

PUBLICATION

Regional Guidelines to Integrate Gender Perspectives, Gender-Based Violence Minimum Standards and Practical Solutions for Responding to Violence against Women and Girls and Family Violence.



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Credits

**United Nations
Development Programme
(UNDP) in Latin America
and the Caribbean**

José Cruz-Osorio
Manager of the Regional
Hub for Latin America and
the Caribbean

Guillermina Martin
Regional Gender Team
Leader

Sebastián Essayag
Gender Policy Specialist
for the elimination of
violence against women
and girls

Noha Saad
Technical Coordinator of
the Spotlight Initiative
Caribbean Regional
Programme

Camila Arguedas Najarro
Programme Assistant,
Regional Gender Team

Ana Stefanovic
Technical Coordinator of
the Spotlight Initiative
Caribbean Regional
Programme

**CARIBBEAN
COMMUNITY
(CARICOM) Secretariat
(CSS)**

Sherwin Toyne-Sephenson
Programme Manager
Human and Social
Development Crime and
Security

Ann-Marie Williams
Deputy Programme
Manager
Human and Social
Development
Gender Development

Author
Jacqueline Sealy-Burke

**Design and publication
coordination**

Vanessa Hidalgo
UNDP Communications
Specialist for Latin
America and the
Caribbean

Carolina Cornejo
UNDP Gender
Communications
Associate for Latin
America and the
Caribbean

Proofreading
CPSL Language Services

Design and layout
Domestic Data Streamers

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List of Acronyms

ACCP	Association of Caribbean Commissioners of Police
CAJO	Caribbean Association of Judicial Officers
CCJ	Caribbean Court of Justice
CDM	Comprehensive Disaster Management Strategy
ESP	Essential Services Package
GBVIMS	Gender-Based Violence Information Management Systems
IPV	Intimate Partner Violence
SDGS	Sustainable Development Goals
SI	Spotlight Initiative
VAWG	Violence Against Women and Girls
FV	Family Violence
CARICOM	Caribbean Community and Common Market
UNICEF	United Nations Children's Fund
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
WHO	World Health Organization
UNODC	United Nations Office on Drugs and Crime

Glossary of Terms¹

Essential Services encompass a core set of services provided by the health care, social service, police, and justice sectors. The services must, at a minimum, secure the rights, safety and well-being of any woman or girl who experiences gender-based violence.

Gender-based violence is “any act of violence that is directed against a woman because she is a woman or that affects women disproportionately”.

Violence against women (VAW) refers to “any act of gender-based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.”

Intimate partner violence is the most common form of violence experienced by women globally and includes a range of sexually, psychologically, and physically coercive acts used against adult and adolescent women by a current or former intimate partner, without her consent. Physical violence involves intentionally using physical force, strength or a weapon to harm or injure the woman. Sexual violence includes abusive sexual contact, forcing a woman to engage in a sexual act without her consent, and attempted or completed sex acts with a woman who is ill, disabled, under pressure or under the influence of alcohol or other drugs. Psychological violence includes controlling or isolating a woman and humiliating or embarrassing her. Economic violence includes denying a woman access to and control over basic resources.

Non-partner sexual violence refers to violence by “a relative, friend, acquaintance, neighbour, work colleague or stranger”. It includes being forced to perform any unwanted sexual act, sexual harassment and violence perpetrated against women and girls, frequently by an offender known to them, including in public spaces, at school, in the workplace and in the community.

Victim/survivor refers to women and girls who have experienced or are experiencing gender-based violence to reflect both the terminology used in the legal process and the agency of these women and girls in seeking essential services.

Health system refers to (i) all activities whose primary purpose is to promote, restore and/or maintain health; (ii) the people, institutions and resources, arranged together in accordance with established policies, to improve the health of the population they serve.

Justice systems are the responsibility of the State and its agents. They include government-supported laws and institutions such as the police services, prosecution division, courts and prisons that have the responsibility to enforce and apply the laws of the State and to administer the sanctions imposed for violations of laws.

The justice continuum extends from the point a victim/survivor enters the system until the matter is concluded. A woman’s journey will vary, depending on her

¹ The choice of terms and language is based on the definitions specified by the Essential Services Package Module (UN WOMEN, n.d.)

needs. She may pursue a variety of justice options, ranging from reporting or filing a complaint, which initiates a criminal investigation and prosecution, or she may seek protection and/or pursue civil claims, including divorce and child custody actions and/or compensation for personal or other damages.

The social services that respond to violence against women and girls focus specifically on victims/survivors of violence. They are critical to assisting women to recover from violence, empower them, and prevent the reoccurrence of violence. In some instances, the social services work with sectors of society or the community to change attitudes toward violence and reframe how violence is perceived. Services may include, but are not limited to, providing psycho-social counselling, financial support, crisis information, safe accommodation, legal and advocacy services, housing and employment support and others, to women and girls who experience violence.

Executive Summary

The present report provides Common Standards designed and formulated to promote greater access to quality police and justice services for all women and girls who have experienced gender-based or family violence. The Standards are intended to provide regional police and justice organizations with guidelines that can serve as a basis for their own approaches to addressing violence against women and girls (VAWG) and family violence (FV), as well as strengthen their ability to positively influence the development and implementation of procedures followed by Caribbean States at the national level. The Standards are rooted in the objective of Pillar 2 of the Spotlight Regional Programme in the Caribbean: to strengthen institutional responses to both violence and against women and girls and family violence.

The purpose of the Common Standards is to improve the quality and consistency of police and justice services for victims/survivors across the Caribbean region and to standardize the response to violence against women and girls, recognizing that this takes on even greater significance during emergency situations. The Standards are also intended to improve partnership and coordination between law enforcement agencies and the justice system, ensuring a more effective synergy of interventions across all stages of the justice continuum.

The Standards offer clear directives for justice stakeholders involved in the support and assistance of victims/survivors and are designed to be used together with guidelines and mechanisms related to VAWG and FV that are already established in the Caribbean. Caribbean countries, to varying degrees, may already have existing protocols and standard operating procedures that guide police and justice responses in GBV-related cases. The Regional Common Standards are not intended to marginalize any existing policies, but rather will serve as a model framework from which regional and national institutions can develop or adjust their own procedural guidance, depending on what currently exists in their respective organizations and/or jurisdictions. Caribbean States will thus be able to rely on regionally developed Model Standards to shape their own comprehensive and sufficiently detailed national procedural guidance for police and justice responses to VAWG and FV.

The Essential Services Package (ESP) was critical in formulating the Common Standards. The Standards are framed around each of the 11 service actions identified in the framework, including its relevant core components. The Standards cover the areas of 1) prevention 2) initial contact 3) investigation 4) pre-trial processes 5) trial processes 6) perpetrator accountability 7) post-trial processes 8) safety and protection 9) support and assistance 10) communication and 11) coordination.

It is important to note that the Common Standards recognize and very specifically reflect the vital role of coordination between police and justice interventions and the other essential sectors of health and social services.

Chapter 1: Introduction



1.1. Background

Violence against women and girls has detrimental, long-lasting consequences on the well-being, health and safety of women and girls. Moreover, it has far-reaching economic consequences, affects educational outcomes and impacts the productivity and development of societies and countries. In recognition of this harsh reality, the European Union and the United Nations have launched a strategic partnership to eliminate all forms of violence against women and girls worldwide. **The Spotlight Initiative (SI)** aims to mobilize the commitment of political leaders and contribute to achieving the Sustainable Development Goals (SDGs).

The justice system, including policing interventions, plays a leading role in efforts to prevent and respond to violence against women and girls. The criminal justice system is intended to hold perpetrators accountable for violence, while also ensuring victim safety and transmitting unequivocally to the whole of society that VAWG and FV will not be tolerated.

UNDP commissioned the development of a framework of Common Standards to promote greater access to quality police and justice services for all women and girls who have experienced gender-based or family violence, based on the objectives of **Pillar 2** of the Spotlight Regional Programme in the Caribbean that aim to strengthen institutional responses to both VAWG and FV. The Standards are intended to provide regional police and justice organizations with guidelines that will not only serve as a basis for their own approaches to addressing VAWG and FV but will also strengthen their ability to positively influence the development and implementation of national-level procedures in the Caribbean region. Although it is clear that the actual delivery of the Standards will be carried out predominantly at the national level, it is important to recognize and support the critical role played by regional organizations in setting the standards through which independent Member States in the Caribbean can fulfil their international obligation to promote meaningful access to justice for those who experience VAWG and FV. This is particularly important in relation to the issues of safety and accountability, both of which are pivotal to the effective delivery of policing and justice services.

After carrying out a situation analysis to identify systemic gaps in services, together with a desk review of relevant reports and documents, UNDP made the decision to develop Common Standards that would

provide procedural guidance to both the police and justice sectors on optimal approaches to VAWG and FV. The need for such guidance was underscored by the findings of a number of key reports, including a 2020 UNDP Needs Assessment Report on the justice systems of Caribbean countries, a regional research project led by UN Women and the Regional Association of Commissioners of Police, and a report on Legal Aid for Women Victims of Gender-Based Violence in the Caribbean. The combined findings of these reports indicated that the Caribbean region had significant scope for improvement in the way that its law enforcement and justice systems responded to cases of domestic violence, sexual offences and other forms of gender-based violence.

The availability of well-designed guidelines based on best practices should assist significantly to strengthen the Caribbean region's collective response to these forms of violence. The Standards can provide tools to improve gender responsiveness, create communication channels for the efficient flow of information and data, provide emergency support guidance and promote the implementation of sustainable mechanisms to facilitate effective access to justice for victims/survivors of VAWG and FV. Procedural guidance of the kind offered by the Common Standards should improve systemic responses to VAWG and FV, as well as strengthen the confidence of victims/survivors that VAWG and FV are taken seriously and that the police forces and justice systems across the Caribbean region are committed to responding to their safety, personal dignity and general well-being in a sensitive, effective way.

1.2. Setting the Context: The Impetus for Developing the Common Standards

Under international law, States are required to take measures to protect women and girls from violence, to prosecute acts of violence, and to prevent further acts of violence. This is referred to as the *“due diligence obligation”*. Under this principle, States are required to exercise due diligence **to prevent, investigate and, in accordance with national legislation, punish acts of violence against women and girls whether those actions are perpetrated by the State or by private persons**. An effective criminal justice response prioritizes victim safety and offender accountability. It includes the opportunity to access redress for violence in a timely manner, avoid re-victimization, and ensure the enforcement of le-

gal remedies, including appropriate punishment for perpetrators (UNODC, 2014).

UNDP conducted a Situation Analysis combined with a Desk Review that set the stage for the development of the Common Standards. The Situation Analysis identified and confirmed broad systemic challenges in the administration of justice in Caribbean countries, including a backlog of cases, the lack of available data and the paucity of legal aid. However, combined with and often intersecting these more general challenges are more specific issues that compromise the effectiveness of the justice system in relation to domestic violence, child abuse, sexual offences, and other manifestations of VAWG and FV. The list of challenges concerning policing and justice responses is significant and includes the following:

- insensitive engagement with victims/survivors
- protracted delay in investigations and court proceedings
- incomplete investigations
- weak statement writing
- lack of witness preparation
- insufficient measures taken to protect vulnerable witnesses
- lack of information provided to victims/survivors

The above-noted deficiencies undermine the effectiveness of the justice system and weaken its ability to hold perpetrators of violence accountable for their acts while also maintaining the safety and security of victims/survivors. The Common Standards were developed to mitigate these challenges and create the conditions necessary for a consistent application of approaches and procedures that will better serve the needs of those who have experienced VAWG and FV.

Another important impetus for the development of these guidelines was the magnitude of VAWG and FV in the Caribbean region and its serious implications for families and entire societies. Gender-based violence, in particular violence against women, and the sexual abuse of both girls and boys is one of the most common forms of insecurity facing citizens in the Caribbean. Domestic violence is also a major obstacle to ensuring the security and integrity of women in the Caribbean region. National Prevalence Surveys on gender-based violence confirm that nearly one out of two ever-partnered women aged 15-64 have experienced one or more of the four types of intimate partner violence (IPV) in their lifetime -- physical, se-

xual, psychological and/or economic violence. More specifically, on average, nearly one out of three or 32% of ever-partnered women aged 15-64 have experienced physical and/or sexual IPV in their lifetime and 7% experienced physical and/or sexual IPV in the 12 months prior to the survey (UN WOMEN, 2020).

Child protection assessments conducted by the OECS Secretariat across nine Caribbean Countries confirmed that children in the Caribbean are vulnerable to sexual abuse and exploitation, with a very significant proportion of this violence occurring within the family context. Data on corporal punishment underscores the violence and insecurity that children experience in their own households (OECS, n.d.).

The police and justice sectors are pivotal to ensuring that victims/survivors of gender-based violence have confidence in the systems that are intended to offer them protection. Law enforcement officers are widely regarded as the gatekeepers of the justice system because they are front-line service providers who initiate early contact with victims/survivors and can significantly influence how justice responses are perceived. How victims/survivors are treated in the initial stages of their contact with the system can significantly determine whether they will be prepared to take a case to its logical conclusion. The Common Standards have been developed with the aim of providing significant assistance to the police and justice sectors, so as to improve the quality and effectiveness of policing and justice interventions, and in so doing, facilitate greater access to justice.

1.3. Purpose of the Common Standards

The purpose of the Common Standards is to improve the quality and consistency of police and justice services across the Caribbean region for victims/survivors and to standardize the institutional response to violence against women and girls, recognizing that this takes on even greater significance during emergency situations. The guidelines are also intended to improve partnership and coordination between law enforcement and justice agencies, ensuring that there is better synergy of interventions across all stages of the justice continuum. The Standards will also help to shape data collection, reporting, transmission, and analysis.

The Standards are designed with the intention of providing regional police and justice organizations

with guidelines that will not only serve as a solid base for their own handling of VAWG and FV cases where applicable, but more importantly, will strengthen the capacity of these regional organizations to offer critical guidance to policing and justice services at the national level in each of the Caribbean Member States. A systematic dissemination of the Guidelines throughout the Caribbean region, combined with a well-designed training agenda, will pave the way for effective interventions in cases involving either violence against women and girls or family violence.

The Standards offer clear directives for any justice stakeholders involved in the support and assistance of victims/survivors and are designed to be used together with already established guidelines and mechanisms related to VAWG and FV available in the Caribbean region. Caribbean countries, to varying degrees, may already have existing protocols and standard operating procedures that guide police and justice responses in GBV-related cases. The regional Common Standards are not intended to marginalize any existing policies, but rather will serve as a model framework on which regional and national institutions can develop or adjust their own procedural guidance, depending on what currently exists in their respective organizations and/or jurisdictions. Where procedural guidance is lacking, the Common Standards can fill the gap while also providing a template or blueprint for the development of more detailed Standard Operating Procedures that build on the directives offered in this document and reflect the specificities of the national policing and justice landscape of the country. *The expectation is that Caribbean States will be able to rely on regionally developed Common Standards to shape their own comprehensive and sufficiently detailed national procedural guidance for police and justice responses to VAWG and FV.*

It should be noted that the Common Standards have been designed and formulated to supplement any regional Standards that have already been developed, including the well-established **Model Guidelines for Sex Offences** (CCJ, 2017) and **Gender Equality Protocols for Judicial Officers** developed under the **Judicial Reform and Institutional Strengthening (JURIST) Project** (CCJ, n.d). The *Model Guidelines for Sex Offences* has recently been revised and thus provides an up-to-date set of protocols for jus-

The expectation is that Caribbean States will be able to rely on regionally developed Common Standards to shape their own comprehensive and sufficiently detailed national procedural guidance for police and justice responses to VAWG and FV.

tice responses to rape and other sexual offences². In addition, although the education sector is not specifically addressed in these Standards, that sector is critical to providing effective responses for child victims. In that regard, as part of the Spotlight Initiative Regional Programme in the Caribbean, UNICEF is currently undertaking an initiative to identify detailed procedures to be followed by the education sector in responding to cases of child abuse.

To develop their own national Standard Operating Procedures, all Caribbean States should have these resources available, together with the helpful guidance available in the Regional Common Standards. Implementation should be preceded by widespread dissemination of the Common Standards, followed by intra- and intersectoral training of service providers and the creation of supportive service environments, including making at least a minimum of resources available. As previously stated, the Common Standards do not operate within a vacuum, but instead should be integrated with a comprehensive package of other relevant strategies aimed at improving systemic responses to VAWG and FV.

1.4. Methodology

The Common Standards are the product of a number of preparatory steps taken to ensure that the proposed guidelines are both evidence-based and consistent with international standards. In the initial stages of the development of the Standards, a desk

² <https://juristproject.org/wp-content/uploads/2022/10/Sensitisation-Model-Guidelines-for-Sexual-Offences-Cases.pdf>

review was conducted that focused particularly on international frameworks and existing regional and national standard operating procedures. In addition to the Essential Services Package which, given its significance, will be addressed here below in greater detail, the Standards drew on two notable frameworks: the *Inter-Agency Minimum Standards for Gender-Based Violence in Emergencies Programming* and the *Handbook on Gender-Responsive Police Services for Women and Girls Subject to Violence*.

A Situation Analysis was another essential step for defining a set of standards that would be sufficiently grounded in the realities of providing police and justice services to victims/survivors of VAWG and FV. This assessment was particularly useful in identifying gaps, underlining issues that warranted greater attention and directing efforts to formulate guidelines that would address areas of particular concern. Consultations with key stakeholders at the regional and national levels were also instrumental in providing needed context for the Common Standards.

The **Essential Services Package (ESP)** was critical to the formulation of the present Common Standards. It is a guidance tool developed by the **United Nations Joint Global Programme on Essential Services for Women and Girls Subject to Violence**, a partnership by UN Women, UNFPA, WHO, UNDP and UNODC. This resource has been used extensively. It provides an appropriate framework for framing guidelines that govern the in-service actions of law enforcement personnel and justice professionals from the initial stages of their preliminary contact with the individuals concerned through the investigation, pre-trial and trial procedures, up to and including sentencing. The Essential Services and Actions Framework identifies the core elements for each service action and identifies key issues that should be included in the development of standards to govern operating procedures. The following Table of Essential Actions for police and justice sectors succinctly captures those core elements within each of the 11 service actions.

Figure 1: Essential Actions for Police and Justice Sectors

SERVICE ACTION	CORE COMPONENT
Prevention	<ul style="list-style-type: none"> Support efforts to raise awareness and promote the unacceptability of men's and boys' violence against women and girls
Initial Contact	<ul style="list-style-type: none"> Availability Accessibility Responsiveness
Investigation	<ul style="list-style-type: none"> Cases of violence against women are given high investigation priority Relevant information and evidence are collected from the victim/survivor and witnesses A thorough investigation is conducted
Pre-trial Processes	<ul style="list-style-type: none"> Primary responsibility for initiating prosecution Prioritization of cases Readiness for trial
Trial or Hearing Process	<ul style="list-style-type: none"> Safe, friendly court room environment Opportunity for full participation Justice outcomes commensurate with the gravity of the crime and focused on the safety of the victim/survivor Available, accessible options for reparations

SERVICE ACTION	CORE COMPONENT
Perpetrator Accountability and Reparations	<ul style="list-style-type: none"> Justice outcomes commensurate with the gravity of the crime and focused on the safety of the victim/survivor Participation of victims/survivors at sentencing hearings, in applicable jurisdictions Available, accessible options for reparations Reparations that cover consequences and harm suffered by the victim/survivor Enforcement of sanctions and remedies Redress when essential justice services are denied, undermined, unreasonably delayed, or lacking due to negligence
Post-trial Processes	<ul style="list-style-type: none"> Interventions that prevent recidivism focus on victim/survivor safety
Safety and Protection	<ul style="list-style-type: none"> Access to immediate, urgent, and long-term protection measures Enforcement of protection measures Risk assessment Coordinated protection measures Coordinated protection and support services
Support and Assistance	Practical, accurate, accessible and comprehensive information Legal services Victim and witness support services Referrals to health and social service providers
Communication	Ongoing communication with the victim/survivor Communication by justice agencies with other agencies
Coordination among	Coordination among justice sector agencies

Source: Self-created, based on the essential actions identified in the [United Nations Essential Services Package for Women and Girls Subject to Violence](#).

Although the Common Standards focus on the police and justice sectors, the key coordination issues with health and social services, the other essential services, are specifically addressed in the methodology. A deliberate effort has been made to flag the most important points that should be considered in the provision of seamless services to victims/survivors, including referrals by the police and justice sectors to other service providers. This level of close coordination takes on increased significance within the context of pandemics, national disasters, and other emergency situations.

Like the ESP Package, the Common Standards are structured and presented in matrix format. This for-

mat was selected to facilitate accessibility to information and user friendliness. The layout was designed to present the Common Standards in a succinct and easily accessible way.

Finally, the Essential Services Tool was pivotal to the development of the Standards because it expressly sets out the key considerations that should underpin service delivery by law enforcement and justice officials. These considerations form the basis of the Common Standards and their implementation.

Special Considerations for the Police and Justice Sectors³

- The **dynamics of inequalities between women and men** create gender-specific vulnerabilities such as economic and legal dependency, which impact women's use of justice services, create obstacles to accessing justice and may even result in certain justice remedies negatively affecting women (for example, imposing fines in cases of intimate partner violence).
- Justice and policing services should not compromise the rights of women and girls. They should be non-coercive and grounded in a **gender-transformative approach**
- **A women-centred approach** to justice and policing service delivery puts the needs and realities of women and girls at the core of any justice service rather than the goals of the justice institutions themselves. This means prioritizing women's safety, empowerment, and recovery, treating every woman with respect, supporting them and keeping them informed throughout the justice process.
- **Holding perpetrators accountable** requires justice and policing services to support and facilitate the victims' and survivors' participation in the justice process, promoting their agency and exerting their power while ensuring that the burden of seeking justice is not placed on them but on the State.

³ Special considerations as provided in Module 3 of the Essential Services Package on Justice and Policing.

Chapter 2:

Governance and Coordination Framework: Implications at the Regional and National Levels



2.1. Establishing a Governance and Coordination Mechanism

Given the regional scope of the Common Standards and the involvement of a number of regional and national entities, it is important to establish a mechanism that will oversee the range of actions required to secure their effective implementation. The creation of a simple structure that would facilitate consistent and efficient working relationships between the various organizations, whether at the regional or national level, is of critical importance.

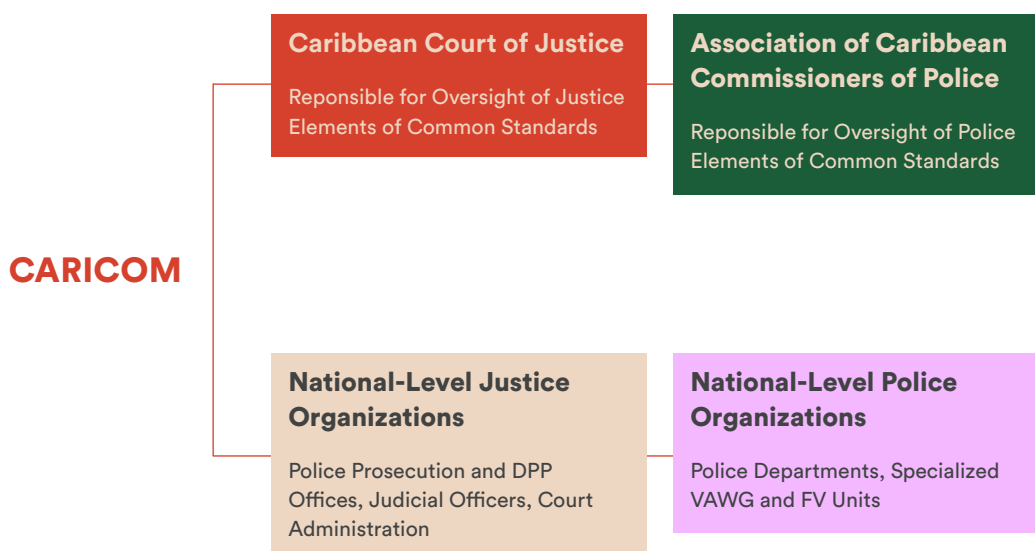
Although the Common Standards are to be applied regionally, they are ultimately going to be implemented at the national level by police and justice institutions within each Caribbean Member State. This underlines the need for an effective governance and coordination framework and necessarily involves establishing channels of communication between regional and national agencies that will support the meaningful roll out of the Common Standards. The Model Standards for the region must filter downward from the regional entities that have oversight to the police stations, prosecutorial divisions and court offices in each of the Caribbean countries. This will require a commitment to partnership, open communication, and established coordination protocols.

It is with the above objectives in mind that the following governance and coordination mechanism is proposed.

As the administrative Secretariat for Caribbean Member States, CARICOM is well positioned to assume overall administrative oversight of the implementation of the Common Standards. Both the Legal Affairs Committee, which comprises the Attorneys-General from across CARICOM, as well as the Council for National Security and Law Enforcement, provide a suitable context for fulfilling this role. CARICOM need not be involved in the ongoing exchange of information and coordination efforts but will ultimately be responsible for ensuring that the regional organizations that have been assigned direct supervisory involvement are fulfilling their mandates and reporting to CARICOM as required.

The Caribbean Court of Justice will assume primary responsibility for oversight of the justice components of the Common Standards. This Court is strategically placed to perform this role not only because of its superior ranking in the region’s court system and very experienced judges, but also because it has already been integrally involved in regional initiatives to establish model approaches for adjudicating cases involving gender-based violence. The Court’s recent association with the JURIST Project and the development of the Model Guidelines for Sexual Offence Cases in the Caribbean bears witness to its experience in steering the justice system’s responses to VAWG in a positive direction. Leadership of the justice-related Standards can be

Figure 2: Governance and Coordination Mechanism for the Oversight of the Common Standards



Source: Self-created, UNDP RBLAC.

supported by other critical regional organizations including the **OECS Supreme Court**, which has responsibility for the administration of justice in nine Caribbean States, and the **Caribbean Association of Judicial Officers (CAJO)**, which is the region's organization of Chief Justices. Judges, magistrates, and other jurists are also well positioned to ensure that the Common Standards meet their expected objectives.

The Association of Caribbean Commissioners of Police (ACCP) will be the lead regional organization as pertains to the policing components of the Common Standards. This professional organization is ideally positioned to be responsible for the law enforcement aspects of the proposed Standards, as demonstrated by the organization's Mission Statement: to *“promote and facilitate collaboration and cooperation in the development and implementation of policing strategies, systems and procedures; The professional and technical skills development of police officers and proactive measures to prevent crime and improve police-community relations.”*

Because victims/survivors of VAWG and FV are most affected by the policing and justice responses that take place at the national level in their own countries, it is critically important that the regional policing and justice organizations work closely with their national counterparts to first create awareness of the Model Standards and then take all measures necessary to support their effective implementation. The ultimate effectiveness of the governance and coordination mechanism is dependent on the proactive positions of national-level agencies. By ensuring there is full buy-in on the part of all relevant stakeholders, as well as full compliance with the stipulated terms of the guidelines, the Standards will have a meaningful effect. As outlined in the flow chart, national-level stakeholders comprise police departments (including specialized units), police prosecution divisions, Offices of the Directors of Public Prosecution, Court administrations and local judicial officers (both magistrates and judges).

2.2. General Overview of the Respective Roles of Regional and National Organizations

Upon approval and endorsement of the Common Standards, the relevant agencies should necessarily convene to chart their own way forward with implementation because it is critical that the regional organizations together with their national counterparts take ownership of the Standards and the processes required for their roll out across the Caribbean region. The following brief overview of their respective roles and responsibilities is simply intended to offer some guidance, with the expectation that the organizations involved will flesh out the details of their own engagement.

2.2.1. Role of Regional Organizations

This is a regional initiative and so it is understood that regional organizations will take the lead in ensuring that the recommended Guidelines are successfully operationalized across the Caribbean. This role includes, but is not limited to the following: (*figure 3*)

2.2.2. Role of National Organizations

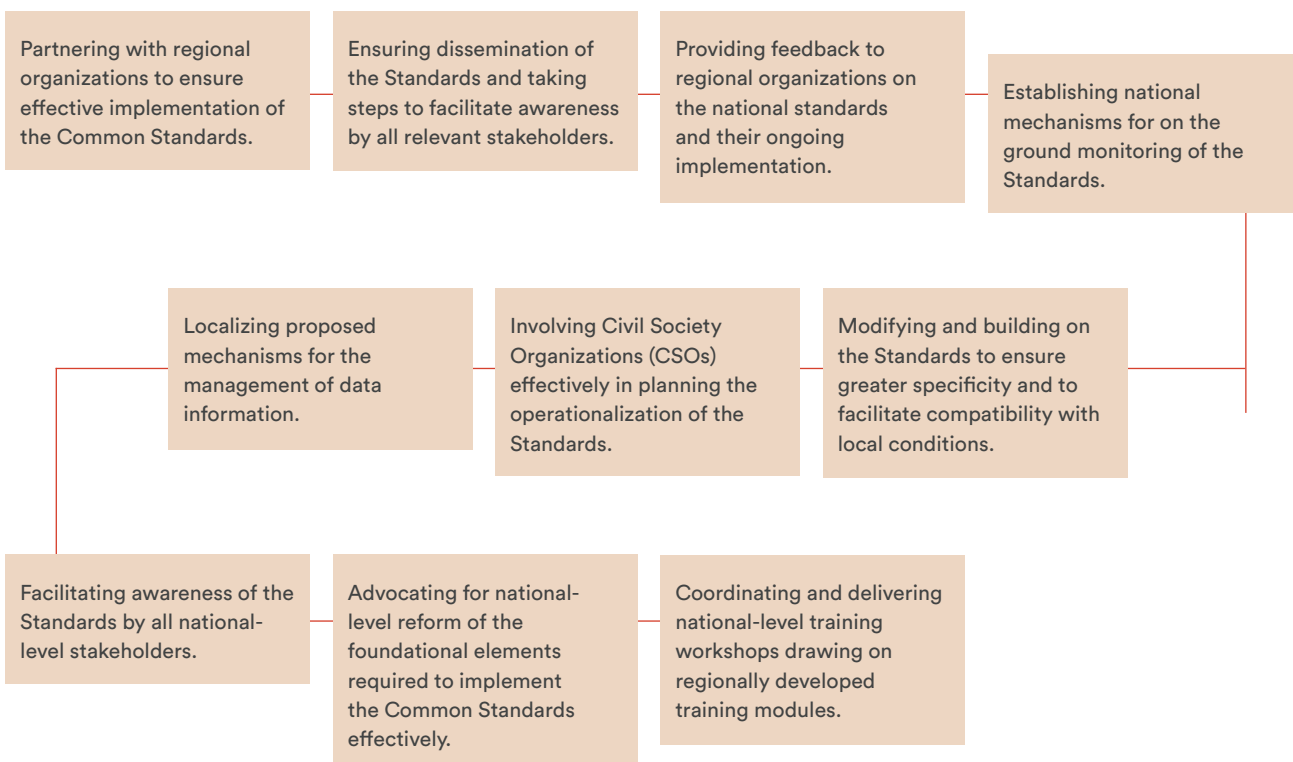
Although oversight of the Common Standards is regional, they are designed with a view to strengthening police and justice interventions across the Caribbean, recognizing that front-line service delivery is provided through the police contingents, prosecutorial divisions, courts and other justice agencies at the national level. The roles and responsibilities of national-level agencies include, but are not limited to the following: (*figure 4*)

Figure 3: Responsibilities of Regional-Level Organizations



Source: Self-created, UNDP RBLAC.

Figure 4: Responsibilities of National-Level Organizations



Source: Self-created, UNDP RBLAC.

2.3. Commitment Statement

The Common Standards provide a framework for accountability and are intended to hold the police and justice sectors responsible for adhering to best practices and complying with established standards that meet international guidelines.

It is understood that the Standards will be adhered to by regional law enforcement and justice organizations and will serve as guidelines for the comprehensive development of country-specific Standard Operating Procedures at the national level.

The Parties acknowledge the need for strengthening prevention and treatment mechanisms for VAWG and recognize the critical role that their agencies play as part of the solution for advancing the interests of the victims/survivors of this form of violence.

Organizations party to the Common Standards are committed to taking all necessary measures to reduce VAWG and FV, including but not limited to taking action to prevent VAWG and FV, influencing positive changes in the sociocultural norms that underpin VAWG, building the capacity of service providers and fulfilling their respective responsibilities as stipulated herein.

The Parties recognize the importance of sharing information and co-operating with each other where needed to carry out their assigned mandates with respect to the Common Standards, and for purposes generally relating to the prevention and elimination of VAWG and FV. It is understood that other regional organizations will lend their support to carry out the widespread implementation of the minimum standards. In addition, the Parties agree to work in collaboration with any other organizations that join in the effort to regionalize the proposed guidelines.

Given the critical role of front-line police and justice service providers in each of the Caribbean States, the Parties agree to play a leadership role in ensuring the successful roll out of the Common Standards at the national level. In so doing, the Parties will be guided by the governance and coordination mechanism, together with the assigned roles and responsibilities stipulated herein.

By appending their signatures to these Common Standards, the representatives of the agencies agree to adopt them and henceforth to promote their use by all relevant police and justice organizations as an essential and integral part of their regular mode of responding to cases of VAWG and FV.

Representative of
CARICOM

Representative of **Caribbean
Court of Justice (CCJ)**

Representative of the **Association of
Caribbean Commissioners of Police (ACCP)**

Chapter 3: Key Considerations in Applying the Common Standards



Overview

The Common Standards are not applied in a vacuum. There are a number of considerations that set the context for their optimal application. *The Essential Services Package for Women and Girls Subject to Violence* provides the needed context through its guiding principles, common characteristics, and foundational elements.

As shown in the figure below, the contextual considerations are meant to underpin the Common Standards and assist practitioners in determining how the Common Standards are to be interpreted and how they are to be implemented. They are designed to achieve the best outcomes possible for victims/survivors of VAWG and FV, mindful that written Standards on their own cannot sufficiently meet the needs and interests of those who are experiencing the harmful effects of violence.

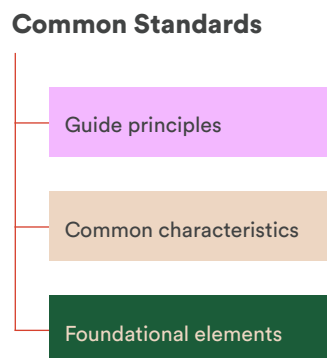
In addition to these defining factors, there are other considerations that will necessarily affect both the design and operation of the Common Standards, particularly the need for procedural guidance concerning the **compilation and exchange of data**, as well as for **applying the Common Standards in times of emergencies**. These additional areas are integral to the effective handling of VAWG and FV cases and should be part of the procedural guidance provided by the Model Regional Standards.

3.1. Guiding Principles

In keeping with relevant human rights principles, international legal frameworks and national legislation, the following key principles should guide the implementation of the procedures proposed in this document.⁴ Mindful of the reality that children, especially girls, may also be victims of sexual abuse and other manifestations of GBV, the guiding principles include components that are relevant to child victims. Applying these principles will support the goal of delivering quality police and justice services that are not only responsive to victims/survivors, but also promote integrity and respect for human dignity.

⁴ The principles are largely based on those articulated in the General Overview of the Essential Services Package and have been supplemented with material from other relevant sources.

Figure 5: Key Considerations in Applying the Common Standards



Source: Self-created, UNDP RBLAC.

3.2. Expected Characteristics

The Essential Services Package for Women and Girls Subject to Violence identifies a number of “*characteristics*” that are closely related to the guiding principles and are often intersecting in nature. Key characteristics include the four As: accessibility, availability, adaptability and appropriateness.

Availability requires the police and justice services to be available in sufficient quantity and quality to all victims and survivors.

Accessibility requires services to be accessible to all women and girls without discrimination. They must be physically, economically and linguistically accessible.

Adaptability recognizes the differential impacts of violence on different groups of women and on communities. Services must respond to the needs of victims/survivors in ways that integrate their human rights and are grounded on culturally sensitive principles.

Appropriateness dictates that services be delivered in a way that is agreeable to victims/survivors, respects their dignity, guarantees confidentiality, is sensitive to their needs and perspectives and minimizes secondary victimization.

In the Common Standards, the **initial contact** stage of the justice continuum makes special mention of these characteristics because this is a critical point

The 12 Key Principles

1. Rights-based Approach

Rights-based approaches to the delivery of quality essential services recognize that States have a primary responsibility to respect, protect, and fulfil the rights of women and girls. Violence against women and girls is a fundamental breach of their human rights, particularly the right to a life free from fear and violence. Service providers are to respect the basic human rights of every victim/survivor of gender-based violence, as codified in all major global, regional and national human rights instruments.

2. Advancing gender equality and women's empowerment

Gender inequality is both a root cause and a consequence of violence against women and girls. Recognition of this reality requires that services reflect gender-sensitive and gender-responsive policies and practices. Services must ensure that violence against women and girls will not be condoned, tolerated or perpetuated. Services must promote women's agency where women and girls are entitled to make their own decisions, including decisions that refuse essential services.

3. Non-Discrimination

Services are to be provided without discrimination based on nationality, sex, gender identity, sexual orientation, age, disability, social class, race, religion, political beliefs, or any other status.

4. Victim/Survivor-Centred Approach

Service actions should recognize the rights of the victim/survivor and factor those rights into all decision-making. This requires taking into account the multiple needs of victims and survivors, the range of risks and vulnerabilities and the impact of decisions and actions taken to ensure that services are tailored to the unique requirements of each individual woman and girl. The survivor's wishes should also determine the care and support that is provided by essential services.

5. Safety Is Paramount.

The victim's/survivor's safety should be the overriding consideration in the delivery of all services. Police and Justice services must prioritize the safety and security of service users and avoid causing them further harm.

6. Do No Harm

The response to violence against women and girls must not re-victimize the victim/ survivor.

7. Informed Consent

Victims/survivors who have the capacity to give consent, should be able to make free and informed choices.

8. Self-Determination and Participation

Victims/survivors should be encouraged to participate as much as possible in the decision-making process regarding their case.

9. Confidentiality and Right to Privacy

The right to privacy and confidentiality should be respected throughout all aspects of the victims'/survivors' case.

10. Promoting a Multisectoral Orientation

Service delivery should reflect the importance of taking a multidisciplinary approach that promotes partnerships and effective coordination.

11. Best Interests of the Child

In all cases involving child victims, the best interests of the child should be the paramount consideration.

12. Perpetrator Accountability

Perpetrator accountability requires that essential services, where appropriate, effectively hold the perpetrators accountable while ensuring fairness in justice responses.

of engagement with victims/survivors and can significantly impact subsequent stages of service delivery. Although it is very important that these defining characteristics be reflected throughout all phases of law enforcement and justice processes, the preliminary stages of contact are particularly significant in setting the appropriate tone for engagement with victims/survivors of VAWG/FV.

3.3. Foundational Elements

It is widely accepted and specifically noted in the ESP Package that for police, justice, and other essential services to be of the highest quality, they should operate within conditions that support effective, efficient implementation of the guidelines. In that regard, the following elements should be recognized and specifically addressed:

- **Comprehensive legislation and legal frameworks** that provide the legal entry point for police and justice interventions. Where those frameworks have gaps or are otherwise deficient, States should undertake the required legislative reform. The previously mentioned Situation Analysis identified a number of gaps in the law that warrant correction so as to implement modern, responsive legislation.
- **Gender-sensitive policies and practices** should go hand in hand with modernized laws. Separate and apart from the Common Standards themselves, other policy guidance can take the form of National Action Plans, Victims' Rights Policies and other helpful protocols that will support and strengthen consistent, effective operationalization of the proposed procedural guidance.
- **Governance, oversight, and accountability** are other key ingredients necessary for effective implementation of police and justice services. The value of having effective governance and oversight mechanisms in place to monitor the performance of the sectors has already been recognized in the development of the governance mechanisms that emphasize accountability through setting roles and responsibilities.
- **Resources and financing** are critical to building and supporting both sectors, as well as to facilitating a coordinated system that has the capacity and capability to provide quality essential services. Poorly resourced police departments, prosecution units and court systems have been identified in the gap analysis as areas in acute need of attention, and therefore must be corrected to ensure the full success of the Common Standards
- **Training and workforce development** ensure that the sectors have the capacity and capability to deliver quality services, and that service providers have the competency required to fulfil their roles and responsibilities.
- **To deliver quality services, ongoing monitoring and evaluation are also needed.** This requirement is reflected in the recommended governance mechanism, which integrates monitoring features that rely on the collection and analysis of comprehensive data on VAWG.

Monitoring and evaluation mechanisms are critical to accurate, effective data management and oversight of Guideline implementation. This is a significant issue deserving special mention.

3.4. Data Management and the Application of the Common Standards

The importance of data collection, coordination and analysis to the improvement of the region's systemic responses to VAWG and FV cannot be overstated. Data management is a prerequisite for effectively tailoring services to meet the needs of victims/survivors adequately. It is important that relevant data on the nature and extent of VAWG and FV be systematically collected to help shape and improve the way in which law enforcement officers and justice officials deliver their respective services to the women and girls who experience violence.

Despite the established value of data management, the systematic collection and analysis of accurate data on VAWG in the region remains elusive and has been identified as a major factor compromising the development of data-driven prevention and intervention strategies. Common challenges to managing VAWG-related data effectively include lack of emphasis on data collection by service agencies, definitional gaps and disparities, and poor coordination between agencies (Sealy-Burke, J., 2022).

The Common Standards are designed to offer meaningful guidance on coordinating efforts between police and justice agencies to share and use relevant data. This is particularly important in the exchange of information between the police and prosecution divisions, but also has relevance in relation to information shared between these sectors and other essential service providers in health and social services.

3.5. Emergency Situations and the Application of the Common Standards

Pandemics and national disasters have powerfully demonstrated to the Caribbean region that emergency situations have gendered impacts on women and girls, including an increased risk of exposure to violence. The impact of COVID-19 is a recent and potent example of the increased vulnerability of women and girls during periods of instability. The empirical data is compelling and underscores the acute need for the Common Standards to anticipate adjustments, if any, in emergency-type situations.⁵

⁵ See UN Women (2021). Summary Status of Women and Men Report - The Impacts of COVID-19. A Gender Analysis of the Impact of COVID 19 on Women and Men in the 12 Caribbean Countries. New York.

The experience of hurricanes, volcanoes and other natural disasters in the region also has gendered implications, with the evidence suggesting that a number of factors influence this outcome, including disruptions to the infrastructure and social services that respond to violence against women and girls.

During times of emergency, the position of women and girls is even more precarious. This stark truth reinforces the obligation to integrate gender-sensitive emergency measures into the Common Standards, relying to some extent on existing regional standards as established in the Checklists developed to support CDEMA's Comprehensive Disaster Management Strategy (CDM) through the integration of VAWG (CDEMA, 2014).

Any failure to take the gendered impact of natural disasters and pandemics on women and girls adequately into account runs the risk of exacerbating already existing inequalities and potentially creating new ones, thus aggravating the situation for women and girls who are already exposed to intersecting forms of violence, discrimination, and oppression.

3.6. Recognition of Child Victims as Beneficiaries of the Common Standards

The scope of the Standards includes family violence and, in that respect, must adequately incorporate procedural guidance on child abuse, with particular emphasis on child sexual abuse, which regional studies have indicated is alarmingly frequent against girl children (University of Huddersfield and UNICEF, 2008). Child Protection protocols are therefore strongly linked to the objectives of the proposed Standards and will be instrumental in ensuring their social relevance.

Throughout the development of the Standards, careful attention has been given to facilitating child-friendly policing and justice responses, recognizing that the treatment of children must differ from that of their adult counterparts. This is especially relevant both at the initial contact stage, when police are interfacing with child victims for evidence gathering, as well as during the subsequent pre-trial and trial stages when justice interventions should also be child-sensitive. The use of "special measures" in courtroom environments takes on increased significance for young victims who have particularly high levels of vulnerability because of their age.

Chapter 4: Regional Common Standards for Police and Justice Agencies Responding to VAWG



How the Common Standards are Structured

Although the police and justice are two distinct sectors, the ESP Package addresses them together because their interventions operate along a continuum of service provision that begins with law enforcement actions and progresses to judicial procedures and actions.

The Standards are framed around the 11 essential service actions that comprise the justice continuum, beginning with prevention and ending with coordination. The key Standards have deliberately been presented in matrix form to facilitate access to information and increase user friendliness.

The introductory statement at the beginning of each stage of the justice continuum is taken from the ESP Package and provides a succinct overview of the broader objectives of each Essential Action. This is followed by the matrix which draws on the Core Elements of the ESP Package as the basis for the development of Common Standards. A deliberate effort has been made to ensure that the proposed Standards reflect the key issues raised by a number of relevant resource tools. The guidelines are also based on the gaps in service delivery brought to light by the Situation Analysis, specifically targeting the areas where weaknesses have been identified. The Standards are sufficiently generic in their formulation to accommodate the subsequent inclusion

of more detailed country-specific information. This is consistent with the broader vision of the Common Standards which, as previously outlined, lays the basis for Standard Operating Procedures tailored to the individual country.

The Common Standards Matrices are followed by the identification of key coordination points between the police and justice sectors and the other essential service providers. Inclusion of coordination issues with health and social services is provided because of the strong linkages with these two other sectors and the strategic value they bring to strengthening the effectiveness of policing and justice responses to VAWG and FV.

4.1. Prevention

It is important that justice service providers strongly support initiatives and organizations that seek women's equality and raise public awareness of violence against women, its causes and its consequences on women, their families and their communities. The sanctions that perpetrators face should be clearly and effectively publicized. Information about services and how to access them should be readily available to all. In addition, developing and promoting institutional cultures founded on gender equality and gender responsiveness in service delivery are fundamental to prevention.

PREVENTION

Core Element⁶

1.1. Promoting and supporting organizations and initiatives seeking to end violence and increase women's equality through gender equality policy implementation.

Common Standards

- 01.** Law enforcement and justice services should ensure that their own organizations promote gender equality policies, and for the protection of all employees, adopt a zero-tolerance position on gender-based violence.
- 02.** Law enforcement and justice services should demonstrate a commitment to working collaboratively with organizations on long-term strategies that seek to eliminate violence and increase the equality of women, including advocacy and public education.

⁶ All core elements as reflected in this and subsequent Service Action Tables are taken from Module 3 of the Essential Service Package on Justice and Policing.

1.2. Supporting efforts to raise awareness and promote the unacceptability of men's and boys' violence against women and girls.

1.3. Stopping violence and preventing future violence against women.

1.4. Encouraging women to report violence perpetrated against them

03. The police and justice sectors should actively collaborate with the women's movement and NGOs in raising awareness of the need to prevent VAWG and FV in order to eliminate these forms of violence. They should recognize the important role of the women's movement and NGOs and facilitate their work, partnering with them at the local, national, and regional levels.

04. To generate support, earn trust and enhance their legitimacy in the communities they aim to serve, law enforcement and justice services should develop and promote organizational cultures that work to ensure access to justice without discrimination and that prioritize a victim/survivor-centred approach, an effective component of crime prevention.

05. Data collection and analysis should be promoted so as to gain an accurate understanding of the prevalence of VAWG and FV, its trends and the critical role that this awareness plays in the development of evidence-based prevention strategies. Research indicates that risk management monitoring should record the following data at a minimum:

- a. type of crimes reported
- b. age and gender of the victims/survivors
- c. number of cases investigated
- d. number of persons prosecuted
- e. number of persons sentenced
- f. gender and age of perpetrator
- g. type of violence
- h. relationship of the perpetrator to the victim/survivor
- i. geographical location
- j. other relevant factors and characteristics, such as race or disability

06. Reporting of VAWG AND FV must be encouraged, not only through actively publicizing the commitment on the part of the police to take these forms of violence seriously, but also to strengthen the confidence of women, girls, their families and communities by responding efficiently and appropriately to reported acts of violence against them.

07. Regional-level police organizations should play a lead role in information-sharing to facilitate carrying out the mandate of law enforcement agencies across the Caribbean to prevent and eliminate violence. This includes but is not limited to promoting examples of best practices, sharing precedents on written violence prevention policies, developing Model Codes of Conduct consistent with a zero-tolerance approach to VAWG and exchanging useful strategies for building public awareness.

4.2. Initial Contact

A positive initial contact experience with the justice system is crucial for victims/survivors of violence. Services must be available and accessible to all women and girls. Most importantly, the initial contact must demonstrate to the victim/survivor that the justice system and its service providers are committed to their health and safety, take complaints seriously, and ensure that victims/survivors receive effective support on their journey through the justice system.

INITIAL CONTACT

Core Element

Common Standards

2.1. Availability

01. Police services should be available 24 hours a day every day of the year, and as far as is practicable, should be offered in an appropriate, victim-friendly environment that is physically accessible to everyone, including the disabled.

2.2. Accessibility

2.3. Responsiveness

02. Police and justice services should be available to every victim/survivor regardless of place of residence, nationality, race, marital status, sexual orientation, or any other characteristic. Services should be offered free of discrimination, from police officers who have been trained on the gender biases that can potentially compromise responses to domestic violence, sexual offences and other forms of gender-based violence.

03. Police should respond to ALL reports of VAWG and FV promptly and professionally.

04. The physical space in police departments and stations should be user-friendly and accommodate the needs of victims/survivors of VAWG, including the need for privacy and a sense of safety.

05. Police operational command leadership should ensure that organizational protocols, including but not limited to Standing Orders for first responding officers in cases of VAWG, are designed from the outset to safeguard the victim's/survivor's well-being and facilitate an effective, professional investigation.

06. Policing responses during the early stages of engagement should be empathetic and non-judgmental while affording safety and protection. Special attention should be given to the following key considerations:

- a. Responses must respect the full cadre of victims' rights, including the right to be treated with dignity and respect, the right to be kept informed and the right to participate in decision-making;
- b. Safety assessments must be routinely conducted;
- c. Measures must be taken to avoid secondary victimization, including reducing the number of times victims/survivors are interviewed;
- d. The confidentiality of information must be safeguarded.

- 07.** Child victims require child-friendly interventions that take their age and increased vulnerability into consideration. Police responses to child physical, sexual and emotional abuse, including cases of neglect and abandonment, should reflect a sensitivity to the age and capacity of the victim. All interactions with children, including their right to be informed and to participate in the proceedings, should be carried out from the perspective of children's rights.
- 08.** The safety of victims/survivors should be a priority from the initial stages of contact with police and justice services onwards and should underpin all police actions and approaches. This includes the established principle of '**do no harm**' which requires anticipating and addressing the unintended consequences of any actions taken or to be taken, so that any further harm will be prevented.
- 09.** Specialized responses to VAWG and FV have proved to be more effective in addressing vulnerability and the unique challenges experienced by victims/survivors of these types of offences. Specialization should be actively encouraged and should result in adequately resourced police units that are specifically trained and equipped to handle cases of VAWG and FV from the initial contact phase through all stages of the justice continuum, including investigation and preparation for trial.
- 10.** Training of all police officers, whether or not they operate within a specialized unit, is important so as to build capacity within police departments and provide effective responses to VAWG and FV. Training modules should not only address the technical competencies of policing but should specifically address the pivotal issue of gender equality and its relevance to law enforcement actions and decision-making.
- 11.** It is important for victims/survivors to have early access to other critical services. Facilitating access to such sources of support should be an integral feature of the early stages of contact with victims/survivors. Referrals to other essential services, whether health or social services, should be carefully selected and offered as a matter of course.
- 12.** Data-collection protocols should be in place to capture the incidence of VAWG and FV, as well as other salient features pertaining to their nature and extent. Across the region, these types of cases are generally charged as generic offences against the person, and based on the nature of the charge, are not easily identifiable as domestic violence. Special effort should be made to identify and record reported cases of domestic violence. Specifically designed protocols should be implemented to overcome this challenge and thus provide accurate national and regional administrative data on domestic violence and other forms of VAWG.

- a. Emergency situations warrant context-driven policing responses to VAWG and FV. Specific responses should be developed to respond effectively to the many challenges associated with pandemics, natural disasters and other emergency situations. These responses should address the need for:
- b. increased vigilance and surveillance systems to detect VAWG and FV;
- c. readiness to deal with increasing numbers of cases;
- d. modified strategic measures for policing interventions;
- e. increased reliance on electronic forms of communication and other alternative methods of engagement with victims/survivors;
- f. training that specifically addresses policing in times of emergencies.

4.3. Investigation

It is very important that instances of intimate partner violence and sexual violence against women and girls be investigated with all due speed. The investigation itself must be conducted in a professional manner, meet evidentiary and professional requirements, and all available means must be used to identify and detain the suspect. Throughout, the victim's/survivor's safety, security and dignity must be taken into account and maintained. The following guidelines are complemented by the essential health services pertaining to medico-legal documentation.

INVESTIGATION

Core Element

Common Standards

3.1. Cases of violence against women are given high investigative priority.

01. Given the risks inherent in VAWG and FV, police departments should prioritize law enforcement responses to this type of cases, treating them as matters of urgency.

3.2 Victim/survivor medical and psycho-social needs are addressed.

02. Investigations should be undertaken and completed as quickly as possible, and urgent cases should be expedited to enable efficient, victim-sensitive evidence collection.

3.3 Relevant information and evidence is collected from the victim/survivor and witnesses.

03. Comprehensive investigation is the hallmark of effective law enforcement. Detailed protocols and guidelines for the collection and analysis of evidence should be readily available to all investigating officers. Protocols should address:

- a. the identification of the crime and of the individuals directly involved (victim, perpetrator, and witnesses);
- b. the use of all available technical support personnel (including fingerprint experts and medical professionals);
- c. the systematic collection of all relevant evidence (such as victim and witness statements, weapons, hair, telephone records, etc.);
- d. the complete documentation of the investigation and the preparation of a court brief for inclusion in the case file.

3.4. A thorough investigation is conducted.**3.5 Professional accountability is maintained throughout the investigation**

- 04.** Comprehensive statements are essential to a thorough investigation. Statements should be taken in settings that are private and compatible with documenting evidence fully and accurately. Interviewing and taking the statements of vulnerable witnesses should be guided by good practice strategies and detailed guidelines. These are an integral component of capacity-building and should be implemented effectively.
- 05.** On-the-scene investigations should be conducted in all appropriate circumstances, facilitating the collection and documentation of all relevant evidence.
- 06.** Investigations of child abuse cases require working collaboratively with national **child protection agencies**. Although the civil child protection investigation and the criminal investigation are conducted separately, relevant information should be shared and a close working relationship established to ensure efficiency, optimal evidence gathering and minimal secondary victim traumatization.
- 07.** Medico-legal evidence is a critical component of VAWG and FV cases, particularly as concerns sexual assault. Detailed protocols regarding the collection, storage and general management of medico-legal evidence should be available to all investigating police officers. Medico-legal guidelines should be consistent with those outlined in the ESP Module on Health Services, and address issues such as:
- a. obtaining informed consent for examination;
 - b. accessing emergency contraception, HIV and STI post-exposure prophylaxis;
 - c. meeting chain of evidence requirements;
 - d. storing and analysing evidence;
 - e. body mapping and photographing injuries;
 - f. record keeping
- 08.** Police and justice responses during the investigation phase should focus on the victim's/survivor's needs, keeping in mind the context of the violence that was suffered, the physical and mental trauma that was experienced and all medical and social needs. This includes an ongoing assessment of the need to refer victims/survivors to mental health and psycho-social services.
- 09.** The right of victims/survivors to be fully informed is a key consideration during the investigation stage. Police and justice service providers are expected to respect the right of victims to be kept informed of all developments in the investigation and to participate actively in the process.

10. Professional accountability should be facilitated through senior-level oversight of cases and access to a transparent complaint system to address complaints regarding service delivery.
11. Regional-level police organizations have an important role to play in ensuring that the internationally accepted standards governing the police investigation of VAWG and FV are applied and maintained. Besides ensuring that the guidance in these Common Standards is widely adopted across Caribbean States, these organizations should also ensure that detailed protocols are developed and implemented in those regions and domains where the need has been identified.

4.4. Pre-Trial Processes

Non-biased criminal, civil, family, and administrative pre-trial or hearing processes that are sensitive to the specific needs of the victims/survivors of IPV and sexual violence are essential to guaranteeing their right to justice. Essential pre-trial criminal justice services reflect the international obligation of the State and its justice service providers to exercise primary responsibility for investigating and initiating prosecution while empowering victims and survivors to make informed decisions regarding their interactions with the criminal justice system. Essential civil, family and administrative pre-trial justice services emphasize the importance of timeliness, affordability, procedures that are simplified and easy to use.

PRE-TRIAL PROCESSES

Core Element

Common Standards

4.1. Coordinated, integrated approaches to criminal, civil, family and administrative legal proceedings

4.2. Primary responsibility for initiating prosecution

4.3. Ensuring the timely approval and laying of the correct criminal charge

4.4. Accessible, affordable and simplified procedures to access justice

01. Victims/survivors of VAWG are entitled to benefit from a cohesive, coherent justice system that can effectively coordinate with other judicial bodies, one that relies on pertinent information from other legal proceedings. The relevant authorities should ensure that the justice system provides a coordinated response to VAWG and FV, drawing on court administrations for any necessary information and support. This may include, but is not limited to, coordinating information relevant to criminal proceedings, civil applications for protection orders under domestic violence legislation, applications for child maintenance, divorce or any other family-law-related remedies.

02. Whereas victims/survivors have a right to information, including the various options that may be available to them concerning how their cases are handled, the ultimate decision for bringing charges and initiating prosecution is made by the police and justice service providers.

4.5. Prioritization of cases

4.6. Application of fair procedures and evidential standards in all pre-trial processes

4.7. Victim/survivor-centred, empowerment-oriented and rights-based pre-trial processes

4.8. Readiness for trial

4.9. No forced mediation, alternative dispute resolution in cases involving violence

4.10. Special considerations for victims/survivors who are suspected or accused of criminal behaviour

03. With respect to VAWG, policies should encourage the onus to be placed on the justice system to initiate legal proceedings unless there is a compelling reason not to do so. It should be clear policy that cases not be dismissed without all possible efforts having been made to have them adjudicated. Comprehensive protocols should be developed to further inform a more detailed approach to pro-prosecution in these circumstances. This is particularly important given the increased need for independent corroborating evidence in those instances where the victim/survivor is reluctant to proceed and evidence from that source will not be forthcoming.

04. In instances where a victim/survivor is unable or unwilling to proceed with prosecution, prosecutors should determine the availability of evidence independent of the victim/survivor's testimony and assess whether there is still a reasonable prospect of conviction.

05. Decisions regarding the correct charge to lay must be well-considered and efficiently conducted. Approval of the charges to be brought must be carried out with all due speed. In all serious or complex cases, there should be consultation between the police and the prosecution on the choice of the charges to be brought against the accused individual. In any event, the charge should always reflect the gravity of the offence.

06. Pre-trial processes should be victim-centred and reflect a rights-based approach. This includes many of the same rights that applied during the initial stages of contact. Mindfulness of victims'/survivors' rights should be maintained throughout all stages of the justice process. These rights include, but are not limited to, the following:

- a. Pre-trial processes take the unique needs and perspectives of victims/survivors into account, respecting their dignity and integrity, and minimizing intrusion into their lives;
- b. Pre-trial processes validate what happened to the victim/survivor and ensure that the complaint is regarded as credible and valid unless the contrary is clearly indicated;
- c. Engaging with victims/survivors occurs in a victim-friendly environment and under victim-friendly conditions;
- d. The safety and security of the victim/survivor is always given utmost importance.

07. All necessary measures should be taken to eliminate any needless delay in cases involving vulnerable witnesses, including child victims. This should be implemented across all relevant stakeholder agencies, including the police and prosecution, local Bar Associations, Court Administration, and judicial officers.

08. Cases involving child victims and other vulnerable witnesses are time-sensitive because delay is generally prejudicial to them. Prosecution divisions should assess all cases involving VAWG and/or FV, and based on the level of vulnerability of the witnesses and other relevant considerations, fast-track those cases accordingly.

09. The conditions imposed for the pre-trial release of the defendant in cases of VAWG and FV are critical to the safety and security of victims/survivors. This form of violent crime should be routinely subject to a bail hearing and appropriate bail conditions should be set for the protection of victims/survivors. Victims/survivors should be informed of any pre-trial release or bail conditions and be told who to contact if any conditions are breached.
10. Preparation for the trial or hearing is an essential component of the pre-trial process and is to be treated with due diligence. All aspects of the case should be fully prepared and ready for trial, with a view to ensuring that the highest quality evidence is put forward. Preparation should include:
- a. ensuring that all critical witnesses will be present;
 - b. ensuring that statements are fully prepared for submission and seeking additional statements where necessary;
 - c. ensuring justice service providers are competent to present evidence in court in an ethical, objective, professional manner;
 - d. ensuring that victims/survivors have been adequately prepared to give their testimony.
11. Given the pivotal nature of a victim's/survivor's testimony, it is important that they be adequately prepared for the trial or hearing. Preparation may entail:
- a. explaining the legal process and basic legal procedures;
 - b. reviewing the roles of the various stakeholders;
 - c. reviewing statements to refresh the memory of key elements of the evidence;
 - d. taking all necessary precautions to protect the safety of the victim/survivor;
 - e. taking appropriate action should the victim/survivor be bribed or coerced into withdrawing charges.
12. Prosecutors should have received appropriate training and be able to respond to cases of VAWG and FV effectively. In those instances where prosecutors have received specialized training or are otherwise better equipped to handle these types of cases, a deliberate effort should be made to ensure that VAWG and FV cases are assigned to those specific specialized prosecutors. Existing modules developed by the **Association of Caribbean Commissioners of Police in partnership with UN Women MCO** have been developed to guide policing and prosecution responses to sex offences. These, and other existing training material, should be sourced and collated to help guide regional and national-level training initiatives.

- 13.** Establishing court-connected victim support units is strongly recommended and should be implemented in all jurisdictions where such units are not currently available. Victim support services should be capable of supporting the police and justice sectors through the comprehensive preparation of victims/survivors for their court appearances. Victim support services are responsible for the following aspects of victim/survivor preparation:

 - a. ensuring that victims/survivors are psychologically and emotionally equipped to give the strongest testimony possible. Referrals to other agencies to offer additional psycho-social support should be made as early as possible in the legal process;
 - b. providing court room orientation visits;
 - c. ensuring that the victim/survivor is aware of all court return dates;
 - d. arranging transportation for the victim/survivor when necessary;
 - e. liaising with police and justice service providers to ensure that the victim/survivor has been properly briefed.
- 14.** National child protection agencies should play an integral role in the preparation of child victims for the trial or hearing. These agencies are well positioned to offer child-friendly interventions, including those required to adequately prepare children to give testimony in court.
- 15.** In compliance with relevant international and regional standards, the use of mediation or restorative justice in cases of VAWG is strongly discouraged in order to prevent or mitigate any attempt to use force, pressure, or intimidation on victims/survivors.
- 16.** In those instances where a victim/survivor is accused of criminal conduct, it is important to review the circumstances of the alleged offence with a view to acknowledging the dynamics of previous victimization and the psychological impact previous victimization may have on behaviour, including as regards acts of aggression.

4.5. The Trial Process

Victims and survivors of VAWG and FV who are involved at the trial stage of a criminal or civil justice process may feel vulnerable, overwhelmed by the unfamiliarity of the justice system or re-victimized through their insensitive or discriminatory treatment at the hands of justice service providers. International norms and standards call for measures to prevent the further hardship and trauma that may result from attending the trial itself and ensure that trial process maximizes the survivor's cooperation and promotes their capacity to exert agency while maintaining the burden or onus of seeking justice on the State in criminal matters. The justice services that are considered essential during the trial processes reflect internationally agreed upon model strategies, including friendly and enabling court environments that allow survivors to feel safe and comfortable recounting what they have experienced, incorporate procedures to minimize re-victimization and apply the rules of evidence in a non-discriminatory manner.

THE TRIAL PROCESS

Core Element

Common Standards

5.1. Safe and friendly courtroom environment

5.2. Protection of privacy, integrity and dignity

5.3. Opportunity for full participation

5.4. Opportunity to give details of the impact of the crime

5.5. Non-discriminatory interpretation and application of rules of evidence

5.6. Special considerations for victims/survivors who have been charged with criminal offences

01. Justice providers should take advantage of all available measures to reduce the trauma of the court room experience for victims/survivors. This may include invoking their right to legally accessible “*special measures*” as provided both by national legal frameworks and common law. These include, but are not limited to, the use of screens, support persons and video-linked evidence. In those jurisdictions where there is limited access to internationally accepted special measures, legislation to remove such limitations should be included in the national law reform agenda.

02. The right to privacy should be safeguarded during the trial or hearing process. Due regard should be given to limiting or banning public attendance in the courtroom, restricting media publication of the victims’/survivors’ personal information, and removing identifying information from court documents.

03. In those jurisdictions where paper committals are available, this procedure should be made use of to avoid the unnecessary trauma and delay associated with in-person preliminary inquiries. In jurisdictions where the concept of a paper committal is not present, this is an area of law reform that should be prioritized for development and implementation.

04. Justice providers should be fully aware of any potential for the discriminatory interpretation and application of evidentiary rules, and take active steps to mitigate their harmful impact on cases involving VAWG/FV. Special attention should be given to the following issues:

- a. Any adverse inference that may be drawn solely from a delay in reporting or the lack of reporting;
- b. Any unfair, unnecessarily repetitive, aggressive and discriminatory questioning by the Defence;
- c. Any questioning that relies on myths and stereotyping;
- d. Any questioning about the victim/survivor’s sexual history when it is not related to the case.

05. Use of expert witnesses should be encouraged to mitigate the influence of myths that may be harmful to the victim/survivor’s credibility. This is particularly important in sex offence trials where harmful myths grounded in gender inequalities are used to the detriment of victims/survivors.

06. The cross-examination of the victim/survivor by a defendant who is not represented by a lawyer should be strictly prohibited. In those instances where a defendant is legally unrepresented, the State should be required to appoint legal representation for them at least for the purpose of conducting the cross-examination of the victim/survivor.

- 07.** The duty to protect victims/survivors from adverse conditions during trials or hearings goes beyond the scope of criminal proceedings to include conditions arising in civil, family law and/or administrative matters as well.
 - 08.** Due regard should be given to facilitating access to justice during times of emergencies, including pandemics and national disasters. Detailed protocols should be developed to address the contingency measures to be taken at such times, including measures to address alternative approaches for conducting trials or hearings (including jury trials), service of court documents, access to legal representation, inordinate delays and responding to breaches of existing court orders.
 - 09.** Data management remains a relevant issue at the trial or hearing stage of the justice process and requires that justice service providers, including court administration, pay attention to a number of salient issues, including:
 - a. tracking cases to identify gaps and bottlenecks in the justice system;
 - b. monitoring rates of attrition at all stages of the process, from reporting through pre-trial and trial processes, and identifying possible causes for cases failing to reach their logical conclusions;
 - c. tracking sentencing outcomes to verify their consistency with established sentencing guidelines.
 - 10.** Police and justice sector organizations should carry out an annual review of case file management as it relates to all cases involving VAWG. The review should examine both the quality and quantity of information regarding how a VAWG and FV investigation is managed and should include coordinating evidence collection, general treatment of victims/survivors, offender identification and apprehension as well as follow-up procedures. The review should seek to provide insight into the practical issues that impact time management.
 - 11.** Regional-level justice organizations should play a leading role in sharing useful information and carrying out the interventions necessary to improve justice responses at all stages of the justice continuum, including the trial or hearing stage. This includes, but is not limited to:
 - a. promoting examples of best practices;
 - b. exchanging existing tools or strategies that may be helpful;
 - c. providing a basis for the development of detailed procedural guidance on issues that have been flagged for additional attention;
 - d. identifying areas of weakness that need to be corrected;
 - e. providing established precedent for positive interventions that strengthen the justice response to VAWG and FV;
 - f. participating in advocacy for legal reform where this is necessary to address gaps or deficiencies in the law.
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4.6. Perpetrator Accountability and Reparations

Most perpetrators of intimate partner violence and/or sexual violence face no legal consequences. When they are in fact held accountable, the sanctions imposed, whether criminal, civil, or administrative, are too often minimal. In addition, very often the reparations that women and girl victims/survivors receive from the perpetrator and/or the State following the incident do not reflect the realities of the harm actually suffered, particularly the pattern of coercion, intimidation and the use or threat of violence. From a survivor's perspective, accountability and reparations can mean many things, ranging from the perpetrator receiving a criminal sentence to civil damages, state compensation and public condemnation of the act, and including where applicable redress for the State's failure to provide essential justice services. The essential services relating to accountability and reparations reflect the obligation under international law to carry out due diligence, impose appropriate sanctions to hold perpetrators accountable for their actions and ensure survivors receive just and effective remedies for the harm or loss they have suffered.

PERPETRATOR ACCOUNTABILITY AND REPARATIONS

Core Element	Common Standards
6.1. Justice outcomes commensurate with the gravity of the crime and focused on the safety of the victim/survivor	<p>01. Sentencing policy should be developed and consistently applied in cases involving VAWG and FV. Well-considered sentencing principles that are commensurate with the gravity of the offence contribute significantly to deterring these types of violence.</p> <p>02. Justice providers are expected to be well informed concerning existing sentencing guidelines. Examples of current guidelines include practice directives issued by regional Chief Justices and the Model Sentencing Guidelines on Sex Offences established under the JURIST Project.</p>
6.2. Participation of victims/survivors in sentencing hearings, in applicable jurisdictions	<p>03. Victims/survivors should be given the opportunity to influence sentencing outcomes by sharing information on the impact that the violence had on their lives both physically and emotionally. Victim impact statements are an effective strategy for communicating the harm caused to the victim/survivor and should be encouraged.</p>
6.3. Available accessible options for reparations	<p>04. Justice providers should duly consider the merit of restitution and/or compensation as an appropriate feature of sentencing in VAWG cases. This form of redress can be helpful to victims/survivors and takes direct account of the harm that has been caused to them. In any event, restitution to the victims/survivors themselves should be prioritized over fines that are payable to the State.</p>
6.4. Reparations that adequately address the consequences and harm suffered by victims/survivors	<p>05. Access to justice requires that victims/survivors of VAWG and FV should also be able to rely on civil remedies to pursue compensation for the harm they have experienced. Access to civil court processes and legal aid are essential to ensure that these remedies are readily available to them.</p>
6.5. Enforcement of remedies	
6.6. Redress when essential justice services are denied, undermined, unreasonably delayed, or lacking due to negligence	

4.7. Post-Trial Process

The justice system has an important role to play in preventing future violence through sending a consistent message to the community that violence against women and girls will not be tolerated and will be punished. International norms and standards strongly urge States to develop, implement and evaluate treatment, reintegration and rehabilitation programmes for perpetrators that both hold them accountable for their actions and prioritize the safety of the victims by ensuring that compliance is monitored. In addition, international standards stress the need for effective measures to eliminate violence against women held in detention.

POST-TRIAL PROCESS

Core Element

Common Standards

7.1. Interventions that prevent re-offending and focus on victim/survivor safety

7.2. Prevention of and response to violence against women who are detained for any reason.

7.3. Reduction of exposure to violence for female offenders in detention and in post detention services

- 01.** Counselling interventions that focus on partner or family reunification have been judged inappropriate within the context of VAWG and FV. The power dynamics of these forms of violence are such that counselling environments may pose a significant risk of further harm to victims/survivors. Referrals to this form of programming should be avoided.
- 02.** The justice sector should offer programmes for VAWG offenders that are focused on their rehabilitation and present opportunities for learning positive approaches to conflict management. However, such programmes should be premised on the two core principles of victim safety and offender accountability, emphasizing that abusers must take responsibility for their abusive conduct as a first step in their rehabilitation process. Accountability is also consistent with principles of justice. The Partnership for Peace Programme endorsed by UN Women Caribbean MCO, is a regional initiative grounded in these key principles and is a positive example of programmes for offenders.
- 03.** Whereas victims/survivors may be encouraged to attend counselling to assist with their recovery and empowerment, counselling should NOT be mandatory. Mandatory referrals to counselling are inappropriate and convey the harmful message that the victim/survivor is responsible for the violence.
- 04.** Justice providers should insist on being given comprehensive information about the nature and methodology of counselling or treatment programmes before relying on them for referral purposes. The information provided should enable prosecutors and judicial officers to make informed decisions about the appropriateness of available programming.
- 05.** The sexual abuse of children requires highly specialized interventions for offenders. In that regard, justice service providers should exercise due diligence in referring sexual offenders and should not rely on generic programming for offences that require intensive and specialized treatment.

- 06.** In those circumstances where a violent offender has been referred to a rehabilitation programme, it is important that the justice sector remain involved to monitor compliance with attendance and other programme requirements. The justice sector’s involvement should NOT be discontinued until successful completion of the programme has been verified. Reports, assessments or other updates regarding the offender’s progress in the programme should be provided.
- 07.** Services must be put in place to respond to and prevent violence against women and girls whether in correctional or other types of custodial settings. Women and girls who experienced VAWG before being detained should have access to the required services, and all necessary steps should be taken to prevent violence by correctional staff or others during their period of detention. Correctional and detention settings should be routinely inspected and monitored to ensure that women and girls are safe from acts of violence.

4.8. Safety and Protection

Protection measures are critical to stopping violence and preventing its threat, reoccurrence or escalation. Women and girls have the right to live lives free of violence and free of the fear of violence. This means that protection measures need to be available whether or not criminal, civil or family law proceedings have been initiated, be designed to empower victims/survivors in accessing justice, enabling them to stay safe while engaged in the justice process.

SAFETY AND PROTECTION

Core Element	Common Standards
8.1. Access to immediate, urgent and long-term protection measures	01. The safety and protection of victims/survivors must be central to decision-making. This includes making decisions that will ‘do no harm’ to victims/survivors. The principle of ‘do no harm’ begins with respecting the victim/survivor’s rights, including their privacy and need for confidentiality, but is also understood to mean that interventions must not escalate the situation or issue and must not pose a danger to the families and communities concerned.
8.2. Enforcement of protection measures	
8.3. Risk assessment	02. It is important to stress that the police and justice sectors should ensure equal protection measures for victims/survivors of VAWG who choose not to go through the justice system.
8.4. Safety planning	
8.5. Prioritization of safety concerns in all decisions	03. Risk assessment, safety planning and review should be an ongoing process, from the time the victim/survivor enters the justice process.
8.6 Coordinated protection measures	04. Risk assessments should be undertaken to indicate the level or extent of harm that victims/survivors may be subject to, based on their position of vulnerability, the threats to which they are exposed, the presence of weapons, evidence of escalating violence and/or intimidation and other determining factors.

8.7 Coordinated protection and support services

05. The outcome of the risk assessment should inform the development of a safety plan. The **safety plan** should focus on mitigating any risks identified. This can be achieved in partnership with other essential service providers, such as victim support workers, who can often provide additional support services. Any changes to the victim/survivor's or the alleged perpetrator's circumstances must be included in an ongoing risk assessment process and will require the continual monitoring of the safety plan.
06. The police and justice sectors should provide well-grounded protection measures that are available whether or not criminal proceedings have been initiated. This requirement is linked primarily to the availability of protection orders in civil domestic violence legislation.
07. Detailed protocols should be developed concerning protection orders. At a minimum they should provide for the following:
 - a. Victims/survivors should be provided with a copy of the protection order.
 - b. A copy of the protection order should also be filed at the police station nearest to the victim/survivor's place of residence.
 - c. The terms of the protection order should be tailored to the unique needs of the victim/survivor but in any case, should be informed by all relevant safety and protection considerations.
08. Police and justice service providers should **NOT** advise victims/survivors to apply for a protection order **in lieu of** criminal charges where there are grounds for criminal proceedings. Protection orders are intended to offer protection to the victim/survivor but are not a substitute for criminal charges which hold the perpetrator accountable for the violence committed.
09. Any breach of a protection order should be treated seriously and responded to on an urgent basis. The onus is not on the victim/survivor to take any further steps to enforce a protection order, it is on the police to ensure that the abuser is held accountable for failing to abide by the terms of a court order.
10. Coordination of ALL safety measures, including protection orders, risk assessments and safety plans, is important and should be overseen centrally to ensure that there is an efficient, effective and coordinated response to victim/survivor safety.
11. Data collection is important in relation to the issue of safety and protection. The police and justice sectors must coordinate their efforts to ensure that data is collected not only on the number of applications that are made for protection orders, but also on rates of compliance and any other relevant issues.

12. It is critical to solicit feedback from victims/survivors on their perceptions of the justice system's responses to VAWG, including the measures taken to ensure their safety and protection. This is another area where data collection is vital. Information from **user surveys** should be collated and carefully analysed to help inform ongoing service delivery.
13. During times of emergency, safety and protection measures take on increased significance and the granting of protection orders should not be delayed or suspended. Alternative measures for hearing evidence, including the use of electronic platforms, should be used wherever possible. In any event, the use of affidavit evidence for *ex parte* hearings on protection order applications should be encouraged.

4.9. Support and Assistance

A crucial element in guaranteeing access to justice for victims/survivors of VAWG is the provision of support and assistance services during the justice process. International norms and standards, such as CEDAW, refer to the importance of legal assistance, practical, accurate and comprehensive information, victim and witness support services and the need for support from outside the justice sector (such as health, shelters, social services, counselling). These services can empower victims/survivors, allowing them to make their own informed decisions, based on knowledge of their rights and options within the justice system.

SUPPORT AND ASSISTANCE

Core Element

Common Standards

9.1. Practical, accurate, accessible, and comprehensive Information

01. A crucial element in guaranteeing access to justice for all victims/survivors of VAWG is the provision of support and assistance services that are practical, accurate, accessible, and comprehensive.

9.2. Legal services

02. Access to helpful information is required. Information should be available in all police and justice organizations, including police stations, prosecution divisions and courthouses. Pamphlets, brochures, posters and other instructive material should be readily available, providing information on judicial processes and procedures, general information about VAWG victims' rights and other relevant information.

9.3. Victim and witness support services

9.4. Referrals to health and social service providers

03. A clearly expressed, comprehensive Victims' Rights Policy should be developed and implemented. Such a policy is critical to empowering victims/survivors. The policy should be disseminated widely so as to build awareness and knowledge of victims' rights by both those who have experienced VAWG and service providers.

04. Police and justice actors should view assistance and support services broadly as encompassing legal, health, psycho-social and social services. They are expected to be sufficiently knowledgeable of existing services to make informed referrals that will be supportive of victims/survivors. They should also work with other service providers to develop and implement integrated protocols and effective referral networks.

- 05.** Victim and witness support services should be readily available, accessible and able to provide support services all along the justice continuum. Victim support services connected to the court create physical proximity to justice professionals and represent a model for victim/survivor support throughout the justice process. At a minimum, victim support should provide the following services:
- a. information and advice
 - b. referrals to other service providers
 - c. emotional and psychological support
 - d. practical assistance (for example, transportation to and from court)
 - e. court preparation and support
 - f. coordination of interventions to reduce secondary victimization
 - g. assistance with safety measures such as protection orders and safety plans
- 06.** Child Protection services play an integral role in the support and assistance provided to child victims. Justice providers should therefore ensure that referrals of cases to the national child protection agency are carried out in a timely, consistent way.
- 07.** Legal advice and representation should be available, including legal aid services. Legal services are heavily relied upon by victims/survivors in their pursuit of family law and civil law remedies. These services should be accessible and provide quality, victim-centred representation.

4.10. Communication

Communication is a key theme throughout the justice system. Victims/survivors need to know that they are being listened to and that their changing justice needs are understood and addressed. Information and the way it is communicated can empower victims to make informed decisions regarding their engagement with the justice system. Information and communication management among the various justice service agencies and non-justice sectors, particularly prioritizing confidentiality and privacy, can contribute to significantly reducing the risks victims face when seeking justice.

COMMUNICATION

Core Element

Common Standards

10.1. Simple, accessible information concerning justice services

10.2. Communications promote the dignity and respect of victim/survivors

01. Effective communication is one of the most critical aspects of dealing with victims/survivors and witnesses of VAWG. Law and enforcement service providers should prioritize empowerment of victims/survivors throughout the justice system by listening and communicating in a manner that ensures the victim/survivor feels a sense of safety, that their changing justice needs are recognized and reflected, and that enables a relationship based on confidentiality and privacy.

10.3. Ongoing communication with the victim/survivor

10.4. Regular and effective communication between justice agencies

10.5. Communication by justice agencies with other agencies

02. Communication should promote the dignity and respect of victims/survivors, while conveying a strong sense of empathy and compassion. Effective communication requires appropriate non-verbal communication and active listening, together with the capacity to adapt the communication style to the needs of different victims/survivors according to their age, level of education, and level of understanding.
03. There should be ongoing communication with victims/survivors to ensure that they are kept FULLY informed of all relevant developments in their case. Communication is important at all stages of the justice continuum, but is particularly critical at the following points in the system:
 - a. when charges are laid;
 - b. when bail is granted, including communicating the terms of the Order;
 - c. when a Protection Order has been served;
 - d. at all court return dates;
 - e. when the offender is released from detention.
04. Information about the justice system should be widely disseminated and readily accessible. The information should provide a description of justice processes, as well as a clear description of the respective roles and responsibilities of relevant justice sector actors. Information should be presented in user-friendly formats that use plain language and simplify legal concepts or procedures.
05. Good communication sets the stage for effective coordination between justice agencies and other essential interventions such as health and social services. Information on available services, including **referral pathways**, should be proactively circulated among justice agencies, as well as with other service organizations.
06. Regional justice organizations should play an instrumental role in developing templates for justice-related public awareness tools. The templates might serve as a basis for national-level justice agencies to build on, tailoring them to accommodate country-specific information. Providing guidelines to inform the content of public education material on justice service processes and procedures is a useful quality assurance measure.

4.11. Coordination

Given the wide range of each justice agency's mandates and the tasks incumbent on justice service providers, a coordinated response is critical to ensuring that essential justice and policing services are delivered in a quality and effective manner, ensuring the best outcomes for victims/survivors. Coordination enables transparent standards to be set, defines expectations from each justice agency and contributes to better communication and linkages between the different justice agencies and service providers. From the perspective of victims/survivors, coordination of essential services means that they will be met with the same understanding of their rights and situations and receive the same, high-quality response from all justice service providers.

COORDINATION

Core Element

Common Standards

11.1. Coordination among justice sector agencies

01. Effective justice responses mandate that there be coordination among justice agencies to ensure that efforts are not duplicated, and that actions taken do not contradict or hinder other justice agencies. Coordination is also critical to ensuring a victim/survivor-centred approach to the investigation, prosecution and sentencing of crimes of VAWG and to reducing the risk of secondary victimization.
02. The police and justice sectors should ensure that the goal of coordination is to obtain the best outcomes for victims/survivors. A consistent, coordinated approach is vital to effective case management, risk assessment and safety planning.
03. The implementation of a coordinated response to VAWG in the justice sector should facilitate:
 - a. broad stakeholder involvement
 - b. a consistent and shared understanding of VAWG
 - c. the accountability of all agencies involved
 - d. methods for information-sharing that maintain confidentiality
 - e. opportunities for shared capacity-building initiatives
04. Effective coordination is required between justice agencies. Although communication is required at all stages of the justice continuum, the following aspects need particular attention:
 - a. communication between investigating officers and prosecutors (police and DPP prosecutors)
 - b. communication between police prosecution and DPP prosecution
 - c. communication between judicial officers and the court administration
 - d. communication between different Courts, particularly civil and criminal court proceedings
05. Coordination between justice sector agencies should also include cross-jurisdictional issues that may arise between police and justice organizations at the regional level. Given the leadership role of designated justice agencies across the Caribbean, it is important to ensure consistent, effective coordination between regional and national-level organizations.

- 06.** Police and justice sector organizations should adopt a multidisciplinary approach in ensuring that coordination efforts include other essential service providers, including health and social services.
 - 07.** Effective coordination is central to ensuring that data collection and management is not compromised by duplication or information gaps. One of the expected outcomes of an efficient and coordinated justice system is the development and use of standardized forms and software for registering and reporting data. In this way, a centralized database can be generated. Police and justice organizations should promote the use of agreed indicators and a common registry for reporting and tracking such cases, such as the *Gender-based Violence Information Management Systems (GBVIMS)* developed by UNFPA, WHO, UNICEF and other international bodies.
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Chapter 5:

Coordination with other Essential Service Providers



Working Collaboratively Towards Enhancing Systemic Responses to VAWG and FV

Reducing violence against women and girls requires concerted and coordinated action by a range of different sectors. Coordination is such a central element of the response to VAWG that international standards have expressly underscored its importance to achieving a comprehensive, multidisciplinary, coordinated, systematic and sustained response to VAWG and FV. A coordinated response will more effectively keep victims/survivors safe from violence and hold offenders accountable than will the efforts of different sectors of society working in isolation. Coordination provides benefits for everyone involved: the victims/survivors, the agencies and institutions that respond to violence against women and communities.

Module 5 of the Essential Services Package (UN WOMEN, 2015) recognizes that coordinated systems can have a greater impact in responding to violence, as well as greater efficiencies, than agencies working in isolation. The Module sets out the essential components of coordinated multisectoral

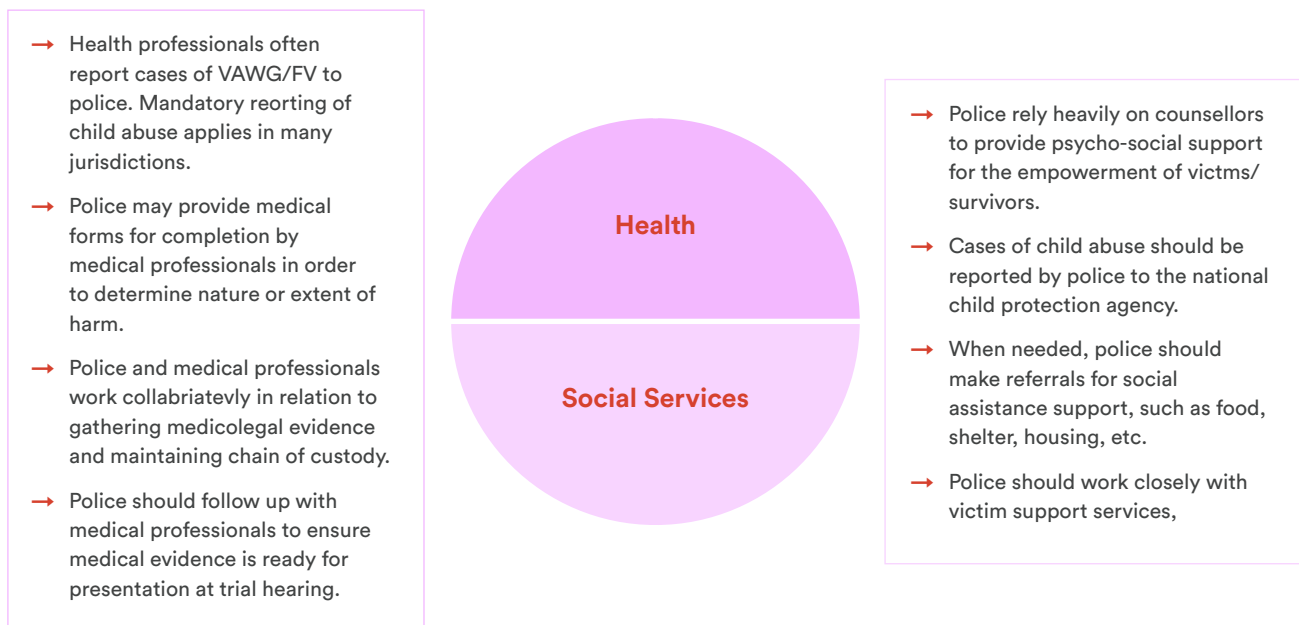
responses for women and girls subject to violence and includes guidelines for health services, justice and policing services, social services, and for coordination and governance mechanisms.

The following section highlights the primary points of intersection between the police and justice sectors and health and social services.

5.1. Key Points of Contact between the Police and Justice Sectors and Other Essential Services

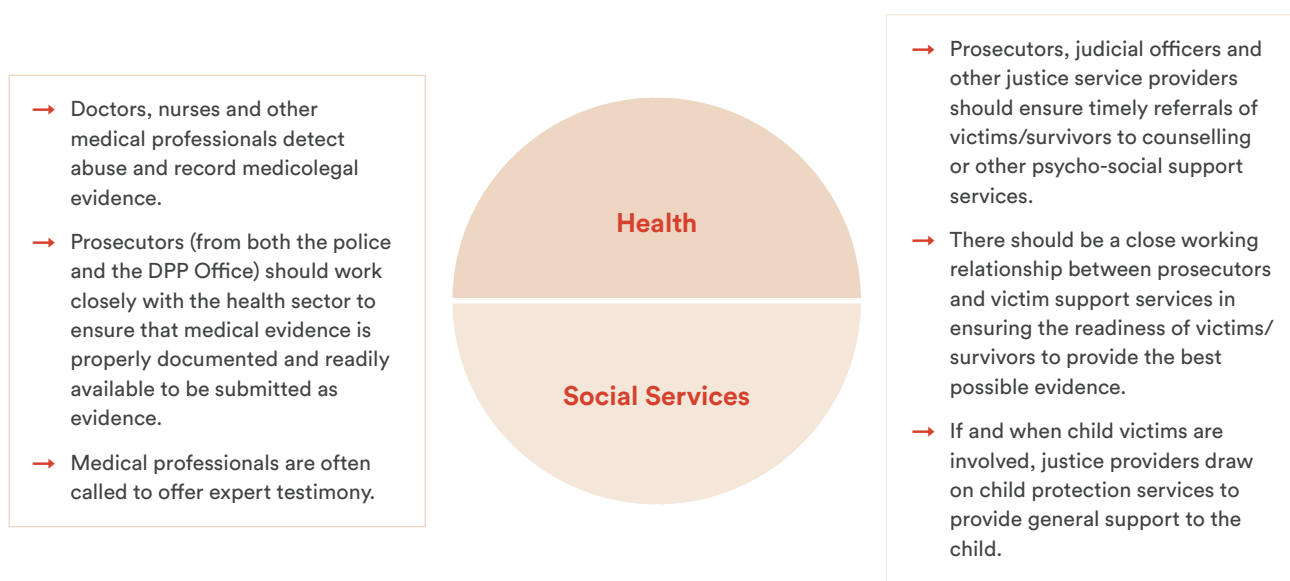
To strengthen the overall effectiveness of the system for victims/survivors, it is critical that police and justice agencies be fully aware of the points in the justice continuum where forging connections with other service providers is not only strategic, but vital to issues of safety and security. The following mapping of key points of intersection is a useful tool to quickly identify the intersecting nature of police and justice services with both health and social services.

Figure 6: Key Points of Coordination between Police and Other Essential Sectors⁷



Source: Self-created, UNDP RBLAC.

⁷ This photograph of a female police officer shows a senior Vincentian Police Officer. https://security.gov.vc/security/index.php?option=com_content&view=article&id=644:senior-vincentian-female-police-officer-receives-regional

Figure 7: Key Points of Coordination between Justice and Other Essential Sectors

Source: Self-created, UNDP RBLAC.

Training and capacity-building is another significant opportunity for the justice and police sectors to collaborate in ways that benefit victims/survivors of VAWG and FV. Interdisciplinary training workshops on systemic responses to sexual assaults, domestic violence, child abuse and other forms of VAWG and FV for staff of all four essential sectors create learning spaces that facilitate cross-fertilization of knowledge, exchange of information and sharing of perspectives across the essential services. In addition to training initiatives within each sector, stakeholders from police, justice, health, and social services should be encouraged to participate in multidisciplinary workshops that focus specifically on improved collaboration and coordination of service delivery.

5.2. Referral Pathways Facilitate Improved Coordination between the Essential Sectors

Referral Pathways are a key component to facilitate referrals between the essential services and to improve levels of coordination. They facilitate safe and timely access to needed VAWG services for victims/survivors and identify points of access for available services across the health, police, social services and justice sectors.

Under the Caribbean Spotlight Initiative, UNFPA has led the way in developing Referral Pathways to help guide responses to VAWG. The template provided in Figure 8 below builds on a three-phased approach

to gender-based violence help-seeking and referral and provides a starting point for Member States to create country-specific pathways with detailed information regarding the names, roles, responsibilities and contact information of agencies providing services (UN WOMEN, 2013).

The police and justice sectors are an integral element of the Model Referral Pathways and should actively participate in national-level efforts to map the referral process.

In those Caribbean States where VAWG Referral Pathways have already been developed, the country-specific information has been added as another layer to the above chart, providing a localized mapping of the agencies and their contact information. Note that referral protocols are organized along an algorithm of the different scenarios that may apply in each phase. In all cases, referrals must only be made with the knowledge and consent of the victim/survivor and in a way that respects the right of the victim/survivor to choose the options that they believe work best for them at a given time. While providing the victim/survivor with information on all options to guide their decision-making, it is important to be led by their choices. An exception to fully respecting the informed choices of victims is in the instance of a child who there is reason to suspect may need care and protection, in which case in most Caribbean States, it is required by law to act in the best interest of the child and submit a mandatory report to the national child protection agency.

Wherever possible, to fulfil the requirements of “warm referrals” (referrals made with or on behalf of the victim/survivor, preferably to a known person), referrals should be made to a specific individual within the relevant agency or division. In order to be able to provide such warm referrals, there is an increased onus on service providers to build relationships and share contact information with personnel across agencies. Effective implementation of referral pathways is also premised on respecting

the confidentiality of victims/survivors and this has implications for service providers who must ensure that information gathering is limited solely to what is needed to provide services to victims/survivors. Files and records (including virtual files and records) are maintained in a manner that will restrict access to and exposure of client data. A policy and culture of client confidentiality must be established and maintained by each team within each sector.

Figure 8: Template for Gender-Based Violence Referral Pathways



Source: UNFPA Referral Pathway. Taken from: Government of Grenada Standard Operating Procedures on VAWG, 2021.

1. A survivor discloses gender-based violence to someone trusted

The survivor tells a trusted family, friend, or a community member or the survivor self-reports to any service provider, including GBV hotlines

- Respect the confidentiality and wishes of the survivor
- Provide reliable and comprehensive information on the available services and support to survivors of GBV
- Obtain informed consent
- When family/guardians make decision on behalf of the child, ensure the best interest of the child is given priority. Preferably, the accompanying adult should be selected by the child
- Support survivors of rape to access medical care within 72 hours (but it is their choice)

DO

- Do believe the survivor. Reassure the survivor that this was not his/her fault
- Do make sure that both the survivor and you are safe from immediate danger
- Do provide practical care and support (e.g. offer water, somewhere to sit, etc)
- Do listen the person without asking questions
- Do be aware of and set aside your own judgments
- Do respect the right of the survivors to make their own decision
- Inform, do not give advice
- Do limit the number of people informed about the case (refer the case confidentially to appropriate GBV focal point, and only with the informed consent of the survivor)

DO NOT

- Do not force help on people, be intrusive or pushy
- Do not pressure the survivor into providing information or further details
- Do not doubt or contradict the survivor
- Do not investigate the situation or provide advice
- Do not mediate between the survivor and the perpetrator or a third person (e.g. family)
- Do not write down or share details of the incident or personal details of the survivor
- Do not assume you know what a survivor wants or needs. Some actions may put the survivor at further risk of stigma, retaliation, or harm
- Once a GBV referral has been made, do not ask for extra information or contact the survivor directly

ALWAYS PRACTICE THE SURVIVOR CENTERED APPROACH

- Prioritize the needs, wishes and decisions the survivor expresses
- Ensure the survivor makes all decisions about accessing services and sharing information regarding her case
- Do not provide advice
- Never blame the survivor
- Be patient, be a good listener and be non-judgemental

2. If the survivor has given informed consent, the immediate response should be:

Prioritize urgent health care!

Sexual violence

- If the survivor needs it - ensure immediate access to available medical care (within 3 days/72 hours for emergency HIV treatment; within 5 days for emergency contraceptives and prevention of sexually transmitted infection)

Physical violence

- If the survivor needs it - seek medical care if she is experiencing severe pain, bleeding or for the treatment of non-sexual violence related injuries

Prioritize safety and security!

IF THERE IS AN IMMEDIATE RISK OF SAFETY FOR THE SURVIVOR/THERE IS A LIFE-THREATENING CONCERN

- Contact competent authorities (police) or other appropriate emergency support

3. If there are not urgent health or safety and security needs, respond to other service needs

These can include mental health services, shelter, non-food items, food or legal information and advice

Source: UNFPA Referral Pathway. Taken from: Government of Grenada Standard Operating Procedures on VAWG, 2021.

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The Spotlight Initiative is a global, multi-year partnership between European Union and United Nations to eliminate all forms of violence against women and girls. Launched with a seed funding commitment of €500 million from the European Union, the Spotlight Initiative represents an unprecedented global effort to invest in gender equality as a precondition and driver for the achievement of the Sustainable Development Goals. As a demonstration that a significant, concerted and comprehensive investment in gender equality and ending violence can make a transformative difference in the lives of women and girls.



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