to DOVVSU. Their experience and expectations of the service are at the centre of this study. Their perceptions provide a gauge of DOVVSU's performance in a range of areas. An international human rights framework and set of indicators was used to steer and guide the research process (see Appendix 1). The key areas of the study are the quality of service delivery; access to justice in relation to reporting, case attrition and the barriers that service users' experience; and thirdly outcomes. The perceptions of service users help build up an overall assessment of the contribution DOVVSU makes. Within the framework of the national Domestic Violence policy in Ghana DOVVSU is a key agent and service provider.

Governments in various countries have set up special police units as a response to domestic violence designated to facilitate women's access to justice. This approach has been evaluated in Latin America across four countries but at present there is a lack of similar evaluations in countries in sub-Saharan Africa.² It is difficult to assess the impact of different agencies when, as in Ghana, they work collectively to address domestic and gender based violence. Thus it is appropriate to think in terms of contribution rather than attribution. DOVVSU works closely with a range of partners as part of the multi-agency approach provided by the national Domestic Violence (DV) policy and plan. For any one of these agencies to be able to perform its own functions well it is dependent on the others to be performing similarly well. DOVVSU forms part of the justice -led strategy and this provides an important reference point in this assessment. The institutional constraints and challenges that confront DOVVSU at all levels of operation are widely acknowledged. These include insufficient provision of logistical support and other resources, absence of protocols, lack of initial and continuing training, the slow pace of justice, no state provision of compensation and the lack of specific support services such as counseling, shelter and legal advice and medical services.

¹ Statistics provided in National DV Policy 2008; see Appiah&Cussack, 1999.

² See Jubb et al 2010 An entry Point for Stopping Violence and Gaining Access to Justice.

These issues are recognised as common to many low and middle income countries that introduce legal reforms which then do not receive the necessary continued backing of the state³. In relation to justice-led strategies it is worth noting what Heise (2011) describes as a 'growing unease' concerning their effectiveness. In relation to Ghana, five years on from the legal reforms there is said to be a 'yawning gap' between legislation and practice.⁴ There is frequent reference to policy implementation being blocked through government failure to introduce the necessary legislative instrument as well as the lack of funding⁵. Indeed DOVVSU still faces broadly the same institutional constraints that existed prior to reform.

Against this backdrop DOVVSU clearly operates within a challenging environment and it was often the case during this study that officers would remark that 'it's not easy'. But there were also senior officers who were highly motivated and committed to improving the service for women that experience domestic violence in Ghana. This study demonstrates that women clearly need DOVVSU and indeed have highly favourable perceptions of the service. For example nearly all service users indicated they would take the same course of action and recommend the service to a friend.⁶ The reasons for this somewhat surprising finding were teased out through the study. Service users' feeling of being well listened to by DOVVSU and a shared focus on family reunification are identified as significant factors that support this level of positive regard for the service. Family-values within the context of access to justice and police function are clearly differentiated from a right-based approach and the associated international standards.

This assessment hopefully will make some contribution to support improvements. It is the intention that the recommendations will be of use to DOVVSU as well as supporting other advocacy initiatives that share the goal of ending violence against women.

³ See Bott 2005 and Heise 2011 for further discussion.

⁴For further discussion on these issues in Ghana see Cussack&Manuh (2009) particularly the final chapter by Gadzekpo 'Invigorating Activism to End Gender Based Violence'.

⁵ See DV Act, 2007 (732) 41. The legislative instrument (LI) is needed to provide regulations that enable the different agencies to work together and it covers for example training, counseling for victims, shelter, financial assistance. During the time of this research senior officers thought that a draft was with the Attorney General and might be available at the end of 2011. At the time of writing, 2012 there it appears there is still no draft. Senior officers also expressed views that they thought it was unlikely to ever happen. Unfortunately without the LI progress in key areas is blocked and this seems to contribute to inertia in some agencies.

Key findings

Presented below is the edited version of the key findings from Section five of the report.

1. DOVVSU continues to provide the major entry point to the justice system and thus contributes to making domestic violence a visible public issue. Service users are believed, feel well listened to and perceive they are treated well by officers.
2. Information related to rights, services and procedures is poorly provided and this significantly undermines service users' ability to navigate the justice system, make decisions and negatively impacts on the process of empowerment for service users.
3. The quality of the service is undermined and compromised by the a family values bias in service delivery. This reflects the wider gender discriminatory bias of Ghanaian society and culture. It is seen to provide for discretion to be used by officers which contributes to the law being applied unevenly and also restricts the rights and options of service users.
4. Service users expect a range of services but these expectations largely go unmet. There is a striking lack of the provision of privacy, counseling, shelter, legal advice and medical services. Service users' entitlement to specialised services is not adequately explained to them. There is generally an inadequate and uneven provision of specialised services and very few referrals are made.
5. The delivery of a multi-agency approach to service delivery that is well co-ordinated and monitored is not provided adequately or responsively to meet the needs of service users. Services are not integrated and there is no adequate budgetary provision by government. This is a serious institutional constraint with a consequent negative impact on service users' entitlement to protection, prosecution and prevention.
6. There is significant drop out of service users early in the process. For all cases that needed a medical report there was a 70% drop out. Of these service users it was found that drop out can be attributed to the cost of the medical report in 50% of cases.
7. There are generally high levels of drop out or case attrition. Few cases are fully investigated, there are few prosecutions and few perpetrators get punished. The law is not consistently applied and the police and justice process is very slow. The recent provision of a special court in Accra seems is seen to offer improvements.
8. Half of service users wanted to have their case dealt with by DOVVSU without proceeding through the formal justice system. There is also an expectation for a speedy or immediate response to gain protection from violence and abuse. There is a lack of both formal and non-formal remedies available to service users.
9. Protection without prosecution is primarily provided for by DOVVSU via the arbitration meeting. Service users rate this service highly. This provision is not part of

DOVVSU's official function, it lacks safeguards and protocols and mediation provided by police services is not in accordance with international standards and best practice.

Recommendations

1. *Provide a full range of services that are integrated, co-ordinated and are accessible for all service users.* The state has the responsibility to provide a range of services to support women who experience violence/abuse. The legislative instrument, protocols and regulations for the multi-agency approach need to be developed along with suitable methods of service delivery e.g. one stop shop model. The Regional, District and Community level Domestic Violence Committee structure needs to be fully active in co-ordinating service delivery.
2. *Allocate funds to provide sufficient resources necessary for DOVVSU and other key agencies to fully implement policy.* All services must be guaranteed free of charge. An immediate solution needs to be provided to address the issue of the costs of the medical report and treatment that present a substantial barrier for service users to access the justice system.
3. *Provide specialised training DOVVSU Officers.* A training system needs to be established that provides initial and ongoing training opportunities and increases access for all officers. Develop a curriculum to reflect a rights-based approach that promotes gender justice and women's agency; and contributes to the transformation of values and beliefs held by officers. More informal but specific training opportunities should be developed within DOVVSU. An example could be learning focused discussions in local team meetings led by senior officers.
4. *Improve the access to DOVVSU and the justice system.* The geographical expansion of DOVVSU needs to be continued through new offices being established. The logistical resources need to be provided to ensure core police functions can be provided. Privacy should be provided for service users within all DOVVSU offices. The DV Committee structure needs to actively promote and co-ordinate increased access to justice across services.
5. *Create and develop a new system of alternative dispute resolution.* This needs to be rooted in the values of international standards that challenge victim blaming biases and ensure women's experiences are validated and their agency promoted. The delivery of the system needs to be provided independently from DOVVSU but give immediate and easy local access for the referral of service users. In the meantime, before a new service can be developed, protocols and guidelines must be provided for DOVVSU arbitration meetings and effectively monitored.
6. *Increase the provision of information on service users' rights, the responsibilities of DOVVSU, legal procedures and services.* DOVVSU, with its partners, needs to create an internal system that provides sufficient information, in appropriate formats that

directly support service users. This system needs to form part of a general strategy of information dissemination and raising awareness. Officers need guidelines for what information they are required to provide and support to develop a range of skills to provide this service.

7. *Implement monitoring and evaluation systems referenced to international human rights standards.* DOVVSU needs to conduct monitoring and evaluation systematically. The contributions of service users and stakeholders need to be included. The system needs to be mindful of the reporting burden for local offices and the skills available. Better use of the national data collected needs to be developed. Priority themes or issues could be agreed with partners and evidence and information provided to make improvements. DOVVSU's own monitoring and evaluation system needs to contribute to the general system that MOWAC has a lead responsibility to develop.
8. *Increase the access for service users to protection orders.* Service users need to be informed of the protection order as a remedy that is available to them. DOVVSU needs to co-ordinate with relevant partners to design a system and promote its use. Protection orders need to be easy to access and initiate for the service user.
9. *Develop responsive non-formal approaches.* Service users' perceive a need for non-formal approaches that include sanctions. Current practice and programmes that provide these approaches need to be evaluated and good practice identified. Responsibility needs to be assigned to oversee development of this aspect of policy implementation and an expansion of provision of services on the ground.
10. *Strengthen the accountability of DOVVSU to service users, women in general and their advocates.* Guidelines and mechanisms for consultation need to be identified that provide clear pathways of accountability. Priority issues need to be agreed as well as opportunities for general feedback. DOVVSU needs to provide information, statistics and reports to support this process. Local DOVVSU offices need to conduct follow up with service users on a regular basis on a prioritised range of issues. The system of DV committees at community level needs to be activated.
11. *Increase the access for service users to protection orders.* Service users need to be informed of the protection order as a remedy that is available to them. DOVVSU needs to co-ordinate with relevant partners to design a system and promote its use. Protection orders need to be easy to access and initiate for the service user.
12. *Develop responsive non-formal approaches.* Service users' perceive a need for non-formal approaches that include sanctions. Current practice and programmes that provide these approaches need to be evaluated and good practice identified. Responsibility needs to be assigned to oversee development of this aspect of policy implementation and an expansion of provision of services on the ground.

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Comments and feedback are welcome, please contact Lauram418@googlemail.com

Section 1 Introduction

In this study ninety nine women and men from the Kaneshie district of Accra have contributed their perceptions of the service provided by the Domestic Violence and Victim Support Unit (DOVVSU). They are all people who have reported domestic violence to DOVVSU. Their voices give valuable insights on a range of issues associated with domestic violence in Ghana and have pride of place. The more that can be learnt from the service users the more informed policy and practice will be. The intention is to use the findings from this study to influence and improve service delivery.

The UN has developed indicators for violence against women and State response and these provide the framework for the research.⁷ The factors considered include increased access to justice and expansion of options for women, provision of support, knowledge and information, principles of dignity, respect, confidentiality and the right to redress. The bedrock of this framework is that the woman who experiences the violence must be at the centre of the justice process. This study was essentially an exploration of the service users' experience once they enter the justice process through DOVVSU and it provides an assessment of the service. What emerged was complex and multi layered with some quite puzzling and seemingly contradictory findings. For instance, service users' perceptions are highly favourable and yet tragically few cases ever go to court or result in punishment. How to reconcile and make sense of the data triggered further discussions, reading and reflection on concepts that could deepen the analysis. The original framework of a rights-based approach to violence against women was strengthened through making the family values perspective more explicit and applying a new perspective, the informal fairness approach.

1.1 Framework and perspectives

The overall framework for the study was a rights- based approach to service delivery. Rights in this context pertain to international human rights for a life free from violence and access to justice. This approach is an outcome of feminist and women's movement action to achieve women's rights being recognised as human rights. There are several key features that include women being placed at the center of the agenda for evaluation of policy and practice, respect for the diversity of women, women are agents of social change and located at the heart of transformations. The second dimension of a rights-based approach has a

²UN Human Rights Council 2008 Report of the Special Rapporteur on violence against women, its causes and consequences, Yakin Ertürk Indicators on violence against women and State response.

formal/legal focus again with several key features that include standard setting, accountability and the duty of government. Ghana has signed and ratified all the major conventions related to violence against women and children. Rights are also considered in relation to provisions of the Domestic Violence Act, 2007. In this context the state's responsibility is to exercise due diligence in prevention, protection and prosecution. In the context of this report the definition of domestic violence reflects the legal framework in Ghana provided for in the Domestic Violence Act. The definition of violence provided within the Act encompasses and expands on the United Nations definition. It includes physical and sexual assault and incorporates economic, emotional verbal or psychological abuse, harassment and a range of other behavioural conduct. In Ghana, the data recorded by DOVSSU includes three categories to define the relationship of the suspect to the victim –close, family and other. The category 'other' reflects DOVSSU's mandate that is broader than domestic violence and intimate partner violence.

The report uses a conceptual model of violence against women that is an expression of gender inequality. Gender, as a category of analysis, allows us to understand both the complexity of power relations between men and women and also how different forms of state power are exerted primarily through the division of the public and private spheres. Another aspect of gender inequality and violence is the way it is commonly tolerated and condoned by institutions and community norms and in turn these mechanisms help maintain and enforce the violence that is rooted in those inequalities.⁸The concept of violence against women also provides ways to explore and integrate other factors than gender that can contribute to a deeper understanding of why violence may occur and what can be done to eliminate it. For instance the recent work by edited by Cussack and Manuh⁹ on the Ghanaian context of violence against women offers considerable insight into the influence of poverty, the Christian religion, the Muslim community as well as the historic role of the state on violence against women. This general definition is relevant as a framework for understanding the issues that surface although the specific focus of this case study is more limited.

The family values perspective is defined by the core belief that the interests and rights of the family are above those of any individual member and gives central priority to family unity. Women are ascribed the role and responsibility for maintaining that unity. The family is understood and is seen as part of the private sphere shielding it from public scrutiny and the subject of law. Women's rights, agency and empowerment are subsumed in relation to the interest of the family unit. Family unity may be threatened by violence against women but this perspective provides logic to how that violence will be perceived and what measures will be taken. Normally conflict is dealt with internally although other actors may be called on to help. Another aspect of this perspective that emerged strongly in this study

⁸ For further discussion see Bott et al 2007, Heise 2011, Jubb et al 2010

⁹ Cussack&Manuh 2009. The Architecture of Violence against Women in Ghana.

was the idea of 'a good wife'. This was sometimes offered as a reason for violence occurring, the woman had not acted as a 'good wife'. Sometimes being a 'good wife' was seen as a remedy to the violence and sometimes blame was attributed to women that did not perform the role of a 'good wife'. In general terms this perspective minimizes the seriousness of violence and facilitates impunity for the perpetrator. In Ghana this perspective was central to the opposition of the DV Act 2007 and strongly argued by the Minister of Women at that time.

The perspectives discussed so far are well established but the informal fairness approach to violence and justice is a more recent and distinctly relevant addition to the analysis in this study. It was developed inductively through the research study of Women's Police Stations in Latin America. At its core is a consideration of what motivates women to seek justice, what the term justice means to women service users and their consequent expectations of the security service. It recognises that women service users' motivation stems from a moral conviction rather than rights-based or formal legal/institutional approach. Women know in theory that violence is illegal and wrong but at the same time they do not want the aggressor, namely their current or former husband/partner to be formally sanctioned. Jubb et al found that women's experiences contained both elements of feminist and family values concepts thus informal fairness is a mixed perspective. Further definition is provided by an extract directly from the Peruvian study given in Box 1.

Box 1 A definition of the Informal Fairness Approach

Users' notions of justice are located on a moral plane. That is to say, they recognize that the ongoing aggressions they suffer are an injustice and they wish to leave this situation. In this sense, the women who go to the women's police station expect immediate and effective services. But effectiveness for them is not focused necessarily on filing a complaint and the consistent start of a judicial process. What women most want is for the violence to stop, or at a minimum, that they be recognized as subjects of rights (Macassi León et al., 2010: 80).

These perspectives are tools for assessment and analysis that complement each other. They offer a means to explore the data and expand the narrative that service users' perceptions provide. Their views, interpretations and actions are complex and not always easy to understand and sometimes there appear to be contradictions. But accepting this complexity is a first step to understanding the responses service users have to the violence and abuse they experience. The more that is learnt from service users experience the more likely it is that services will be improved in the future.

1.2 Organisation of the study

The remainder of this report consists of three sections that focus on data analysis using the perspectives described above. The first section presents findings on the quality of service delivery in terms of procedural justice addressing the way DOVVSU operates as a service provider. Here we identify the significance for service users of being well listened to, the lack of provision of information on rights and access to other specialised services. In section three attention shifts to the issue of access to justice and considers issues related to reporting, early drop out from the service and also investigation. What comes under specific focus is the cost of a medical report as a barrier to access to justice. This area of concern was flagged up during early discussions with both DOVVSU officers and NGO staff and this study provides quantification. In the fourth section the theme of access to justice continues but now considers service users expectations of DOVVSU. Here we explore the issues that relate to the group of service users that want protection from DOVVSU without ending their relationship or involving the formal justice system. The subject of mediation is brought into focus as it is provided for by DOVVSU. The final section of the report draws together an overall assessment and provides conclusions, key findings and recommendations to help improve service delivery and policy implementation.

1.3 Background

In Ghana abuse and violence is a very serious issue in the lives of many thousands of women and children. Studies show that only 12.3 percent of women had not experienced any form of violence directly in their lifetime and that half of all women will experience some sort of violence from a male partner. Children also experience very high levels of physical abuse in the parenting many of them receive.¹⁰

The set-up of the Women and Juvenile Unit (WAJU) of the Ghana Police Service in 1998 marked a significant new approach. WAJU was later renamed the DOVVSU, one explanation of this change was that men needed to be included. It is generally the case that women still refer and talk in terms of WAJU. While the service was established as part of government's fulfillment of international obligations it was also response to strong criticism of the 'traditional police' stations that had a poor record in handling domestic violence complaints. WAJU was one of the earliest examples in sub-Saharan Africa of this approach to policing violence against women and children.¹¹

DOVVSU's mandate is to protect the rights and promote the welfare of children and women by preventing and prosecuting crimes committed against them in both the domestic and community setting. DOVVSU provides all vulnerable persons with access to the justice

¹⁰ See Cussack&Manuh 2009:1.

¹¹ 1985 Brazil was the first country to establish this approach as the Women's Police Service; there are a range of names used for example Rwanda has 'gender desks'.

system allowing them to exercise their right to redress and gain access to support services. Around 85% of reports to DOVVSU are made by women. The unit has provided a means for the intensely private matter of abuse and violence in the domestic sphere to be brought into the public domain. In 1999 research showed that only 3.1% of women would choose to report an incident outside the family to the police, and then only in the case of the most severe sexual offences. (Appiah and Cussack 1999:94). In the same year 885 cases were reported to WAJU, at that time only operating in Accra and Kumasi. Today, DOVVSU has 87 offices across the country and plans for continued growth. Reporting figures peaked in 2007 at 17,309 cases. The increased geographic reach of the unit supports an expansion of options for women experiencing abuse and violence. The unit provides the main entry point into the justice system but clearly recognises that its efforts and achievements are made in partnership with other ministries and NGOs.

The research by Appiah and Cussack (1999) influenced NGOs and the public to step up advocacy for legal reform. The period up to legislation being passed in 2007 was a time of intense debate and controversy on issues related to domestic violence. The Domestic Violence Act was passed in 2007 and the National Domestic Violence Policy followed in 2008.¹² The Ministry of Women and Children Affairs (MOWAC) is responsible for policy implementation and DOVVSU is represented on the management board. The law and policy define duties for DOVVSU that complement other stakeholder's roles as part of a coordinated response to domestic violence.

1.4 Purpose objectives and methodology

The purpose of the research was to gauge women's perceptions of DOVVSU, providing an opportunity for their voice to be given pride of place. The intent is to use the findings to improve service delivery and influence policy implementation. The decision by the National Secretariat of DOVVSU to commission research is a first step in terms of documenting the contribution and impact of the Unit in Ghana. Voluntary Service Overseas provided the placement of a volunteer research officer for a six month period, May – November 2011.

The specific objectives of the study were as follows:

- To assess the quality of the Unit's service using indicators that reflect international human rights standards.
- To identify users' perception of the service, support needs, and barriers to reporting.
- To draw lessons for improving policy implementation by DOVVSU and other stakeholders.
- To develop new indicators for monitoring and evaluation purposes

¹² See Cussack&Manuh, 2009.

Desk based research was conducted between May and July. This included general research around violence against women (VAW) as well as the Ghanaian context. It included a specific focus on the role of the police service in strategic approaches to end VAW and how to evaluate impact. From this research a set of indicators were drafted to frame the case study approach based on criteria suggested by the UN and others. These were submitted to DOVVSU with the terms of reference. Ethical guidelines adapted from the World Health Organisation were included¹³.

During May and June interviews were conducted with DOVVSU staff in the six offices of the Greater Accra region. This provided a thorough induction into the workings of the service and helped identify key issues for further data collection. Logistical restraints necessitated limiting the detailed study to just one office. Further interviews with officers took place formally and informally during the time of the study. Interviews also took place with two members of the DV secretariat of MOWAC as well as discussions and email communication with NGO representatives active on VAW issues. The national volunteers working in the Kaneshie office were also interviewed on various occasions. As trust was developed these discussions became more open and informal.

The access given to me by the partnership between DOVVSU and VSO presented multiple opportunities for observation of service users and officers interactions during the six months of the research. DOVVSU officers at the National Secretariat offices saw it as quite appropriate for me being present during interviews and also when arbitration was taking place which was often conducted in English. This was partly due to cramped office space but also seemed to be a genuine reflection of the officer's confidence. This often was inappropriate and uncomfortable and I would leave. At the Kaneshie office a similar approach was taken by officers. The length of time I had to work alongside officers also allowed trust to be developed. This gave invaluable insights and understanding to many aspects of service delivery and their perceptions of an officer's role. This level of access and trust also meant that I could discuss different possible interpretations of the data and helped me understand the social and cultural context. These observations are used as another tool in assessing the service. This method was also justified because in a situation where the service users are not formally trained regarding their rights then their perceptions are going to be different from a more specialist expertise.

Official records at office level are the docket or individual case file, the station diary, and the monthly intelligence reports. These were made available and used covering the period since the office opened in April 2010 until September 2011. At a national level official records were also made available. Reporting data was reviewed for the period from 1998–2010. The review of records was to gather data on reporting, attrition, outcomes, medical reports and treatment. Analysis of this data was conducted in relation to five offences, rape,

¹³ WHO 1991 Ethical guidelines for research in Ellsberg&Heise 2005.

defilement, physical assault, threatening of harm or to kill and non-maintenance.¹⁴ However during the process of analysing the data several significant gaps were found. There were also problems associated with the methods for collecting the data. For instance there is no method for collecting updated information from individual DOVVSU offices in relation to cases that are closed. It was thus difficult to identify the number of service users that drop out from using the service. Consequently rates of attrition, one of the key benchmarks for assessing the effectiveness and impact of the service cannot be calculated with accuracy nationally but some indication of trends can be identified. At the local level in Kaneshie officers helped address some of the challenges with the data so has been included in relevant sections of the report. But again it is again possible there is some inaccuracy. Support and guidance on the research project came from three main sources. Firstly, DOVVSU referred me to Dorcas Coker-Appiah, the Director of Gender Studies & Human Rights Documentation Centre (GSHRDC). In terms of methods this was particularly valuable in relation to survey design. Secondly, the coordinator of the NAP¹⁵ research gave feedback and support, providing a valuable sense check of the findings emerging from the Kaneshie research. Thirdly, vital input into the survey design came from volunteers working at the Kaneshie office. A request for a steering group to be established was not seen as appropriate by DOVVSU.

Three, female post-graduate, volunteers from the Kaneshie office proved to be a valuable resource acting as research assistants (initially necessary to overcome the research officer's inability to speak Twi and limited local knowledge). Their understanding of how DOVVSU works on the ground, of the local women who report to the service and contributions to survey design improved the quality of the research. Training sessions included role plays and drafting scripts for conducting interviews on the telephone and face to face. Due to time constraints only one research assistant could fully participate in the research.

Women service users of DOVVSU were the prime focus of the research; data gathering methods needed to reflect what they would be most comfortable with and find accessible. There was also concern about methods and likely response rate. These considerations had to be weighed against the need for depth on perceptions. Another consideration was the knowledge and skills of the research assistants. They had valuable language skills but had not conducted surveys or focus group discussions. Analysis of qualitative approaches conducted in Twi would have been too challenging for this project. The decision was made to use two structured surveys.

¹⁴ Non-maintenance is a category used by DOVVSU in the recording system that refers to a man not providing for his wife, partner or children. The most recorded cases in DOVVSU are child non-maintenance and defined in the DV Act 2007 1 b (iii) as economic abuse.

¹⁵The National Advocacy Partnership, 2009. The NAP undertook to monitor the implementation of the DV Act. The project was co-ordinated by The Ark Foundation.

1.5 Survey and sampling process

Two surveys were used one aimed at capturing the perceptions of service users and the second aimed at identifying reasons why service users drop out. The survey design was directly informed by the draft set of indicators including rights, access to justice, reporting and attrition, victim protection and prevention. All service users that participated were provided with anonymity.

The 'long' survey was designed to gauge women service users' perceptions against some of the indicators. The main consideration was ethical and related to risk and recreating trauma.¹⁶ There was an arrangement made for referral to counseling if required by respondents. But the design of the survey was critical in this respect. There was no need for respondents to talk about the abuse/violence suffered for this research. The type of offence information was separately gathered from the docket. A range of question styles was employed, including multiple response options. This is highlighted because in the main the respondents only selected one option even when provided the opportunity to indicate several. The Director of the GSHRDC suggested not using questions that involved ranking as respondents may find this challenging. The survey was trialed and some small changes made.

The survey was conducted through a face to face interview, predominantly in Twi. The location was in the Kaneshie office which was a good pragmatic option. Research assistants telephoned to invite service users to participate. Anticipated barriers to participation, relating to cost, location or fear of being involved, did not emerge; there was a general willingness to be involved. Nobody expected any payment. The survey was designed to take 30-40 minutes, in cases where respondents were eager to talk about their experience they were given time. There were regular debriefing sessions between the research assistants and the research officer to assist analysis and manage the survey process.

The sample was drawn from official dockets provided to the researchers by officers present. Only those cases where the report process had been completed and investigation was either ongoing or completed were selected. It was not appropriate for ethical reasons to interview anyone who was on a first visit, primarily as it could increase anxiety. Some people who revisited the office were also invited to participate. The sample was not restricted by offence or by gender. The sample included a total of 46 respondents of whom 80% were female (37 of 46); 70% were aged between 19 to 30 years (32 of 46); and the range of offences included 40% physical assault (18 of 46), 26% non-maintenance of wife and/or children (12 of 46) and 8% rape or defilement (4 of 46) and 26% other (12 of 46). Cases that had been sent to court could not be included due to those records being held at the court. There was no significant difference in responses to the survey between women and men therefore the data is presented as a whole.

The second 'short' survey was designed to capture data on reasons for dropping out of the justice chain. This had emerged during the scoping period as a significant area of concern. This survey was to be conducted by telephone, with questions developed accordingly again, there were out of date phone numbers but otherwise a willingness to participate was found. The research assistants had a suitably informal approach and this seemed to support and encourage the respondent; quite often respondents wanted to talk for longer. The sample for the short survey was drawn from official dockets provided to the researchers by officers. Cases are kept on record as under investigation once reported and accepted. Officers judged that complainants that haven't returned to DOVVSU after a period of 8 weeks from the date of reporting are not likely to come back. Therefore only cases over 8 weeks live were included in the sample. The aim was to collect 50 responses and this was achieved. There was difficulty in obtaining files prior to 2010. The short survey sample included a total of 53 respondents of whom 80% were female (42 of 53); and the range of offences included 56% physical assault (30 of 53), 15% non-maintenance of wife and/or children (8 of 53), 6% rape (2 of 53) and 19% other (10 of 53).

1.6 The location and background of Kaneshie

Kaneshie is part of the Greater Accra region of Ghana and is known for its large and busy market. The residential areas that surround the market are categorised by Accra Metropolitan Authority as "2nd class residential" and it is perceived as a "good place to live". The market area itself is quite different. It is a business centre with about 5,000 traders and there is a large transport centre. It attracts street children because of work. Gang activity is reported with ritual sexual abuse of both girls and boys. In and around the market lots of adults and children live on the streets.

The majority of women who report to DOVVSU are described as having low incomes and high levels of economic dependence and illiteracy, and many are market traders. The Kaneshie DOVVSU office was established in April 2010. It is situated in the local police station which is located directly opposite the market building and the tro-tro (minibus) station. DOVVSU does not have a sign outside the police station. On arrival a complainant has to go behind the counter and turn into a narrow, poorly lit corridor with desks and chairs in it. People usually stand and wait in the corridor. DOVVSU officers are often working at a desk in the corridor which is also used for interviews. The small office has three desks, one of which is used by a police officer - not part of the unit. There are six DOVVSU officers. There is one computer and a printer and no telephone. DOVVSU is not networked. If officers want to make telephone calls they use their own mobile phones. Case reports are all hand written, there is no photocopier and no filing cabinets, files (or dockets as they are referred to) are stored in plastic shopping bags on a table. DOVVSU has no vehicles and if needed officers have to use their own cars.

The team of DOVVSU officers is coordinated by a female, senior officer ranked Deputy Superintendent of Police; there are five junior officers, one female Inspector and four Lance

Corporals. One of the six officers is male. One officer has been in the police service for 30 years, the length of service for the others ranges between four to eight years. Length of experience working for DOVVSU varied between one and six years. Three officers started work with DOVVSU when the Kaneshie office was established. The team has no trained counselors; one officer has had social work training. Only the coordinator has received specific DOVVSU training.

In terms of other support services locally there is no access to shelter or counseling for victims/survivors. It should be noted that the only shelter in the whole country is provided by an NGO in Accra. There is no free independent legal advice available locally. Medical treatment would come from a doctor or hospital and have to be paid for. In exceptional circumstances referrals can be made to the police hospital for free treatment. Some improvement may come when the new national headquarters for DOVVSU becomes operational it is being planned to offer a one stop shop model of service delivery. It is understood that the resources for this project have been raised from external sources and as such represents the efforts of DOVVSU and MOWAC rather than a broader commitment from the state.

Section 2 The Quality of Service Delivery.

In this section aspects of the quality of service delivery relevant to a rights -based approach are assessed. The formal legal standards are in general provided by international standards and some are specific to the DV Act, 2007, and the National DV Policy in Ghana. The policy objectives include rights in relation to safety, empowerment, protection, access and responsiveness from the perspective of the victim/survivor. The key features under consideration are further described in Box 2. To help analysis, questions and responses from the long survey have been grouped in relation to theme or issue.

Box 2 Key features of a rights -based approach to service delivery

Women complaining about violence should be treated as human beings, to be believed and respected. Privacy and confidentiality are provided. Reporting to female officers is available. Officers provide diligent and compassionate services, women are listened to and their needs are at the centre of the process. Service provision reflects the formal legal/institutional framework or international human rights standards. Women are always informed of their rights, encouraged to continue through the legal process and empowered. Follow up with women is conducted regularly to gain feedback.

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➤ It is expected that a rights-based approach will provide service users with a well delivered service that is needs based and the principles of respect, dignity and confidentiality are upheld. The first group of responses relate to the quality of the interactions service users experienced with officers. There is a striking level of consistency in the high level of positive responses.

These response rates are consistent with the National Advocacy Partnership findings (2009). The positive responses suggest respondents are expressing genuine feelings of being well listened to and

respected. The research assistant commented that respondents felt relief that they were taken seriously and allowed to tell their story. It suggests that respondents perceive DOVVSU provides a supportive first point of entry to the justice system. Only one respondent had negative perceptions across this range but they also indicated that they thought the DOVVSU service was good overall.

The next group of questions relate to the responsiveness of the service and provision of confidentiality and privacy. Privacy and confidentiality are generally acknowledged as paramount considerations for working with women who have experienced violence. Women are unlikely to disclose their experiences if they do not feel confidentiality will be maintained, and women may be put at risk of further violence if their reports are overheard. These are possible indicators of responsiveness and respect but also are

important in terms of limiting stress, anxiety and possible re-traumatisation.

The service is perceived as responsive in that the waiting time is reasonable and that most users do not have to tell their story to more than one officer. Continuity of service delivery with one officer was not specifically identified but officers do have identified caseloads that are their responsibility. A contact telephone number is not generally provided and it should be remembered that the office has no phone so it is only officer's personal mobiles that are used. A contact telephone number also relates to the rights of the complainant in relation to

Table 2 Privacy, confidentiality and officer contact.

54% were seen promptly within 30 minutes; 39% within an hour; and 7% over one hour.

89% were able to tell their story safely and comfortably with privacy, time and encouragement; 4% were not.

44% indicated the discussions could be heard by people not involved with the case; 56% were not overheard.

30% told their story to more than one officer; 67% did not.

65% given the name of the officer; 35% were not.

35% given a contact phone number; 63% were not.

Total sample 46

Table 1 Understanding and respect.

91% indicated that they felt officers understood them and their needs; 9% partially.

89% indicated that they were always or mostly treated professionally by officers; 9% sometimes.

87% indicated that the officer communicated extremely or very well with them; 11% moderately and 2% not at all well.

85% indicated that they were always or mostly treated with respect by officers; 9% mostly and 2% never.

Total sample 46

safety and protection and is a fairly basic right and expectation for users. Officers are well aware that this hinders their ability to provide an effective service. Service delivery is compromised through the lack of provision for privacy or confidentiality at Kaneshie DOVVSU. As described above, the office is small, shared by the team plus another office and the 'overflow' space is a corridor. This is reflected in the user's perceptions relating to being overheard. Given the poor nature of the physical environment in which discussions take place the high level of positive responses in relation to safety, comfort, privacy, time and encouragement is interesting and was unexpected. It was observed that officer's generally took time at the first reporting stage to sit with the service user, listen, make notes and record the case. It was also clear that the skills and abilities of officers varied considerably with some being more able to engage with the service user and others who appeared distant or dismissive. This was also evident from reading case reports which often were a verbatim narrative with little evidence of questioning or checking with the service user about needs, safety or other issues.

➤ The next theme is the right of service users to be informed of their rights, support services and possible actions related to their case. This information is essential for service users in terms of decision making, agency and empowerment.

Table 3 Information on rights and support
Information on rights and how the case will be addressed
<ul style="list-style-type: none"> • 46% had been informed of the next steps to be taken to address their case • 30% had been informed of their rights • 17% had been informed of the DV Act.
Information on support services that may be available
<ul style="list-style-type: none"> • 17% legal aid services • 11% counseling • 35% medical services • 0% shelter
Information on possible referral or actions
<ul style="list-style-type: none"> • 22% case referral to Social Welfare • 4% case referral to Family Tribunal • 24% proceed to take case to court • 35% meeting jointly with the perpetrator
Total sample 46

Responses indicate that most service users do not perceive that they have been well informed of their rights and the DV Act. Half of service users perceived they were not well informed of the possible next steps. The picture gets worse when the very low levels of information on support services and possible referrals or actions are factored in. Service users' perceptions are a clear indication that officers are not effective in this aspect of their role.

It is reasonable to assume that the service users come to DOVVSU with only basic knowledge of their rights. There are generally so few opportunities for women to receive any training on rights or be involved in awareness raising events. This means that when

women visit DOVVSU for the first time they will have little idea of what the service can or should provide them with. Some expectations may fall within the remit of DOVVSU some may not. In these circumstances there is an onus on officers to work skilfully with service users to ensure information on specialised services, aspects of procedure, clarification and options are provided. The basic level of knowledge of rights will also influence whether a woman will choose to follow a formal/legal approach to justice or an informal fairness approach. More specifically to this study, service users' lack of information and low levels of basic knowledge will have a consequent effect on the perceptions of services they have identified and provided in responding to the survey. The issues relating to knowledge and information remerge throughout this study and are central to the final assessment of the service made in section five.

There is evidence from the responses of service users that suggests officers do not encourage or initiate discussion about specialised services or the options for taking the case forward. This was also backed up through interviews and observation. It was found that officers generally have what they perceive to be a pragmatic or common sense approach to their work, if there are no support services available then why raise this issue? This may in fact reflect the reality on the ground but it undermines an approach that ensures all service users are provided with information on their entitlement. It is understood that the lack training, awareness and knowledge of officers pertains to their ability to provide information and work skilfully with service users to support a process of empowerment. If officers' levels of knowledge are low then the service they are expected to provide is going to be compromised in terms of effectiveness.

➤ The next step is to consider service users' perceptions of how any decisions were made during their visit to DOVVSU and the degree of ownership or agency the service user perceives they had.

The responses indicate that the majority of service users perceive they were able to make decisions using the information that officers provided. 20% (9 of 46) indicate a stronger sense of ownership; the same percentage perceived they had been helped in decision making by officers. The 4% (2 of 46) that perceived officers had advised on actions demonstrate a weaker sense of ownership.

We need to be mindful here of the previous discussion in relation to information and knowledge of rights. Service users are making decisions on the basis of little information or knowledge and this will undermine or limit their capacity to opt for measures or strategies that may be more effective in their particular circumstances. This again will feed in to and reinforce an informal awareness approach.

Table 4. Service Users' decision making process.	
20%	all decisions made by self
54%	decisions made with information provided by officer
20%	officer helped explore options
4%	officer advised what actions to take
Total sample 46	

Through discussion with the research assistant, officers and observation there was no evidence that undue or explicit pressure was put on service users' but there was found to be what could be described as a meeting of minds. Officers and service users seem to share a common set of values related to the family and this means that decision making will take place in a context of a whole range of tacit understandings and assumptions. There is further discussion on this theme in the conclusions, Section five.

- Rights for service users are clearly provided for in the DV Act, 2007 and include assistance in relation to medical treatment and obtaining a report; assistance to retrieve belongings; and support to ensure the necessary evidence is preserved. These are all police functions to support protection and prosecution.

Table 5 Assistance provided to service users	
9%	Assistance to receive medical treatment
50%	Assistance to obtain the medical report
11%	Protection to be able to retrieve personal belongings
7%	Assistance and advice to preserve evidence
Total sample 46	

Firstly, to consider assistance in relation to medical treatment and the medical report nearly half the respondents, according to category of the offence, had the right to this assistance and the findings show that they all received assistance. The cost of the report is a known barrier to access to justice. The much lower level of response to receiving assistance with medical treatment perhaps reflects DOVVSU's limited capacity to assist plus the costs of treatment. There are neither funds nor transport to provide assistance. Free medical treatment is provided for under the DV Act but no fund has been allocated. For officers the routine procedure would be to issue a form for the complainant to take to hospital to then get treatment and a medical report as required for evidence.

In relation to retrieval of personal belongings this assistance was provided for 7% (5 of 46) of respondents. This assistance is related to safety. Most service users would not need this assistance according to the reported offence. But again, the lack of transport is a constraint for officers.

Lastly, in relation to assistance and advice on preserving evidence this appears to be a low response; but there is an overlap here with the assistance for the medical report. The report is a means to provide evidence. Respondents possibly chose to give only one response. It would not be expected that all respondents would need assistance.

- It has already been identified that service users are poorly informed on support services but now we are able to consider this issue in relation to service users' expectations when they visit DOVVSU. Expectations also relate to what motivates service users to report

to DOVVSU.

Respondents were given the opportunity to indicate support services they expected to receive and then identify what services they actually receive. All respondents chose only one service; multiple responses would have been expected. A comparison is provided to see how many service users actually had their expectations met in practice.

Table 6 Service Users expectations of support services and what was actually received.

	Counseling	Shelter	Medical Assistance	Legal Advice	Other
Service expected	23.9%	0%	22%	24%	15%
Service received	46%	2%	37%	4%	n/a
Percentage of service users that had expectations met in practice	20%	0%	15%	0%	n/a

Total sample 46

Service users' expectations of support services give almost equal significance to counseling, medical and legal advice. Included in 'other' service users expected financial support and this is outside the scope of the service. It should be remembered that there is no access to counsellors, shelter or legal advice locally.

It is interesting that no service users had expectations to receive shelter. 40% of the respondents had reported crimes that were physical or sexual assault yet none of them expected shelter. It demonstrates another aspect of service user's informal awareness approach in which they want the violence to stop but they also want the marriage/relationship to continue. Thus leaving the household and seeking shelter is not part of their strategy or actions to end the violence. This becomes more evident later in relation to further discussion on expectations of DOVVSU in Section three.

The responses on counseling services actually received are higher than expected at 46% (21 of 42) as there are no independent counsellors available at Kaneshie. This led to an interesting exploration of what a service user's definition or understanding of counseling may be. What seems most likely is that feeling 'heard and understood' is considered to be counseling. There was no evidence from observation that officers were well equipped to offer anything pertaining to psycho-dynamic counseling. It was also observed that some officers were quite uncomfortable when service users got visibly upset and cried.

Sometimes at Kaneshie counseling is provided by the senior officer, who is highly trained, most often this is for some service users who participate in an arbitration meeting. In some instances service users can be referred to the only DOVVSU office where an NGO provides this specialised service but it is not easily accessible geographically.

The responses to receiving legal advice are significantly lower than would be expected but

this is in keeping with what was identified earlier in relation to information. Only 4% (2 of 46) of all service users identified that they had received legal advice and in fact none of them had actually indicated they expected to receive this service. 24% (11 of 42) expected to receive legal advice from DOVVSU but none of them stated that this expectation had been met.

When questioned about this officers, even at senior level, perceived legal advice as outside of their role and said in rare cases women might be referred to get legal advice, only those who had cases that were filed to go to court. This perception of legal advice being outside of an officers' role may pertain to training but this does not sufficiently explain it. Officers receive no training in counseling skills but they do identify this as part of their role. This raises the question as to why officers seem to feel more comfortable in a personal or social welfare role rather than a formal/legal support role. There are various influences that help explain this. Officers are discouraged by the ineffectiveness of the formal legal system which is slow, full of challenges and they sometimes perceive that their work is undermined by the judicial service and a lack of specialised services. Officers' belief in family values also lends itself to a social welfare type of approach. It was often commented that there need to be more officers that have social work training and this is also supported at high levels in DOVVSU, to some extent this is gap filling for the lack of effective services being available from the Department of Social Welfare.

➤ It is useful at this point to shed more light on how family values are understood within DOVVSU as this emerges as a significant factor that has an impact on the daily interactions between service users and officers but also is perceived to impact on the quality of service delivery. As already mentioned officers perceive that keeping the family together or saving marriages is a primary aspect of their role, this is often identified or linked to an approach to protection for children. For some officers their practice is more oriented towards social welfare rather than formal/legal access to justice. This stems from perceptions of being more effective in this role because the formal/legal system has so many barriers and that women often don't want to take that route. Officers also generally hold traditional views on domestic labour and childcare as being the wife's responsibilities. Some officers shared their observations that a woman could avoid abuse of violence if they performed their 'duties as a good wife' although the use of violence or abuse was never condoned. These views were common to male and female officers and officers of different ranks. One senior officer said that when making decisions about cases "we look at the relationship because DOVVSU believes in the family". These views were generally provided with compassion towards service users. However even if applied in a gentle manner family values will have a negative impact on service users' decisions, a actions and also their confidence. The bias within DOVVSU towards family values means, sadly, there are many missed opportunities and also more obstacles for service users to negotiate in their attempts to gain access to justice. This in turn contributes to the status quo being maintained with restricted options for service users.

Section 3 Access to Justice: Reporting, Barriers, Early drop out and Investigation.

Box 3 Key features of international standards for access to justice and reporting.

All cases are recorded and women's right to protection and redress is recognised. Women believe that the state is effective in addressing violence and that they receive the necessary support in the process. There is an expeditious investigation and trial.

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In Ghana, DOVVSU provides the first entry point into the justice system for most women who experience domestic violence. In this section we gain some understanding of how long service users have experienced violence/abuse for before they decide to report to DOVVSU and we also consider what prompted them to take this step. Then the focus turns to reporting and attrition at this early stage. This brings into focus much needed new evidence and quantification relating to the cost of the medical report and drop out from the service. The cost of the medical report is a well-recognised issue of concern, it is supposed to be free as specified in the DV Act 2007 but as mentioned earlier no funds have ever been made available so service users have to bear the costs personally. The case study also identifies other reasons for drop out at this early stage and a little insight into what other actions service users took.

Before proceeding to look at these issues it is helpful to provide some additional contextual background that allows us to deepen our understanding of what is involved for women who decide to make a report to DOVVSU. Firstly, information in relation to social tolerance of domestic violence in Ghana was quantified from a survey conducted in 2006.¹⁷ It was identified that 46% of women aged between 15 and 49 believe a husband is justified in beating his wife; and amongst men 36% believe wife beating is justified. Secondly, Prah and Ampofo provide valuable insight into relationships and power in Ghanaian families –

“Women and children are expected to show respect and deference to men. To obey them and accept their authority in decision making, all the while being modest in their behaviour. They are also expected to show reticence in sexual matters, to be chaste and accepting of male needs, desire and practices. Within marriage, women are responsible for the success of their marriages accomplished through hard work and submission to their

¹⁷ 2006 MICS Report: Monitoring the situation for children, women, and men.

husbands. The virtues of tolerance and obedience are extolled for women, but not for men.”¹⁸

➤ It is well acknowledged that women face many barriers before they report to the police, including stigma, fear, the threat of losing their children, costs and the lack of support services. In addition, the police may lack training, be perceived as biased and/or insensitive thus making a woman less likely to report to the police.¹⁹

In this case study evidence from the survey provides some information on how long service users had experienced violence/abuse and what then prompted them to step out of the private sphere of the family, report to DOVVSU and break the silence. The data from this research offers a light touch on what are very complex issues.

Most respondents indicate that they waited months or years before reporting to DOVVSU. Most respondents also indicated that they had previously reported the abuse/violence to their family. The family was identified as the main influence/encouragement on the decision to make a report. From what is known generally about patterns of violence and abuse these results are expected.

In a recent case, the senior officer at Kaneshie reported that the family had tried four times to settle before reporting to DOVVSU.²⁰ It is interesting to note that an increase in the abuse/violence was indicated as a motivation to report for only 11% (5 of 46) respondents. This would have been expected to be more significant as was found in the Latin American research.²¹

It is also significant that the media influenced about one in four of the respondents’ decisions to report. The date all these respondents reported was similar and suggests there had been relevant radio coverage to coincide with this. About half of the respondents had also indicated they had heard of

Table 7 Length of time service user had experienced abuse/violence prior to reporting.	
• 15%	Days
• 24%	Weeks
• 37%	Months
• 15%	Years
Influence/encouragement to report	
• 41%	Family
• 22%	Media
• 20%	Friend
• 11%	Abuse/violence increased
• 4%	Concern for personal safety
• 7%	Concern for safety of child
• 6%	Pastor/ clergy
Total sample 46	

¹⁸ Prah and Ampofo in Cussack&Manuh 2010:206

¹⁹ See for example UN, 2008; Cussack&Manuah,2009; Bott&Morrison&Ellsberg,2005; Jubb N 2008 for further discussion on access to justice, attrition and the role of special units in the police service

²⁰ Mediation within families is a common approach to dispute resolution. Cantalupo et al. (2010:578) comment that by the time women approach the state they have been ‘through mediation ad-nauseam’.

²¹ This may be explained by methodology, the survey method used in this study gave limited opportunity to explore issues with service users.

DOVVSU prior to arrival at the police station. The name WAJU is still widely used and there can be some confusion related to this.

➤ An important right for a victim/survivor is to be believed and to have the complaint properly recorded. It is a right as stated in the DV Act 2007. Responses to the survey indicate this is carried out in the vast majority of cases (98%). There is also a right for the service user to receive an extract if requested in a language they understand. The low response indicates that complainants are not informed of this right. It also reflects the low literacy levels of most complainants. It should be noted that the practice at Kaneshie is for officers to sit with the service user and read the report aloud. A major criticism of police services is that women's reports are dismissed or trivialised, this is one of the reasons special units are established. The evidence from official records at Kaneshie shows that during 2010 all reports were accepted as true; in 2011 during the first nine months nearly all cases were accepted as true; just 5% (45 of 983) of reports were refused. The decision to accept a complaint is made by the Co-ordinator from assessment of the report that then authorises investigation. This is a strong indication that women are believed and their right to have the case recorded and investigated is upheld. This is a feature that demonstrates an advantage of a special police service approach to domestic violence particularly in low income countries.²²

Table 8 Table 8 Report recorded.
98% officer wrote up a report
9% copy/extract received
Total sample 46

➤ In this case study evidence shows that a critical stage for service users is immediately following reporting. The short survey findings show half (17 of 35) of the respondents were prevented from continuing in the justice process due to the cost of the medical report. The cost of the report is between GHC 30-50 for assault but can be considerably higher for sexual

Table 9 Attrition and cost of medical report
49% of respondents reported that the cost of the medical report was a significant reason for not returning to DOVVSU.
Sample of 35 respondents (Sub set of 53)

offences at about GHC 100. In some cases of sexual offences Kaneshie DOVVSU refers the victim to the police hospital for free treatment and a free report. Official records at a local level were used to provide additional data. This identified a two thirds drop out for all cases that require medical evidence. This is for offences including rape, defilement, sexual and physical assault. In Kaneshie during the first nine months of 2011, 485 service users reported to DOVVSU and were given medical forms; of those, 132 are recorded as receiving treatment but only 144 returned to DOVVSU. Cases that required

²² See Heise 2011, Bott et al 2005

medical evidence at Kaneshie in the same period account for nearly half the total number of cases reported.

Official records show that 83% (132 of 485) are recorded as not receiving medical treatment. From the survey results there was no evidence to show medical treatment costs are perceived as a barrier. This was an unexpected result. From discussion with the research assistant and officers it is suggested that victims/survivors may have already had medical treatment before coming to DOVVSU; they may persuade the perpetrator to pay for treatment which also might solve the problem and thus not return to DOVVSU.

The cost of treatment and the cost of the medical report should be free for those who have reported to DOVVSU. This is provided for in both the DV Act and the policy. It is nearly five years since the Act and this basic human right is still not upheld. This strongly indicates a failure at state level in its duty to provide the necessary assistance and support for complainants to fully access the justice system and support their right to redress.

➤ Apart from the costs related to medical reports and treatment the short survey reveals some further insights about other factors that influence drop out at this stage. Most respondents reported they did not return to DOVVSU because they had ‘solved’ the problem. This included 40% (7 of 17) of respondents that also indicated the cost of the

Table 10 Reasons given for not returning to DOVVSU
64% ‘solved’ the problem
32% medical report cost
7% distance to DOVVSU and time
6% lack of confidence in legal process
6% pressure from family
2% lack of support from DOVVSU
Total sample 53

medical report was significant. Some clarification of the use of the word ‘solution’ is needed here. It should not be equated with an end to the violence/abuse. Respondents will have had different interpretations or associated different meanings to the word. It is most likely that the solution is of a temporary nature given what is generally acknowledged as a cycle of violence. Officers explained that it probably meant that a payment had been made as some kind of compensation and the family of both the service user and the perpetrator would usually be involved.

It is important to identify other factors that prevented service users from returning to DOVVSU. These relate to time, lack of confidence in the legal system, pressure from the family and lack of support from DOVVSU. The numbers of respondents who identified any of these is small but does add a little extra depth to our understanding of service users’ perceptions. A lack of confidence in the legal system was given as a reason in two cases where rape had been reported and one for assault. Officers’ perceptions of this were that it is primarily about money or a lack of compensation being available through the court. It is the case that courts in Ghana very rarely have been known to award compensation.

Pressure from the family was identified in three cases of assault. Again we are in the territory where family values prevail offering few choices or options for women whom

experience violence or abuse.

Another dimension of the respondents' process of decision making comes from the data from the short survey. If we look in more depth at respondents who identified that they had found a solution it is possible to identify who they involved or discussed with in the decision making process. What emerges here is that in three quarters (33 of 45) cases the family were involved in decisions or actions that were opted for that led to a solution. We then see that the respondent also involved the perpetrator in the majority of cases. Neither of these findings is surprising and the family values and informal fairness approach are apposite. In situations where service users' access to the formal/legal access to justice route is denied for whatever reason then the location for redress and resolution almost as a default position becomes the family. Given it is unlikely for the service user to have any options about where to live in terms of household the perpetrator, in cases of domestic violence, is more or less bound to be present in that household. Therefore he will be involved at some level in some way in the process of finding a way forward. Unfortunately there is no further data available that allows us to assess the woman who experienced the abuse/violence perceptions of this process nor do we know whether she would consider using DOVVSU again in the future.

➤ All service users have a right to an expeditious investigation of their case. This is another stage in the access to justice chain that is fraught with difficulties and potential barriers for the service user. DOVVSU nationally acknowledges that conducting a successful investigation is a significant challenge and this was clearly the case at Kaneshie. In terms of logistics and resources the office has no telephone and there is no transport. Officers may use their own transport or the complainant may pay for transport

in some instances. Some aspects of investigation do routinely occur, statements from the person that reported the offence are taken and the referral to get a medical report is made. If witnesses are available then statements from them are also documented. The decisions about investigation are approved by the senior officer.

Common practice is for the complainant to be given a letter to invite the suspect to an interview with DOVVSU. Officers report that in many cases the suspect attends. This practice is clearly not within an approach to protection and safety that would be expected in accordance with international standards.. Officers report that challenges to investigations commonly include not being able to locate the suspect and or witnesses. This will cause the case to be shelved or closed. From responses to the survey 21% (10 of 46) of respondents said the case was ongoing. Their responses indicated that the case was only reported in the

Table 11 Who was involved in discussion leading to a 'solution'.

- 73% of respondents involved their family;
- of those 42% only involved family;
- 31% also involved the perpetrator.
- 22% of respondents only involved the perpetrator.
- 13% involved people from outside the family.

Sample of 45 respondents (sub set of 53)

past few days, the case was being investigated and they were hopeful of an outcome. There is no doubt that some cases do get fully investigated, at Kaneshie, one officer had successfully investigated twelve defilement cases and these proceeded to be successfully prosecuted. It was also observed that this officer was particularly diligent in her approach to all aspects of her work. It is also the case that she had never received any specific training related to domestic violence but had educated herself on the DV Act and other aspects of the criminal code in order to be more successful in her work. This suggests that some part of why cases are not well investigated is attributed to factors that go beyond logistical challenges and is about the attitude of individual officers. This view was also supported by the observations of the research assistant.

Section 4 Access to Justice: Case Attrition and Outcomes

Box 4 State response minimum standards and indicators

Criminalization of all forms of violence against women and the prosecution of its perpetrators. Increase in reporting of all forms of violence. The basic process indicator will be case attrition - the proportion of reported cases that fail to result in any form of sanction for the perpetrator. Decrease in rates of case attrition. Prosecution rates should not only mirror increases in reporting, but also increase if legal and procedural reforms are having the desired impact. Conviction rates should, similarly, stay at minimum constant and increase if procedural reforms are effective. They should not be lower than for other crimes.

UN 2008

This section considers how effective DOVVSU is in providing access to justice through an examination of official records in relation to reporting, arrests, prosecution and conviction. DOVVSU's contribution is difficult to isolate in relation to prosecution and conviction as other institutions of the justice system are also involved, therefore we are looking at contribution rather than attribution in terms of state effectiveness. This data also helps assess some aspects of policy direction and implementation. Some limited reference to national data is also used in this section.²³

The legal framework in Ghana provides a range of outcomes for complainants. A case can be sent to the appropriate criminal court or the Family Tribunal, protection orders can be granted and cases can be referred to the Department of Social Welfare. The Co-ordinator at

²³ National data used in this section was considered reliable enough only to illustrate general trends.

Kaneshie referred to local Social Welfare services being unresponsive so few if any cases were referred. For the service users who participated in the survey only a court option applied where a formal/legal pathway was followed there was no use of protection orders and there is no evidence to suggest that service users are informed of this option.

➤ Firstly it is important to assess the number of cases that led to a conviction. This is a significant indicator of the effectiveness of security services in facilitating access to justice sector²⁴. It has already been noted that the majority of cases that are reported to DOVVSU at Kaneshie and indeed nationally are accepted as true cases (see 2.2) and this is an indication that service users' right to have the case recorded and investigated is upheld. In relation to arrest and prosecution Kaneshie official records indicate nearly half of all suspects are arrested however this is followed by prosecution rates that are drastically lower. If an arrest is made very few suspects are then prosecuted, about 5% of total arrests (31 of 592). This is clearly another significant point in the justice chain where attrition occurs and the case is dropped.

Figure 1 Kaneshie records of reports, arrest, prosecution and conviction.

Year	True cases	Conviction % of true cases	Arrests % of true cases	Sent to court % of true cases	Awaiting trial
2010 April-December	358	1 % (5 of 358)	46% (165 of 358)	2% (8 of 358)	Not available
2011 January-September	938	1% (12 of 938)	45% (427 of 938)	2% (23 of 938)	1%(11 of 938)
Total	1296	1% (17 of 1296)	45% (592 of 1296)	2% (31 of 1296)	

The official records at Kaneshie go on to show very few convictions occur. For the period the office had been open at the time of this study, 2010 -2011 only 1% (17 of 1296) of cases resulted in conviction.

The large gap between number of arrests and numbers of cases in which prosecution takes

²⁴ The UN proposed indicator for case attrition is calculated as the percentage of reported cases that fail to result in any form of sanction for the perpetrator. A further comparison is then required to be made between domestic violence and other crimes to provide evidence of procedural justice. See UN 2008 Report of the Special Rapporteur. Also see Jubb (2008) for further discussion on special units and evidence to show they are not necessarily effective in increasing the conviction rate.

place is acknowledged as an issue by DOVVSU nationally. Officers report that once an arrest is made many victims withdraw the complaint due to pressure from family members or opinion leaders intervening at this stage. It is also generally acknowledged that arrest can act as a short term deterrent against re-offending which may also provide a reason for a service user to drop the case. The lack of resources for investigation to take place is again relevant. Officers also report that very often witnesses and the perpetrator can't be found. In Ghana the victim/survivor has to bear the costs of going to court and they are rarely able to reclaim costs. It is also rare for any compensation to be granted by the court for the victim/survivor and this has a negative influence on victims wanting to go to court. Studies for other countries also indicate that case attrition at this stage in the justice chain is a significant issue for similar reasons.²⁵

It is worth noting for 2011 officers at Kaneshie perceive the proportion of convictions of cases sent to court as a considerable success. This perspective is based on 23 cases being sent to court and so far there had been 12 convictions and the rest of the cases are awaiting trial. They are hopeful for continued success for cases still awaiting trial. Kaneshie has access to the court in Accra that has a specific remit for domestic violence cases that means cases get dealt with quickly. This facility is only provided in Accra.

According to international standards identified at the beginning of this section (Box 3) it is important to assess the findings so far. What we are looking for is direction of travel in relation to the impact of legal reform and policy implementation.

Firstly, in Kaneshie reporting has increased and this is expected as it is a new office and it takes time for local women to become aware of the service. In general terms reports have declined since 2007 when recorded numbers of true cases peaked at 17,000. The peak was at the time of the debates related to the DV Act. The three year average (2008- 2010) is 15,000 reports per year. Rates appear to be flat across most forms of violence.

Secondly, in relation to case attrition, 'the proportion of reported cases that fail to result in any form of sanction for the perpetrator' rates are extremely high across all offences. There does not appear to have been any change in these rates since the DV Act 2007 and therefore the rates appear to be flat across all forms of violence against women.

Thirdly, prosecution rates should mirror increases in reporting and also increase. This is not measurable because the data is unreliable. However it is clearly evident that prosecution levels in 2010-2011 in Kaneshie at 1% are not mirroring an increase in reporting and this is with access to the special court. It is fair to comment that the national situation is equally dismal.

It emerges that legal and policy reform has not had the expected positive effects on performance when compared to international standards. The services offered and provided by DOVVSU and the judicial services are woefully inadequate to meet current levels of cases that are reported.

²⁵ For further discussion see Bott et al.2005, Heise 2011, Jubb et al 2010

➤ Having identified that very few cases proceed through the formal justice system and go to court it is useful to consider service users' expectations of outcomes from their decision to report to DOVVSU.. In this study all service users shared a common goal to bring an end to the violence and abuse but only a minority identified expectations of conviction and punishment. Thus it is important not to equate the choice to visit and report to DOVVSU with an associated formal legal outcome or remedy. The purpose of the visit and the expectations of the majority of service users were for an informal outcome administered directly by DOVVSU. The expectations of these two groups of service users are now explored in relation to outcomes that were provided from their visit to DOVVSU.

Firstly we will consider those service users who indicated they wanted to pursue the case in the formal justice system. A quarter (12 of 46) of respondents indicated they came to DOVVSU wanting the suspect convicted. Of these twelve service users one reported a rape case and the case was being investigated; five were assault cases and three of these cases were ongoing, two went on to have an arbitration meeting; there were two cases of non-maintenance of children and these both went to an arbitration meeting; the information on type of crime was not provided in four cases but all went to arbitration meetings. The arbitration meeting is not part of the formal justice system and is discussed further in 3.3 below.

Only two of the twelve service users indicated that they had a discussion with an officer about going to court. More data would be needed to know why the discussion had not taken place but it is most likely to be attributed to variance in individual officers' practice and approach and the type of crime being used as a filter. Set against the background of a lack of information that is generally provided to service users pertaining to rights it is unlikely that most officers initiate discussion about court or other formal remedies that are available. If there is no opening provided by officers then service users may not feel confident to raise the issue on their own behalf and this will affect subsequent decisions. It is worth noting that all twelve of these service users had positive perceptions of how decisions were made in relation to their case. Of the eight that went on to experience an arbitration meeting one reported negatively in relation to outcomes from the meeting and she stated that she still wanted to go to court.

The study also showed that court was included in discussions with officers for nine other service users (20% of total sample of 46 service users). None of these service users had identified this as an expectation and none of these cases continued through a formal justice route. Again we are not able to know who initiated this discussion it could have been the service user or possibly an officer who has a more rights-based approach.

What emerges here is significant and needs consideration. It seems that women who choose to visit DOVVSU with an expectation of conviction for the perpetrator do not have this expectation met and make a shift to an informal remedy that they then feel positive about. There are several factors brought that help explain this change such as the low level of understanding of rights for most service users, the lack of information that DOVVSU

provides and lack of specialised service provision. It is also likely that the shared common ground of family values between service users and officers is another factor. As was highlighted earlier (see 2.6) this can provide a basis for pressure to be exerted on service users to conform and make decisions that put family reunification first.

We now move on to consider the majority group of service users who did not want to pursue their case through the formal legal system. In the survey service users were given the opportunity to identify what they expected from DOVVSU. The results show that two thirds (30 of 46) of respondents did not expect to pursue a judicial route. It is important to understand what service users do want as an alternative to going to court and some quotes from service users are provided in Box 5.

Box 5 Quotes from respondents on expectations of DOVVSU

“Resolve the misunderstanding between my husband and I”

“Seriously warn the boy to stop harassing me”

“Convince my husband to stop beating me”

“Talk to my husband to stop abusing me”

“Settle the case so that we can live peacefully in the house”

“Influence my husband to pay to look after my children”

The responses indicate that many service users want officers to interact with the perpetrator on their behalf to convince or warn the husband or partner to change their conduct and end the violence.²⁶ They want the violence to stop but do not want formal /legal sanctions. They want to stop the violence and preserve the relationship. They want to be able to live in the same household safely. Some service users also included that they wanted support, guidance and information on other specialised services.

In Kaneshie the Co-ordinator estimates that half of service users choose to not go to court. The most common reasons, as perceived by officers, are saving the marriage and wanting to be able to continue to live in the house. This perspective is supported by other studies²⁷.

➤ It is now time to consider the arbitration meeting as provided by DOVVSU and consider the service users’ perceptions. It is significant to note that this is not part of DOVVSU’s mandate and there are no written protocols in place for these meetings. What

²⁶ All these cases involved a perpetrator whom was a husband or partner.

²⁷ See Jubb et al 2010; Bott et al 2005; Cussack&Manuh 2010. In Ghana the Gender Studies and Human Rights Documentation Centre supports community based programmes that resolve conflicts informally.

was clear from the initial interviews across the DOVVSU offices in Greater Accra is that all senior officers perceived these meetings to be the most successful aspect of their work. Indeed, from the survey responses, we find service users in Kaneshie also have positive perceptions of these meetings.

In this study 70% (33 of 46) of respondents participated in an arbitration meeting conducted by DOVVSU and held in the Kaneshie office. The remaining 30% (13 of 46) of respondents had ongoing cases or were cases where the type of crime would only be dealt with through the formal/legal system and include rape, defilement, other serious sexual offences, threat of harm or threat of death, causing damage and serious physical assault.

In Kaneshie the meeting is used across a range of other offences in cases where the complainant does not want to go to court and/ or there is judged to be insufficient evidence to proceed to court. Typically the meeting involves the complainant, the perpetrator, and family members. At Kaneshie the meetings are conducted by the Co-ordinator who is also a highly skilled counsellor. In some minor cases of non-maintenance another officer may conduct the meeting who holds the rank of Inspector.

Table 12 Service Users' Perceptions of the Arbitration Meeting

- 88% reported the meeting was their choice; 12% reported that it was not their choice
- 94% reported the behaviour of the officers who conducted the meeting was professional
- 88% reported that their expectations had been met
- 97% reported the meeting was held in a private place where they felt safe and comfortable
- 82% reported that the purpose of the meeting was very or well explained
- 85% reported they received support from their family
- 73% reported they were satisfied with the follow up; 13% slightly dissatisfied; 1% moderately dissatisfied.

Total sample 33

The findings clearly indicate that most respondents had highly positive perceptions in terms of choice, expectations being met, privacy, support, professionalism and follow up. Of the four respondents that reported the meeting was not their choice. Only one reported negative responses for several of the other questions. She reported feeling unhappy that she was told to 'play your role as a wife'. She indicated that she had wanted the case to go to court, that the abuse was continuing and she would return to DOVVSU because she wanted to 'make it legal'. This woman clearly has a perspective strongly focused on her rights.

In Kaneshie the Co-ordinator explained that the primary focus of the meeting is on the crime that has been committed. In some cases the suspect may already have been arrested and released on enquiry bail. The emphasis is on listening to the different parties and

‘determining fault along with responsibility’. A variety of outcomes to the meeting are possible. The perpetrator may be asked to formally apologise in the meeting. The perpetrator is likely to be issued with a warning letter; a follow up meeting may be arranged to monitor the case; participants are all encouraged to report back if the issue has not in practice been resolved. These cases are not closed until such a time that the senior officer is satisfied that the case has been settled, usually a minimum of three months is applied and in most cases it is even longer until the case is formally closed. Unfortunately DOVVSU has not conducted any follow up evaluation on these cases and there is no other data available other than what is reported in this study.

Arbitration, as practiced within DOVVSU, seems to have emerged over the years as a pragmatic response by officers; the practice pre-dates the DV Act. Officers clearly associate it as a means to ‘save families’ and ‘save marriages’ which is commonly associated with being in the best interests of the children. It is a stark example of the service’s endorsement of family values and also an informal fairness approach. In Kaneshie the meetings were well managed by the senior officer and perceived well by service users in this study but this practice does not reflect a rights-based approach and falls short of recognised international standards. There are no protocols, guidelines or monitoring procedures in place but the heart of the issue is really about whether it is appropriate for DOVVSU to still be endorsing this practice which allows officers to act as an arbiter or a judge. Passing judgement should be separate from investigation and this is the case for other crimes but domestic violence crimes should not be handled differently in this respect. Mediation in cases of domestic violence is commonly associated with victim blaming, either partially or completely. In DOVVSU officers freely expressed that in Ghana there is a unique concept of a ‘good wife’ and officers, to different degrees, are understood to apply this in their approach.

Box 6 Informal mediation and international standards.

1. Officers may promote its use instead of filing a complaint, especially when they apply subjective criteria to decide whether they think the women will continue the process towards a formal penalty.
2. Women's access to subsequent access to protection may be restricted if the agreement from the mediation is breached, also if they seek future judicial access the weight of the evidence may be reduced.
3. It can be applied to acts that constitute indictable offences or other circumstances in which a mediation agreement is not applicable according to the legal and regulatory framework.
4. The responsibility for the violence can be assigned to both parties, and both have to commit to not reoffend, which ignores that the man was the perpetrator and the woman was the victim, as well as the power relations sustaining gender-based violence.

From: Jubb 2010; Bott 2005 and Heise 2011 and UN 2008

It is also important to recognise that service users will commonly have experience of mediation as an approach widely practiced within families to resolve conflict. In this sense DOVVSU may be merely replicating what women have already experienced and may not be expanding options.²⁸ The choice to involve DOVVSU seems to reflect a desire to exert an extra dimension of threat or pressure on the husband or partner but there is no evidence from this study to assess whether this is effective or not. The positive perceptions service users have do suggest that their confidence and self-esteem may be strengthened through the process.

In the DV Act, 2007, alternative dispute resolution is identified as a specialised service that should be available. In the policy there appears to some lack of clarity, 'mediation' is referred to and is ascribed to the response of legal practitioners/mediators. In this context mediators are seen as independent to the judicial system but working with the courts and also with CSOs. Then in the policy implementation plan 'alternative dispute resolution' is identified as a civil society response. A senior officer indicated that discussion on this issue was happening at high level and indicated that DOVVSU hoped to be given a mandate for providing this service. It was beyond the scope of this study to explore this issue further with NGOs or other agencies but it was not an obvious or immediate area of concern.

²⁸ For further discussion on mediation in Ghana see Cantalupo et al. 2006; and Cussack and Manuh 2009

Section 5 Conclusions, Key Findings, Recommendations and Suggestions for Further Research

The original framework for the study was a rights based perspective. This framework was enriched through incorporating family values and informal fairness as additional approaches in the analysis. These three perspectives help us understand the experience women have of domestic violence and their pathway at the stage when DOVVSU is a choice in their strategy to end the violence/abuse. Their pathways reflect complex and challenging realities. This study provides a small window on a change process women are involved in moving out from the private sphere of the family and into the public arena using DOVVSU as a first point of access to justice. Women's individual pathways are of course unique but the shared features or commonalities that emerge provide a collective voice to be learnt from and applied to improving policy implementation and service delivery.

In this study pride of place was given to the service users' perceptions and voice but the overall assessment of DOVVSU's contribution is based on drawing comparisons in relation to international human rights standards pertaining to a life free from violence and access to justice. In this respect the assessment goes beyond DOVVSU and look at some of the broader issues pertaining to of state effectiveness and justice-led strategies. This gives recognition to DOVVSU as one agency in a multi-agency approach and that interdependency has consequences on effectiveness and the quality of service delivery.

5.1 General conclusions in relation to access to justice.

Firstly, the evidence from this study supports the conclusion that DOVVSU continues to provide a significant entry point for women to access the justice system and demonstrates that women who bring their cases to DOVVSU are believed. This is a significant and positive finding in terms of the public visibility of violence against women and a provision of opportunities that women would otherwise not have had. Given how highly service users rate the service across a broad range of factors the conclusion can be made that confidence and self-esteem has been improved. It is recognised that confidence and self-esteem is an important factor contributing to empowerment and agency. From this study there is no conclusive evidence relating to whether service users' decision to report to DOVVSU brought an end to the violence and this would be a valuable area for further research.

Secondly there is strong enough evidence from this study to support a conclusion that the state's provision for access to justice is insufficient and ineffective in the key areas of prosecution, punishment and attrition and this includes the provision of services. These findings echo and lend weight to findings from other studies, most of which pre-date the legislative reform process of 2007. Five years on from reform there appears to be a lack of evidence of positive change either in terms of direction or distance travelled in relation to policy implementation. It remains the case that few perpetrators get punished, the law is

not consistently applied and that the police and justice process is very slow with most cases being dropped. It is acknowledged that many of the barriers that DOVVSU faces and the constraints it operates within can be attributed to failures at an institutional level and have a direct impact on core police functions. Some of these constraints have been highlighted in this report as major issues such as the cost of the medical report required for evidence, the lack of logistical support for investigations and poor office space that fails to provide privacy. There is also insufficient funding for the much needed training for officers. It is not only DOVVSU that lacks resources. All the key agencies appear to face significant budgetary and resource problems. This compromises access to justice at every point for women and their efforts to end the violence.

Finally in terms of general conclusions on access to justice, there is evidence to show that the quality of the service is undermined and compromised by the dominance of a family values based approach to service delivery. This reflects the wider gender discriminatory bias of Ghanaian society and culture. The study shows that a family values bias has a direct impact on the service provided by DOVVSU, contributes to the law being applied with discretion and further restricts the rights and options of service users. Another impact of the family values approach is the endorsement it provides, as perceived by officers, for the use of arbitration conducted internally. Family values beliefs and approaches have a wider significance for access to justice as they contribute to an environment in which domestic violence is tolerated and a culture of impunity. Family values in Ghana can be considered as an institutional constraint. This needs to be addressed otherwise policy implementation will remain compromised and women will continue not to have their human rights protected. Officially national policy endorses a rights-based perspective and the state is responsible for ensuring all agencies put that into practice.

5.2. Justice-led strategies –some considerations.

It is important to acknowledge that internationally and within Ghana there is what Heise(2011) refers to as a ‘growing unease’ concerning justice-led strategies. In 2003 a leading Ghanaian gender-activist observed that contemporary strategies including legislation in countries such as the United States have not succeeded in eliminating violence and further observed that perhaps the time had come to explore alternatives that include traditional remedies and are perhaps more relevant to women’s expectations.²⁹ She was acknowledging a gap between a formal legal approach and the fact that this does not

²⁹ This comment is part of a longer reflection by Dorcas Coker Appiah on the need to consider the use of traditional-based remedies. See Bowman 2003:488. Coker Appiah is the Executive Director of the Gender Studies and Human Rights documentation Centre an NGO recognised for its good practice in programmes that incorporate aspects of traditional-based approaches. <http://www.gendercentreghana.org>

necessarily fit with the reality of women's lives. There is certainly evidence from this study to support that view.

Heise in her recent report on 'What works to prevent partner violence'³⁰ highlights three related issues that give rise to the growth in concern relating to justice-led strategies. Firstly, women's preference for local dispute resolution and other informal remedies and a lack of trust in the justice system and police. Then there is the difficulty in making justice systems responsive and sensitive because of bureaucracy, corruption and gender bias. Thirdly in countries that have adequate resources such as the US the evidence is unconvincing relating to arrest and punishment and making women feel safer. In low-income countries Bott et al (2005) observe the pressure that is exerted on states to ratify international human rights agreements and introduce legislative reform but without adequate resources being allocated to ensure implementation in practice.

In relation to Ghana these issues and concerns were brought into focus again through the publication of 'The Architecture of Violence against Women' edited by Cussack and Manuh. It is observed that a 'yawning gap' has emerged between legislative reform and what has been delivered in practice. The lack of financial support from the state and weak implementation are judged to

'provide an official stamp of approval for gender based violence, sending the message that the state tolerates violence against women by known perpetrators. This status quo not only perpetuates violence it undermines women's citizenship by indicating that women are first and foremost wives, daughters, sisters and mothers before they are citizens with a body of rights worthy of state protection.' (Gadzekpo in Cussack and Manuh 2009:326)

The strategic approach in Ghana is justice-led but the national policy framework does acknowledge community based responses and lists other strategies such as education, advocacy and awareness raising, programmes to reduce poverty and provision for community based responses have received little systematic attention to date from government. The initiatives that have been taken are largely provided for by NGOs with donor funding.

These are valid and interesting questions that will undoubtedly receive further attention. It should be noted that none of the above authors are suggesting that access to justice is not necessary as a key component of strategy. The concern is how to make strategies more effective, balanced and give greater priority to prevention measures and programmes.

³⁰ Heise's report is a valuable new contribution that reviews the empirical evidence in low and middle income countries to prevent violence against women by husbands and other male partners. Legal and justice systems are only one of the themes included.

5.3 Key findings

In the following section key findings are presented that group issues that emerged as relevant to service users' perceptions and expectations. All these issues pertain to services and provision that should be available according to the legal framework in Ghana. It should be remembered that this study was not a full review of policy.

5.3.1 The significance of Being well listened to

Service users' perceptions of 'being well listened to' is a particularly noteworthy finding from this study. For all the service users involved it was their first experience of talking about domestic violence outside of the family. To have this positive experience of a visit to DOVVSU will have significance in their dealings with DOVVSU. To be well listened to, believed and taken seriously contributes to a feeling of being respected and also supports improvement in self-confidence and esteem. It also will contribute to the service user feeling supported throughout the experience of working with DOVVSU officers. Somewhat paradoxically, if service users meet officers with shared values this may increase a feeling of being understood.

Listening is not a value neutral activity and is not simply about hearing and writing down the details of the case in a routine way. Officers need to have a range of listening skills that promote sensitivity and empathy but also contribute to an enabling environment for women to learn about their rights and gain agency in the process. In DOVVSU a considerable variance in officer's practice was identified. A few officers, usually holding a more senior rank or some who are self-educated, are conscious of the principle identified in the Latin American study as 'compassionate delivery of services' that is rooted in a rights-based approach.³¹ Most officers lack this consciousness and thus approach their work with good intentions which rest on family values.

5.3.2 The provision of Information as a service entitlement

A major finding of the study emerges in relation to the theme of information and knowledge of rights. Given the very positive ratings on some other aspects of service delivery and indeed the service overall the poor perceptions of service users in relation to information on rights, procedures and legal advice particularly stand out as areas of weakness. This affects the direct experience of service users at the time they access DOVVSU and during subsequent follow up visits. In an immediate sense women need to be provided with information that helps guide them through the process of reporting and what follows in the formal legal process and also about other specialised services. Information provides a map

³¹ Pasinato 2010 in Jubb 2010:99. This concept of the compassionate delivery of services became almost a benchmark principle for the assessment of the Women's Police Services in Latin America but was developed in the Brazilian study.

but it also helps women gain knowledge of the scope of their entitlement and confidence. This will enhance decision making and confidence. It will improve the ability of service users to ask questions or indeed challenge officers as appropriate. It is also acknowledged that providing service users with information, particularly at the beginning of the process will help reduce feelings of confusion and uncertainty. In a wider sense, a lack of access to information inhibits or provides a barrier to empowerment. Information contributes to knowledge and this is one of the factors that underpin empowerment and agency in relation to rights.³²

5.3.3 Access to a range of integrated support services

Women arrive at DOVVSU with expectations to receive immediate access to a variety of services but sadly these expectations are largely not met. In Kaneshie there is virtually no access to any specialized services and this is typical for DOVVSU service users nationally, with remote areas being least well served. There is no local provision of psycho-social counseling, legal advice or shelter for example. The provision of medical services is not free for service users and was a specific focus in this study in relation to drop out (see 5.3.4 below). At present service users have a high level of dependence on their family for support rather than being able to access a range of specialized services.

In terms of police function DOVVSU is expected to provide services related to investigation, protection and safety. DOVVSU' annual reports and its strategy document show that all of these functions are severely hindered through the lack of resources and logistical support. This has significant consequences in relation to high levels of drop out or attrition of cases as was highlighted in this study. However DOVVSU is still expanding the service geographically and indeed establishing the Kaneshie office in 2010 was a result of this expansion.

DOVVSU's contribution and effectiveness is limited through the lack of specialised judicial services being readily or adequately available as provided for by the DV Act, 2007. Judicial services include referral to Family Tribunals and protection orders, sanction, compensation and alternative dispute resolution. Better provision of a range of formal remedies would expand opportunities for service users. An increase in the provision of protection orders, for example, might also reduce the reliance on arbitration as an informal remedy. According to Heise (2010:91) there are two advantages for women in choosing to apply for a protection order, firstly as it is a civil law remedy there is a lower standard of proof required and secondly it strengthens women's agency or exercise of rights as they initiate the process. One success in Accra has been the provision of a special court for domestic violence cases.

³² For further discussion on issues related to information knowledge and empowerment see Jubb et al 2010; Heise 2011; Bott et al 2005 and UN 2008.

DOVVSU's ability to carry out its mandate is also particularly affected by the weak provision of social welfare services.³³ Cases of non-maintenance for a wife/partner and children are the most reported cases at Kaneshie, and this is true nationally. These cases take up considerable time for DOVVSU officers and these are the cases most commonly handled through the informal provision of arbitration. Most of these cases should be referred to the Department of Social Welfare but referrals are seldom made because this department is poorly resourced and because of perceived attitudinal issues. Therefore DOVVSU fills a gap that provides an immediate response and attempts to increase protection but this service is really outside of its remit, officers lack sufficient expertise and it is a drain on scarce resources.

It should also be noted that civil society is a recognised service provider within the policy framework with a particular focus on shelter, rehabilitation and counseling but it too is under-resourced. Civil society organisations in Ghana have valuable experience in providing community based services to promote justice particularly in rural areas that include services such as mediation.

The much needed improvements in the delivery of services can only develop through the active co-operation of providers to effective co-ordination and integration. The Ministry of Women and Children Affairs has an overall lead for facilitating an inter-agency and intra-agency approach. There is a National Development Planning Commission plus a committee structure that includes regional, district and community levels that should provide a means to address these challenges.

5.3.4 The cost of the medical report and early drop out.

The key finding here relates to the cost of the medical report and the barrier this continues to present to service users' accessing justice. From the service user's responses this was the major reason for not returning to DOVVSU in 50% of the cases. From the official records 70% of service users that needed a medical report did not return. The official records are kept by all DOVVSU offices and the information is available on a monthly basis which if made available could be used for further advocacy on this issue. The medical report should be provided free of cost.

Other issues relating to case attrition have already been referred to in the main report and also 5.1 above.

³³ The Department of Social Welfare according to the policy has a significant role protection and protection order, shelters, counseling and preparation of reports for domestic violence cases in court.

5.3.5 The provision of informal arbitration.

In this study a major expectation of service users is to have their case dealt with by DOVVSU without proceeding through the formal justice system. There is also an expectation for a speedy or immediate response to gain protection from violence and abuse. Protection without prosecution is primarily provided for by DOVVSU via the arbitration meeting. Service users clearly want some form of alternative dispute resolution and also perceive what is on offer from DOVVSU is well provided. There is no evidence from this study that relates to the contribution the arbitration meeting makes to the goal of ending the violence. The evidence is also inconclusive with respect to arbitration significantly expanding women's options given how widely practiced mediation is within families and more generally in Ghanaian society to resolve conflict. In this sense DOVVSU may be merely replicating what women have already experienced. There is evidence that service users' decision to involve DOVVSU is motivated by a need to exert an extra dimension of threat and in this way DOVVSU may add authority.³⁴

It is the conclusion from this study that it is not appropriate for DOVVSU to provide arbitration for service users because it falls outside the scope of international good practice and standards.³⁵ However service users' expectations need to be met through the development of alternative provision.

5.3.6 Training of DOVVSU officers.

Throughout the report there have been many issues related to the quality of officers' practice, family-values bias and the need for training. This provision is a challenge for DOVVSU, efforts are ad hoc and reliant on small funds from external agencies. There is no established system and many officers who have worked for DOVVSU for years had no access to initial let alone continuing training opportunities. An NGO leader observed that the training curriculum had deteriorated because there was less focus on transforming and challenging the values and beliefs that discriminate against women and this was evident in the three day training that was observed as part of this study. There was a very full agenda that was mainly delivered through a lecture style approach with few opportunities for discussion. It was well attended by senior officers that also led sessions. It was well received by officers.³⁶ MOWAC reported that a training manual is being developed. There is no

³⁴ For further discussion see Cantalupo et al. 2010.

³⁵ Women's movement in Latin America has successfully mobilised against mediation being used in domestic violence cases and it has been removed from the law in Brazil, Peru and Ecuador. See Jubb et al 2010 for further discussion.

³⁶ The final feedback session was skilfully led by the head of DOVVSU who was present during many sessions and was motivational with a particular message of professionalism. It was also quite moving

system of follow up after the training. There seemed some ambiguity as to whether domestic violence is included in general police training.

There are several key hallmarks for good practice in training police personnel. Firstly senior officers need to be involved. This provides legitimacy to the process as well as to the trainers. Senior officers need to be seen to adopt new behaviours as a result of training and this is further improved if related to institutional practice, through say the introduction of new protocols or procedures. Training also needs to be provided that focus's specifically on attitudinal change and gives ample space to officers for reflection and learning related to their personal beliefs, values and pre-conceptions. The curriculum needs to reflect a rights, based approach in accordance with recognised standards and guidelines. The curriculum needs to promote gender justice and methods of working that promote women's exercise of their rights. A systematised approach needs to be developed for initial and continuing education and training for officers. This needs to address access issues and also recognise that achieving attitudinal change is a lengthy process. Training needs to be followed up, monitored and evaluated. Resource allocation needs to be guaranteed and this is a recognised challenge.³⁷

There is scope for more creative approaches to providing ongoing training that could improve access for officers and be motivational. This could be provided on an in-house basis involving senior officers facilitating sessions with their own teams or with neighbouring teams. A set of good practice guides could be produced to support local delivery of this less formal training. If team meetings were established, for say, on a monthly a learning topic could be on the agenda. These suggestions are not seen as a substitute for the formal training that needs to be established.

5.4 Recommendations

The intention of this study was to make an assessment of DOVVSU highlight the key issues and formulate recommendations to improve DOVVSU service delivery and policy implementation. It is important to acknowledge that some of these recommendations are already in the public arena having been voiced by DOVVSU and other stakeholders. It is also the case that some of these recommendations actually pre-date the legal reform process and have been on the agenda for six years or more. This study provides evidence that lends

in the final session to hear male officers say they have been too judgemental and harsh and will change their behaviour.

³⁷ For further discussion and examples of good practice see Promising Practice Case Study: Rabta www.endvawnow.org; 10 good features; Bott et al (2005); Heise (2011) Jubb et al. 2010. UNODC 2010; UN-Instraw 2007.

weight to existing recommendations but it also adds to the agenda for change through the formulation of new recommendations.

The focus of the recommendations is the delivery of a service that is rooted in a rights-based approach in accordance with international standards to better meet the needs and expectations of DOVVSU service users and women who experience violence and abuse.

1. *Provide a full range of services that are integrated, co-ordinated and are accessible for all service users.* The state has the responsibility to provide a range of services to support women who experience violence/abuse. The legislative instrument, protocols and regulations for the multi-agency approach need to be developed along with suitable methods of service delivery e.g. one stop shop model. The Regional, District and Community level Domestic Violence Committee structure needs to be fully active in co-ordinating service delivery.
2. *Allocate funds to provide sufficient resources necessary for DOVVSU and other key agencies to fully implement policy.* All services must be guaranteed free of charge. An immediate solution needs to be provided to address the issue of the costs of the medical report and treatment that present a substantial barrier for service users to access the justice system.
3. *Provide specialised training DOVVSU Officers.* A training system needs to be established that provides initial and ongoing training opportunities and increases access for all officers. Develop a curriculum to reflect a rights-based approach that promotes gender justice and women's agency; and contributes to the transformation of values and beliefs held by officers. More informal but specific training opportunities should be developed within DOVVSU. An example could be learning focused discussions in local team meetings led by senior officers.
4. *Improve the access to DOVVSU and the justice system.* The geographical expansion of DOVVSU needs to be continued through new offices being established. The logistical resources need to be provided to ensure core police functions can be provided. Privacy should be provided for service users within all DOVVSU offices. The DV Committee structure needs to actively promote and co-ordinate increased access to justice across services.
5. *Create and develop a new system of alternative dispute resolution.* This needs to be rooted in the values of international standards that challenge victim blaming biases and ensure women's experiences are validated and their agency promoted. The delivery of the system needs to be provided independently from DOVVSU but give immediate and easy local access for the referral of service users. In the meantime, before a new service can be developed, protocols and guidelines must be provided for DOVVSU arbitration meetings and effectively monitored.
6. *Increase the provision of information on service users' rights, the responsibilities of DOVVSU, legal procedures and services.* DOVVSU, with its partners, needs to create an internal system that provides sufficient information, in appropriate formats that

directly support service users. This system needs to form part of a general strategy of information dissemination and raising awareness. Officers need guidelines for what information they are required to provide and support to develop a range of skills to provide this service.

7. *Implement monitoring and evaluation systems referenced to international human rights standards.* DOVVSU needs to conduct monitoring and evaluation systematically. The contributions of service users and stakeholders need to be included. The system needs to be mindful of the reporting burden for local offices and the skills available. Better use of the national data collected needs to be developed. Priority themes or issues could be agreed with partners and evidence and information provided to make improvements. DOVVSU's own monitoring and evaluation system needs to contribute to the general system that MOWAC has a lead responsibility to develop.
8. *Increase the access for service users to protection orders. Service users need to be informed of the protection order as a remedy that is available to them.* DOVVSU needs to co-ordinate with relevant partners to design a system and promote its use. Protection orders need to be easy to access and initiate for the service user.
9. *Develop responsive non-formal approaches.* Service users' perceive a need for non-formal approaches that include sanctions. Current practice and programmes that provide these approaches need to be evaluated and good practice identified. Responsibility needs to be assigned to oversee development of this aspect of policy implementation and an expansion of provision of services on the ground.
10. *Strengthen the accountability of DOVVSU to service users, women in general and their advocates.* Guidelines and mechanisms for consultation need to be identified that provide clear pathways of accountability. Priority issues need to be agreed as well as opportunities for general feedback. DOVVSU needs to provide information, statistics and reports to support this process. Local DOVVSU offices need to conduct follow up with service users on a regular basis on a prioritised range of issues. The system of DV committees at community level needs to be activated.
11. *Increase the access for service users to protection orders. Service users need to be informed of the protection order as a remedy that is available to them.* DOVVSU needs to co-ordinate with relevant partners to design a system and promote its use. Protection orders need to be easy to access and initiate for the service user.
12. *Develop responsive non-formal approaches.* Service users' perceive a need for non-formal approaches that include sanctions. Current practice and programmes that provide these approaches need to be evaluated and good practice identified. Responsibility needs to be assigned to oversee development of this aspect of policy implementation and an expansion of provision of services on the ground.

Suggestions for Further Research

These suggestions are focused on contributing to further improvements in providing access to justice and meeting women's expectations of DOVVSU.

1. The perceptions of service users in relation to the impact of their experience of DOVVSU. There are many issues from this study that need teasing out and further study. It would be valuable to follow up with service users using qualitative methods and a longitudinal approach. It would also be useful to conduct research that allows for comparison between rural and urban DOVVSU offices.
2. The impact of the DV Act 2007 and the legal reform process on DOVVSU and other agencies. It appears from this study that the legal reform process has had little positive effect on DOVVSU. The general direction of travel since the reform process also appears to be slow at best. Generally there is little evidence available. In Ghana there has been recent research conducted on behalf of MOWAC that could provide evidence to contribute to a more particular assessment of the impact of legislative reform.
3. Does arrest help reduce re-offending and what other impact does it have? Arrest is used in a significant number of cases by DOVVSU but currently little is understood about the value and impact of arrest. This could be explored further in relation to both the perpetrator and also with women that reported crimes that led to arrest. This would help clarify whether arrest leads to a reduction in re-offending.
4. How are protection orders currently used and what impact do they have? There is a need to expand the options for women and protection orders may offer an effective remedy. This is not commonly available and it would be useful to find out what the barriers are. Given that DOVVSU provides the main point of access to the justice system it would also be helpful to know how they can best support women gain access to protection orders.
5. How can women's expectations for protection without prosecution be met? There is clearly a need to provide new opportunities for women that expect DOVVSU do take action but do not want to go to court. The current option is arbitration provided by DOVVSU that needs replacing through an alternative. New research in this area would provide evidence to support the provision of non-formal remedies that meet women's expectations.

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Appendix I

DOVVSU Case Study Indicators

The National Indicators are those proposed by the UN Special Rapporteur in the 2008 Report on violence against women, its causes and consequences. Indicators on violence against women and State response.

National	Local indicator	Descriptors	Measure
1. Elimination of Violence A decrease in violence in women's lives	1.1 Proportion of women who report that violence has stopped as a result of the DOVSSU intervention.	Women have experienced no reoccurrence of violence from the perpetrator. Women feel safer.	Survey of women service users. Survey of women non-service users.
2. Rights Based Approach Services provision reflects the formal legal/institutional framework or international human rights standards	2.1 Proportion of women that are informed of their rights. 2.2 Proportion of women who felt more confident and took action as a result of DOVVSU.	Women are always informed of their rights, encouraged to continue through the legal process and empowered. Follow up with service users is conducted regularly to gain feedback.	Survey of women service users % Survey of non-service users Interviews with officers/dockets Training/protocol/leaflets
	2.4 Proportion of women who report that the service was well delivered and their needs were respected and met.	Women complaining about violence should be treated as human beings, to be believed and respected. Privacy and confidentiality are provided. Reporting to female	Survey of women service users % Interviews with officers/dockets

		officers is available. Officers provide diligent and compassionate services, women are listened to and their needs are at the centre of the process.	
	2.5 Proportion of cases that were negatively affected by non-rights based values.	Officers are not affected by values and attitudes that reflect a so-called “family-values” approach instead of national laws and international human rights standards. Complaints are not disallowed; women are not encouraged to negotiate with the perpetrator instead of upholding her rights; women are blamed for the violence inflicted on them.	Survey of women service users % Interviews with officers Dockets review
3 Access to justice and reporting : Increased reporting rates : Decreased	3.1 Number of complaints reported to the police. 3.2 Proportion investigated by the police.	All cases are recorded and women’s right to protection and redress is recognised. Women believe that the state is effective in addressing violence and that they	Survey of women service users and women non-service users Data review Key respondent interviews

<p>attrition rates for prosecution and conviction</p>	<p>3.3 Proportion prosecuted by law.</p> <p>3.4 Proportion that resulted in a conviction.</p> <p>3.5 Proportion of women who know of a local organisation that provides legal aid to vaw/dv survivors.</p>	<p>receive the necessary support in the process. (from policy) Women are knowledgeable on how to access the justice system and of their rights. Expedious investigation and trial.</p>	
<p>4Victim Protection</p> <p>An increase in the index of support services signifying an extension of specialized provision.</p> <p>An increase in state participation and facilitation of partnerships and networks.</p>	<p>4.1 Proportion of cases women are informed of support services.</p> <p>4.2 Proportion of cases that referrals to support services are made.</p> <p>4.3 Proportion of women non-service users aware of support services.</p>	<p>Women’s needs are at the centre of the process. All service users have access to support services as identified in policy. Information on support available is always provided. Needs and unmet demand are recorded. The DOVVSU consistently works with local organisations and community networks. Local organisations know</p>	<p>Surveys of women service and non-service users.</p> <p>Data review</p> <p>Officers’ interviews/survey.</p> <p>Key respondent interviews</p>

	<p>4.4 Number of support services, as identified in policy, which are locally available.</p> <p>4.5 Evidence of local networking with organisations that provide support.</p> <p>4.6 Evidence of referral of cases to the DOVVSU from local organisations.</p>	<p>how to access the DOVVSU and what its role is.</p> <p>How have attitudes changed over time – not just numbers and participation – outcomes</p>	
<p>5. Prevention</p> <p>Existence of a countrywide awareness-raising campaign of violence against women.</p> <p>An increase in state participation and facilitation of partnerships and networks.</p>	<p>5.1 Proportion of women non-service users that is aware of DV Act, rights and equitable gender roles.</p>	<p>The local community is aware of DV Act implementation, human rights and equitable gender roles. All forms of violence are addressed in local campaigns and women’s voice is heard. A localised plan with a range of prevention measure is implemented. The plan makes links to national campaigns and also local</p>	<p>Survey of non-service users.</p> <p>Interviews with key respondents</p> <p>Interviews with officers.</p>

		initiatives.	
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Appendix 2 Surveys used.

Long survey conducted with service users available from lauram418@googlemail.com

Short Telephone Survey with Complainants that did not follow up their case.

Consent = Date of phone call

Type of Offense reported:Date of complaint:

Male { } female { }

If other relevant additional information is given please record it on this form.

Please help us understand why you chose not to follow up on the complaint:

Question 1

If a medical report was required in your case was the cost of this one of the reasons for you not progressing with your case? Yes { } No { }

Question 2

Please tick any of the following that were reasons for not going ahead with your case:

Solved the problem { }

Distance to DOVVSU office { }

Time it takes { }

Lack of information on rights { }

No confidence legal process will be successful { }

Anxiety and stress { }

Pressure from anyone to give up the case { } if yes from whom?

Lack of support from DOVVSU { } if yes please explain

Other please explain

Question 3

If you solved the problem did it involve discussion with any of the following:

Perpetrator Yes { } No { }

Family Yes { } No { }

Pastor/clergy Yes { } No { }

Muslim elders Yes { } No { }

Elders Yes { } No { }

Friends Yes { } No { }

ANY OTHER INFORMATION THE PERSON GAVE THAT WAS

RELEVANT:.....

.....

.....

...