

# Violence Against Women in Caribbean: A Critical Analysis

By

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# Violence Against Women in Caribbean

“Caribbean societies are organized around hierarchical gender power relations with male domination reducing women to economic and emotional dependency.

“Inadequate data make it difficult to get an accurate picture of the extent of violence in the Caribbean region due to lack of unified registers that collect this information.

The few studies which are available indicate:

“According to UN Women Caribbean, 1 in 3 women in the Caribbean will experience domestic violence.

“Over one third of the region's women report incidents of intimate or sexual violence.

“According to the United Nations Office on Drugs and Crime, every one of the Caribbean islands has a sexual violence rate that is higher than the world average.

# Violence Against Women in Caribbean

- “ There have been substantial improvements in the laws governing gender-based violence.
- “ All of the English-speaking countries in the Caribbean have enacted domestic violence legislation.

## *Phase 1: First generation' legislation*

- “ *Sexual Offences and Domestic Violence Act 1991* – The Bahamas
- “ *Domestic Violence (Protection Orders) Act 1992* of Barbados.

## Gender-based Violence in Caribbean

Phase 2: CARICOM (Caribbean Community) Model Legislation on specific forms of violence against women.

a. *Model Legislation of Domestic Violence (1997)* which included protection orders, occupation orders and tenancy.

b. *Sexual Offenses*

"This legislation removed all exceptions to protect victims during police investigation and court proceedings and have provisions in place to keep tracks of sex offenders after they have served their sentences.

c. Model legislation of sexual harassment.

## Gender-based Violence in Caribbean

Phase 3: Second Generation of Legislation on domestic violence:

### *Domestic Violence*

"Belize: – Domestic violence (2007)

"Bahamas – domestic violence Protection Orders Act 2007

### *Sexual offenses*

"Trinidad and Tobago (sexual offenses Act of 2006).

"Jamaica included marital rape in its statutes.

"Trinidad and Tobago, the Bahamas and Guyana, the crime of rape is gender-neutral.

"Countries have widened the range of sexual offenses, and increased the penalties for sexual offenses.

# Challenges in Addressing Violence Against Women in Caribbean

Despite the positive development in the laws governing gender-based violence in the English-speaking Caribbean, there are challenges.

## *Disparity in the Law and its implementation*

“wide and persistent gaps between the ‘law on the books’ and the ‘law in action’.

“Courts, police and other law enforcement personnel often operate to dissuade people from executing their rights and achieving the protections afforded by the laws.

“Research – over 77 percent of the applications for protection orders are dismissed or withdrawn – 23 percent of applications receiving some form of protection from the court.

# Challenges in Addressing Violence Against Women in Caribbean

## *Systemic Delay in the Prosecution of Offences*

"Recent research in Antigua, St Kitts & Nevis; Jamaica; Belize and Grenada has confirmed lengthy delay in the investigation and prosecution of cases.

"This has an adverse effect on the outcome of cases involving gender based violence.

"Delay prolongs trauma and adversely affects recollection of facts due to the passage of time.

"This is relevant because of the vulnerability of victims who have experienced domestic or sexual violence.

# Challenges in Addressing Violence Against Women in Caribbean

## Pressure to drop charges

"Many survivors of domestic violence and sexual violence who initiate legal proceedings are often pressured to discontinue legal proceedings.

"This pressure comes from family members, members of the community, the perpetrator or others acting on his behalf.

"Uncertainty about the legal proceedings, feelings of embarrassment and shame often discourage individuals from seeking recourse through the legal system.



## Challenges in Addressing Violence Against Women in Caribbean

### *Inappropriate use of Cash Settlements*

“Studies have indicated that the practice of cash settlements is being utilized to prevent the prosecution of especially sex offences.

“This seriously prejudices the justice responses to gender based violence.

“This violates the very tenets of criminal law and raises concerns about bribery.

# Challenges in Addressing Violence Against Women in Caribbean

## ***Culture of reconciliation***

"The culture of reconciliation holds that family stability is important and that family troubles are private holds true for many other English-speaking Caribbean countries.

"Many women feel guilty for sending their partners and fathers to their children to jail.

"They are also aware of the economic implications this may have for the family especially where the perpetrator is the head of the household.

"Survivors who are in dire economic circumstances often accept bribes rather than seek to go through what is perceived as a very complex and intimidating legal process.

## Challenges in Addressing Violence Against Women in Caribbean

### *Violence against women 'ghettoized' in legal reform*

"Domestic violence has been pigeonholed as a family law matter.

"This has meant that sometimes the police, the courts and lawmakers have failed to develop laws and policies to address it as a criminal matter, sometimes with deadly consequences.

"Lawmakers give little attention to the impact of gender-based violence in other family law proceedings, like custody and access to children and distribution of property.

# Challenges in Addressing Violence Against Women in Caribbean

## *Lack of Specialized Interventions*

“Specialized responses are often necessary to victims of gender-based violence, but yet are noticeably lacking across the Caribbean.

“Too few Police and Prosecution Departments have specialized units that are dedicated to the investigation of domestic and sexual violence involving “special victims”.

“Even where such units have been established, they are often not sufficiently equipped to conduct the specialized interventions so critical to these offences.

# Challenges in Addressing Violence Against Women in Caribbean

## *Patriarchal Ideologies Persist*

"Patriarchal ideologies are prominent in the region and are difficult to change.

"While legislation has been enacted and measures are being taken to address this situation, challenges exist in shifting the sociological context of gender equality.

## Reforms

Law implementation and enforcement and protection for victims

“Improve laws and policies especially at national level.

“Ensure full implementation of laws and policies addressing violence against women.

“Guarantee scaled-up funding and resources needed to fully implement the laws addressing violence against women at all levels on which they must operate.

“Monitor the compliance of law enforcement, justice and health personnel with existing laws to protect women and girls when they are victims of violence.

## Reforms

### *Care for victims of violence against women*

“Develop and implement national protocols for comprehensive care for women and girls victims of violence by:

“guaranteeing appropriate medical and psychological care, legal assistance, and emergency housing alternatives for the victims.

“Implementing free telephone hotlines at national levels to receive reports of all forms of violence against women.

“funding public campaigns to increase the visibility and accessibility of this service

# Reforms

## *Data Registry Systems*

“Designing and implementing national and sub-national unified data registry systems to document the number of women and girls victims of the multiple forms of violence against women by:

” Disaggregating data by sex, age, and form of violence.

”Creating and maintaining a unified online database of the statistics on cases of violence against women that is available as public information, including the evolution of the prevalence of violence against women in all its forms.

”Improving indicators and measurement of health care services, psychological, social and legal support requested by and provided to victims of violence at local,

”generating information required for tailoring programs and services to the specific needs of the population.



## Reforms

### *Prevention of Violence Against Women*

“Develop mass media campaigns to deconstruct violence against women, address the harmful impacts of all forms of violence against women and girls, and challenge gender norms so that violence against women is not perceived as something that is natural or normal.

“Ensure that all primary and secondary schools incorporate education and information aimed to eliminate gender stereotypes and violence against women and to promote gender equality, women's and girls' empowerment and non-violence starting at a young age.