Responding to Domestic Violence

A Handbook for the Uganda Police Force
Responding to Domestic Violence:
A Handbook for Police

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Uganda Police Force (UPF)
The Uganda Police Force is a government institution that is responsible for securing life and property in partnership with the public in a committed and professional manner in order to promote development.

Center for Domestic Violence Prevention (CEDOVIP)
The Center for Domestic Violence Prevention is a registered local non-governmental organization that works in partnership with communities to promote women’s rights by influencing change of attitudes, behaviors and practices that perpetuate violence against women.
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# Acronyms

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<tr>
<td>CEDOVIP</td>
<td>Center for Domestic Violence Prevention</td>
</tr>
<tr>
<td>CFPU</td>
<td>Child and Family Protection Unit</td>
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<tr>
<td>DEVAW</td>
<td>Declaration on the Elimination of all Forms of Violence against Women</td>
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<tr>
<td>DV</td>
<td>Domestic violence</td>
</tr>
<tr>
<td>ULRC</td>
<td>Uganda Law Reform Commission</td>
</tr>
<tr>
<td>UNIFEM</td>
<td>United Nations Fund for Women</td>
</tr>
<tr>
<td>UPF</td>
<td>Uganda Police Force</td>
</tr>
</tbody>
</table>
Acknowledgment

I want to acknowledge and thank Christine Musuya, the Coordinator for the Center for Domestic Violence Prevention (CEDOVIP), and Lori Michau, the Co-director Raising Voices, in a very special way for offering me all the necessary technical support that enabled me to compile this Police Domestic Violence Handbook. It is through their continued support that this book has finally become what it is. It called for a lot of patience and commitment, and without the two I would not have managed on my own.

I also want to acknowledge and thank my colleagues at CEDOVIP and Raising Voices for their moral support. I was always sharing with them how the task was hard for me and they would encourage me to push on.

I want to thank all the Police Officers of the Child and Family Protection Unit and Community Liaison from Kampala Extra Region and the Department of Community Affairs Police Headquarters who have been helpful and spared their precious time to read through the publication and give their comments. In a special way I would like to thank ASP Dorothy Awori and W/CPL Baker Isabirye Officers in Charge Child Care and Family Protection Unit Central Police station and Wandegeya respectively and D/Sgt Tusiime Bamanyindo Patrick Central Region for accepting to field test this Police Domestic Violence Handbook.
I would like to acknowledge Connie Geerhart a Victim Services Counselor at the Austin Texas Police Department in the U.S. who gave me a lot of support in terms of reviewing and giving feedback on the Assessment guide, notes for interviewing children, etc.

Finally I want to thank The United Nations Fund for Women (UNIFEM) and other important partners like the American Jewish World Services, Irish Embassy and DFID for their financial support that has made this publication and other programs at CEDOVIP a reality.

Turyasingura Hope
Foreword

Domestic violence has been acknowledged at international, regional, national, community and household levels as a public health, social, economic as well as political danger with adverse effects on women, children, men, communities and the whole nation that requires collective effort to prevent it. There are a number of international and regional human rights instruments that provide legal redress for the victims of all forms of discrimination and violence against women including violence by intimate partners. The Ugandan Government made a commitment to these instruments by ratifying them. The Uganda Police Force as an arm of Government is committed to work with all stakeholders to ensure that the Government’s commitments are fulfilled.

The Center for Domestic Violence Prevention (CEDOVIP) and the Uganda Police Force are partners in the prevention of crime especially domestic violence which is a leading cause of most of other social problems in our society. Domestic violence is a very complex crime that happens between intimate partners requiring those responding to and preventing it to be knowledgeable and skilled in order to effectively support those involved. It is against this background that CEDOVIP and the Uganda Police Force have joined efforts to bridge the knowledge gap among the Police officers on this issue and build their skills to effectively respond to the problem of domestic violence at the police stations.
The handbook is co-published by Center for Domestic Violence Prevention (CEDOVIP) and The Uganda Police Force (UPF) in line with its mission statement of securing life and property in partnership with the public in a committed and professional manner in order to promote development. The theme is domestic violence, human rights and how police officers should respond positively and effectively to domestic violence cases. It provides background information on the problem of domestic violence as an abuse of human rights within our communities and provides guidelines on how to interview the victims, children who are affected by domestic violence as both victims and witnesses, and the perpetuators of domestic violence.

CEDOVIP and the Uganda Police Force under the Community Affairs Department have been working as partners for the last six years. It was realized that there is need to have standardized protocols for officers handling these cases. This led to the development and publishing of this Police Domestic Violence Handbook. The management of CEDOVIP and the Police Force hope that the police personnel at all levels will effectively utilize this Police Domestic Violence Handbook for the benefit of the women and children who are the majority of the victims of domestic violence.

Signed.......................................…       Signed………… ..............…
Asan Kasingye (CP)               Tina Musuya
For Inspector General of Police  CEDOVIP Management
Introduction

Domestic violence is a complex and serious crime in Uganda. In a recent study conducted by the Uganda Law Reform Commission (2006) it was established that domestic violence frequently occurs in homes in Uganda. Findings indicate that 66% of the 3,623 respondents interviewed said that domestic violence happens in their home. Of those who reported that domestic violence happens in their homes 78% were from Northern Uganda, 68% Eastern Uganda, 52 percent Central, 51% Western and Kampala had the lowest with 41%. The respondents included medical officers, law enforcement officers and community members, both men and women. Domestic violence hurts women, children, men and families by creating a culture of fear and mistrust that leads to a lack of intimacy and safety within intimate relationships. Because of the seriousness of the problem, it requires collective responsibility by different stakeholders to effectively prevent it for the benefit of all people but most specifically women and children who most often experience domestic violence.

In the efforts to prevent domestic violence in Uganda, one of the major stakeholders is the Uganda Police Force. The police have a key role to play in an effective response to domestic violence (DV). The police have the power to stop and control socially unaccepted behavior and they have the
authority to respond quickly to violent situations. The Uganda Police Force in response to the problem of domestic violence established a Gender Desk in 1986 and later, in 1989 elevated it into the Child and Family Protection Unit (CFPU).

It is in this regard that Center for Domestic Violence Prevention is working with the Police Institution and specifically the CFPU to strengthen their capacity to be able to effectively handle domestic violence. Among its strategies to improve police response, CEDOVIP has worked with the Uganda Police Force to develop this Police Domestic Violence Handbook to be used by all police officers handling cases of domestic violence. The handbook is a simple guide to assist Police officers to effectively handle domestic violence cases.
Mandate of the Child and Family Protection Unit (CFPU)

The main goal of the Child and Family Protection Unit (CFPU) of the Uganda Police Force is to create an environment in which children and women’s rights are recognized, respected and protected.

The role of the Child and Family Protection Unit (CFPU) of the Uganda Police Force

i) The investigation of all cases related to the abuse of children and women’s rights including;
   - Domestic Violence
   - Rape
   - Defilement
   - Sexual harassment
   - Child abuse and neglect
   - Child labor
   - Indecent assault
   - Child desertion
   - Children offenders
   - Trafficking in women and children

ii) Creating awareness on the rights of women and children.

iii) Counseling children and women victims of abuse

iv) Visit schools and talk to children and teachers on child abuse
Code of conduct for Police officers handling domestic violence cases (from Police Trainer’s Manual)

Police officers shall:
- respect and protect human dignity of both the victim and the suspect
- maintain and uphold the human rights of all persons
- ensure confidentiality
- not inflict any form of torture
- not commit any act of corruption
- ensure the full protection of the health of persons in their custody
- be non violent in both intimate and official relationships
- shall not sexually harass the victim and suspect
What is domestic violence?

Domestic violence includes any threats or acts of physical, emotional, psychological, verbal, sexual and economic harm or abuse between intimate partners (Naker and Michau 2003).

Examples of domestic violence

- Physical violence includes but is not limited to beating, hitting, slapping, burning, or strangulation of a person.
- Sexual violence includes but is not limited to forced sex (rape), refusal to practice safe sex or forcing a person to do sexual acts against their will.
- Emotional violence includes but is not limited to threatening, intimidating, shouting, isolating or humiliating a person.
- Economic violence includes but is not limited to not allowing a person to work, taking all her earnings or not allowing her to participate in financial decision-making.

Domestic violence negatively affects everyone in an abusive relationship including women, men and children. While some men experience domestic violence, it is most often women and children who are the victims of domestic violence.
What are human rights?

Human rights are entitlements that every human being has regardless of sex, race, religion, nationality or any other differences. These rights have been clearly documented in all the international human rights instruments and the Ugandan Constitution of 1995. These rights do not change even if the woman gets married. Some of the rights include:

- The right to life
- The right to equal protection under the law
- The right to liberty and security of person
- The right to equality in the family
- The right to own property
- The right to work
- The right to freedom of speech and expression
- The right to education
- The right to the highest attainable standard of physical and mental health
- The right to marry and have a family with free consent of the two parties
- The right not to be subjected to any form of torture or cruel, inhuman and degrading treatment or punishment
- The right to be accorded full and equal dignity of the person
- The right to equal treatment for women and men including equal opportunities in political, economic and social activities
All these rights are enshrined in Chapter Four of the Ugandan Constitution, 1995

Uganda has ratified the international treaties upholding the human rights and freedoms of all people including the right to freedom from violence. Ratifying means that the Ugandan Government promises to uphold the human rights of its citizens. It is the work of the Uganda Police Force to help ensure that all people in Uganda enjoy these rights.

Chapter four of the Ugandan Constitution provides for protection of fundamental and other human rights and freedoms including the right to life, the right to liberty and security of person, and the right to freedom from torture and other forms of cruel, inhuman and degrading treatment (Government of Uganda, 1995).
Dear Police Officers,

You are welcome to the second part of the Handbook. It gives you guidelines on how to interview domestic violence victims, children who are victims or witnesses of domestic violence, as well as interviewing a suspect.

It has guidelines for risk assessment, safety planning, mediation, and a referral list.

We hope these guides help you provide quality services to those you serve.
Dealing with domestic violence cases
Key Principles
(Adapted from www.vaw.umn.edu)

- Talk to the suspect and the survivor separately.
- Inform the victim about confidentiality and disclosure.
- Do not tell the suspect the source of information.
- Listen calmly to the victim as she tells her story.
- Avoid making judgmental comments or conclusions.
- Give her a chance to express her opinion.
- Avoid telling your own story of violence.
- Help her think through and consider the options for safety for herself and her children.
- Help her assess her risk.
- Give her information about the available resources for abused women.
- Refer her for further support.
Working with women experiencing violence

Key Principles

(Adapted from www.vaw.umn.edu)

- Let the victim know that she is not to blame for the violence.
- Tell her that there is no acceptable justification for violence.
- Remember that an abused woman has tried out other options and she has finally come to police.
- I’m sorry you have to deal with this/experience.
- Assure her of your support.
- Maintain the rules of confidentiality and disclosure which you agreed on with her.
- Do not make promises to her if you are not able to follow through.
- Interview the victim in private; do not allow other people to comment on the case.
Women victims of domestic violence

Interview Guide

Welcome the client. Tell her your name; explain that you will ask her a few questions about her case.

1. What brought you here today?
2. Has violence ever happened before in your relationship?
3. Has the suspect ever threatened to kill or hurt you?
4. Do you feel you are in immediate danger? (If yes, see risk assessment guide on page 18 and 19)
5. Was anyone present when it happened e.g. your children, relative or neighbor?
6. Did you tell anyone when this happened e.g. relatives, in-laws, LCs?
7. How would you like the police to help you?
8. Do you feel safe returning home?
9. There is a chance that your partner could be violent again, how could you plan for your safety in case this happens? (see safety plan guide on page 20)
10. Is there any other information you would like the Police to know about the danger you may be in?
11. Describe the options to the client e.g. written warning to the suspect, arresting the suspect, proceeding to court, mediation session, etc). Explain requirements and implications of each.
12. Would you like to see a counselor or health care provider? (Give client the referral list, help her understand her options).
13. Let the client read the statement you wrote, if she cannot read, read it back to her and ask her if it correctly represents her case and intentions.
14. Explain the next steps that will be taken, ask if she is comfortable with this.
Working with child witness of domestic violence

Key Principles

- Help the child feel welcome.
- Introduce yourself and tell the child your role.
- Ask the child the language s/he is comfortable with.
- Explain to the child that you are going to ask some questions. Assure the child that you want them to be safe and nothing they say will get them into trouble.
- Explain to the child that the violence is not their fault that they have a right to safety and that you are going to try to make sure their home is safe.
- Ask the child a few questions on neutral topics e.g. school, friends, who they live with, favorite activities to first make them comfortable.
- Take special care of who should be present during the interview. Respect the child’s wishes. The child may wish to have another support person with him/her during interview.
- Assure the child that it is okay to respond to any questions with “I do not know.”
- Be patient, go at the child’s pace, do not interrupt his/her thinking.
- Try to use open-ended questions to get more information. Ask yes/no questions only for clarification of details.
Child witness of domestic violence
Interview Guide

1. Begin the interview by asking open-ended questions, such as “what would you like to talk about today? or Do you have any worries or trouble that you would like to talk about today? Tell me about your family-what is it like in your home? What were you told about coming here? Why are you here today? (Use any one question depending on the situation.)

2. Did you see anything happening between your parents?

3. Can you tell me what happened?

4. Did either of your parents try to hurt you? How?

5. Was anyone else with you or around when this happened?

6. Did you call for help? If yes, whom did you call?

7. Were you helped?

8. Are you scared to go home? If so, is there any where you could stay (relative, neighbor?)

9. Explain to the child the next steps, what will happen from here.

10. Would you like to talk with a counselor or probation officer about what is happening at home? If so, explain who they can go to see and arrange for the child if possible.
Working with children experiencing violence
Key Principles
(Adapted from www.vaw.umn.edu)
- Address the child at eye level.
- Be friendly and kind to the child.
- Use simple, direct and user-friendly language.
- Explain the role of the Police to the child in simple language.
- Do not interview a child in the presence of a parent who is the perpetrator.
- Assure the child that he/she is not in trouble.
- Tell the child that police officers talk with many children about domestic violence.
- Assure the child that he/she is not alone, violence happens to other children in other homes. But it’s not okay.
- Ask for the child’s permission in case you want to use the information.
- Respect a child’s love for an abusive parent.
- If a child does not want to speak, accept this and do not threaten or force.
- Encourage the child to give you more information.
- Do not make promises you can not keep.
- Reassure the child that the arrested parent is safe and okay (if appropriate).
- Tell the child the violence is not his/her fault.
- Refer the child to additional services as appropriate.
Children experiencing violence
Interview Guide

1. Please tell me what happened, how were you hurt?
2. Has it ever happened to you before?
3. How does that make you feel?
4. Have you ever reported to anyone like an LC, an Uncle or an Aunt?
5. Is there anybody else who knows that you are experiencing violence?
6. Do you have any injuries on your body now (cuts, bruises, burns, etc)? If so are they hurting you now? (refer to health center if appropriate)
7. Do you feel safe going back home?
8. Is there anywhere else you can go?
9. Explain to the child the next steps, what will happen from here.
10. Would you like to talk with a counselor or probation officer about what is happening at home? If so, explain who they can go to see and arrange for the child if possible.
Working with suspects of domestic violence

Key Principles

(Adapted from www.vaw.umn.edu)

- Calm down the suspect in case he is very angry, anxious or violent.
- Use non-judgmental language when interviewing the suspect.
- Get suspect’s side of the story.
- Avoid the question ‘why did you use violence?’ because it justifies the violent behavior.
- Make sure the suspect is under your guidance and control.
- Avoid telling the suspect what you discussed with his wife / partner.
- Avoid revealing the person who called police in case the police carried out any arrest.
- Do not allow the suspect to dictate over you.
- Tell the suspect that his arrest is a police decision not the victim’s decision.
- Tell the suspect the kind of offense committed.
- Avoid being dragged into issues that are not related to the offense reported.
Suspects of domestic violence
Interview guide

1. Welcome remarks
2. Can you tell me what happened between you and your partner?
3. Has it ever happened before?
4. Are you aware of the crime that you committed? (Explain to suspect what he is being charged with)
5. Are you aware of the consequences of this crime? (Explain to the suspect what will happen next)
6. If case will not be prosecuted, explain to the suspect what other action will be taken (e.g. signed written statement, reporting to LC, etc).
7. Tell the suspect that violence against women will not be tolerated.
8. Would you like to talk to a counselor or other leader? If so, give referral list.
Risk Assessment
(from Goosen with Shaik 1998)
Risk assessment is intended to help the officer to establish how safe or unsafe the survivor might be so that s/he is helped to plan how to secure her safety and the children in case she has any. This risk assessment should be done with any women or children in immediate danger of violence.

Risk Assessment Interview Guide
- Have you ever been seriously injured? Please describe what happened and when it happened
- Have you ever talked to someone about this problem? If yes whom did you talk to?
- Do you have children? If yes do they also experience violence from their father? If yes can you tell me what has ever happened to them?
- Does the suspect have any weapons e.g. gun, big stick, knife, spear, bow and arrow? If yes can you tell me the type of weapon that he has?
- Has the suspect ever threatened you with the weapons mentioned above? If yes what did he do?
- Has the suspect ever threatened to kill or hurt you? If yes when did he threaten you last? How did he threaten you?
- Does the suspect have a history of violence with others? If yes can you give some examples of his violence?
- Has he prevented or stopped you from going out or associating with other people?
- Does he get very upset if you talk to other men or accuse you of having affairs?
- Does he drink alcohol or use any other drugs? If yes does he become violent when he’s drunk?
- Has the suspect ever forced you to have sex?
- Has he ever abused the children?
- Has he ever abused pets/livestock?
- Has he ever strangled you?
- Is there an increase in the frequency and/or severity of the violence?
- Is there any other information you would like the police to know about the danger you may be in? (An event, a specific threat, a feeling you may have)?

Based on the above questions, evaluate the level of risk for survivor.

<table>
<thead>
<tr>
<th>Ranking</th>
<th>Level of risk</th>
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<tbody>
<tr>
<td>1-4</td>
<td>At risk</td>
</tr>
<tr>
<td>5-7</td>
<td>At High risk</td>
</tr>
<tr>
<td>8-10</td>
<td>At Extreme risk</td>
</tr>
</tbody>
</table>

Do whatever is necessary such as referring her to other services for abused women, arrest suspect, find alternative housing.
Creating safety plans with a victim of domestic violence
(Adapted from Goosen with Shaik 1998)
A safety plan is an emergency plan that an abused woman can use to avoid further violence. It is aimed at ensuring the safety of the woman and her children in case she has children. It is very difficult for any woman to escape abuse unless she is supported to prepare for her escape in a safe manner that will not put her at more risk. In this case she can get the support from a police officer.

Suggest options that could protect the victim and discuss them with her; for instance the victim could;

- Tell a trusted person like a family member, counselor, doctor, or spiritual or community leader about her experience and why she feels she is at risk.

- Think of safe places to go to in case of an emergency, like a police station or a church and talk to the religious leader or a women’s shelter if there is one available.

- Contact someone the husband respects and ask him or her to come and stay with her.

- Immediately report to police- Family Protection Unit and LC for intervention.

- Advise her to make an alarm so that neighbors can come to her rescue.
- Contact community counselors/or religious leaders for counseling after she is out of danger because she is likely to be traumatized by the experience.

- She should be advised to keep away sharp instruments/weapons that could be used to hurt her.

- Always have a packed bag of essential items at home and keep them in a safe place (e.g., important papers, extra clothes, identification, etc.)

- Think through a list of possible places that she can run to in case she has to leave the home urgently.

- Keep telephone numbers of close friends, relatives, Police, LC, Religious Leader or family doctor.

- Remember to keep some money ready for telephone calls and taxi fare.
Mediation of domestic violence cases

Key Principles

Ground rules that police should establish when mediating in a domestic violence case.

The police officer should ensure that both the victim and the suspect are:
- ready to discuss without force or coercion
- committed to use non-abusive language
- committed to a fair process
- ready to listen to what the other person is saying
- ready to work towards a mutually satisfying solution
- ready to hear things they disagree with or find painful, without reacting abusively
- ready to accept that some things may need to change
- comfortable with the mediator
- ready to talk quietly and calmly
- ready to discuss without accusing each other
- ready to stick to the issues at hand
- agreeing on the time for the discussion
Mediation in domestic violence cases
Role of Police Officer

Police officers are strongly recommended to avoid engaging in mediation. Whenever possible refer out to a qualified counselor. However, in resource poor settings this is not always possible. Therefore, these tips may assist and guide officers in more effective mediation.

The mediator or Police officer should do the following
1. Define the problem to both the victim and the suspect.
2. Help the victim and the suspect to identify the goals that they want to achieve in the discussion.
3. Help the victim and suspect to open up and discuss their problem.
4. Listen to the individual stories one at a time before he or she can meet them jointly.
5. Help clarify the problem over again for both the victim and suspect.
6. Help victim and suspect to solve the problem by helping them agree on priorities and discuss the possible solutions.
7. Help the victim and suspect to come to a consensus.
8. Make a follow up whenever it is possible.
References:


Department of Community Affairs (date unknown), Informational Brochure, Child Care and Family protection Unit, of the Uganda Police Force


Referral List

The following non-governmental organizations and government institutions are available to assist those experiencing domestic violence.

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<tr>
<th>Organizations</th>
<th>Location</th>
<th>Telephone No.</th>
<th>Services Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Center for Domestic Violence Prevention (CEDOVIP)</td>
<td>Plot 16 Tufnell Drive, Kamwokya</td>
<td>256-41-4531249</td>
<td>General information on domestic violence</td>
</tr>
<tr>
<td>Fida Uganda</td>
<td>Kamwokya Bukoto Street</td>
<td>256-41-4530848</td>
<td>Legal aid to women and children, counseling, advice, mediation</td>
</tr>
<tr>
<td>Legal Aid Project</td>
<td>Acacia Avenue</td>
<td>256-41-4530532</td>
<td>Legal aid to women and children</td>
</tr>
<tr>
<td>The Uganda Human Rights Commission</td>
<td>Buganda Road</td>
<td>256-41-4348006/8</td>
<td>Mediation, counseling women &amp; children, compensation for women victims of domestic violence</td>
</tr>
</tbody>
</table>
| African Network for Protection Against Child Abuse and Neglect (ANPPCAN) | Kira Road, next to Mulago Stage | 256-41-4254550  
256-77-2754550 | Handle cases of child abuse shelter and basic needs |
| The Uganda Police Force                             | Throughout the country        | MTN 112/999 Mango 999  
Celtel 112/999 | All criminal cases including domestic violence |