



FIJI WOMEN'S CRISIS CENTRE

NEWSLETTER

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Abusive men get justice

ABUSIVE MAN DENIED BAIL

A taxi driver who was charged with intent to cause grievous bodily harm was denied bail by Magistrate Salote Kaimacuata on 10th September, 2002.

The court heard that the accused, who had been drunk at the time, had collected his children from school and upon returning home, one of the children informed their mother that the accused had been drinking. The woman feared for her life and left the home. The accused followed her and assaulted her by throwing punches and allegedly using an iron rod to beat

In refusing bail, the magistrate told the man that she did not want to take the risk of releasing the accused as he could assault the victim again.

ABUSIVE HUSBAND IMPRISONED

A man who punched and stabbed his wife was sentenced to 12 months imprisonment. Resident Magistrate Salesi Temo told the accused that he needed to learn a lesson.

The victim told the court that she had reconciled with her husband but the magistrate insisted that her life "might be in danger if he does not learn his lesson now. It is wrong to use a knife to settle a marital problem. He has stabbed you on the hand now but the next time, it may be on your neck. This sentence will send a clear signal to the male population in the country not to stab their wife when they have marital problems."

The FWCC commends the judgements declared in both cases of domestic violence (DV) and appreciates the initiative of the judiciary to deliver justice to the victims; who were subject to horrendous abuse from their violent partners.

By denying bail in the first case, the judiciary has sent a clear message to all abusive men and those members of society that tacitly sanction their behaviour, that the law recognizes domestic violence to be a serious crime and does not intend to condone it. In this particular case, the judgement was a victory for women in defacto relationships, whose social status is frequently stigmatized by society.

The FWCC noted with much alarm the

extensive use of force and violence in both cases, where the perpetrators sought to inflict life-threatening wounds upon their victims by the use of dangerous objects, including an iron rod and a knife, which were complemented by physical punches. Indeed, where such fatal objects are used against women by their partners, the intentions of the attacker become blatantly clear. Thus, there is an urgent need to review the laws pertaining to domestic violence and other forms of violence against women, to ensure that the maximum penalty is guaranteed to perpetrators.

The FWCC has also observed that a substantial number of men who are incarcerated

for domestic violence crimes are often the sole bread-winner in their family. Thus, adequate provisions need to be made in Fiji's legal system to allow for an accused's family to receive some form of welfare benefit. To this extent, comprehensive changes are required in the law so that the accused can continue to sustain his family whilst being incarcerated.

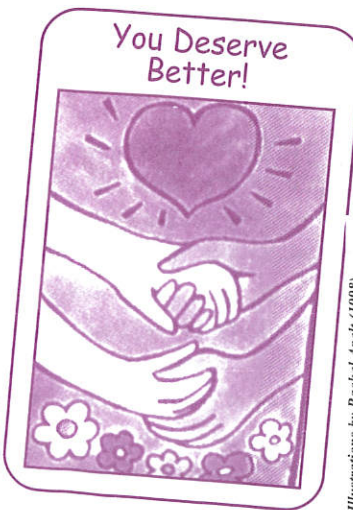
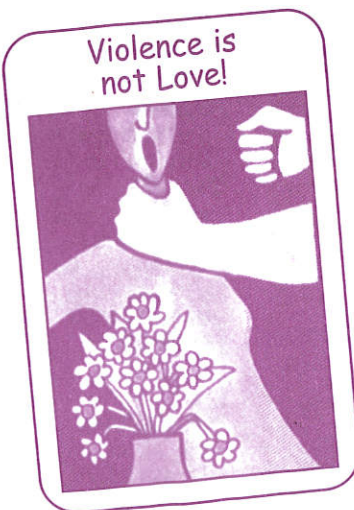
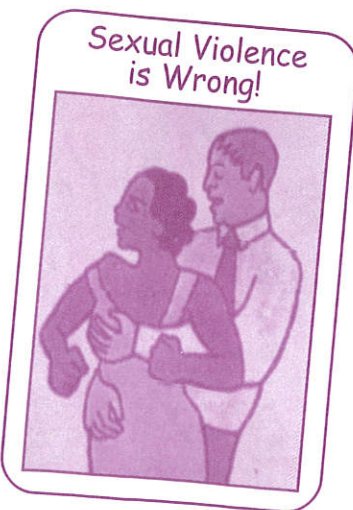
• **What to do if you are experiencing violence . . . continued on page 3**

NO DROP POLICY OF POLICE

- Refers to complaints of violence between heterosexual adults who are living together or have previously lived together as husband and wife (conjugal relationship)
- Under no circumstances will police officers promote reconciliation in DV cases
- All cases will be fully investigated and offenders taken to court
- The policy also applies to police officers



Source: MATCH International Centre



Illustrations by Rachel Apelt (1998)

THE FACTS OF INCEST

MYTH: mothers can tell if their husbands are raping their daughters

FACT: Most men do not have a witness when they rape. Also, child sexual abuse is usually accompanied by threats to make sure the child does not tell her mother or anybody else.

MYTH: fathers rape their daughters because they are not sexually satisfied with their wives

FACT: men who engage in sexual activity with children do so through choice. The common myth that fathers rape their daughters because they are not sexually satisfied with their wives is false! The mother is **NOT** at fault. Rather, it is the man and his need for power and control over the child.

VAKASAMA LASU: E rawa me kila ko tina ni gone ni kucuva tiko na luvena ko watina.

KA DINA: E levu na gauna e dau sega nai vakadinadina ni a kucu ko tagane. E vaka na nodra vakasagai na gone, e ra dau vakarerei me ra kua ni tukutuku vei tinadra se kina dua tale.

VAKASAMA LASU: Era dau kucuva na luvedra na tama ni gone baleta ni sega ni vakacegui ira na watidra.

KA DINA: Era vakatulewa-taka na tagane me ra kucuva na gone. E dau i ubi ni nodra cala na nodra beitaki watidra! **E SEGA** ni cala nei tina, e vakaraitaka ga ko tagane ni tu vua na kaukauwa me vakayaco lomana.

गलतफहमी- मातायें बता सकती हैं कि उनके पति उनकी बेटियों के साथ बलात्कार कर रहे हैं।

सच्चाई- अधिकांश लोग बलात्कार किसी गवाह के सामने नहीं करते। बच्चों के साथ जब अश्लील बर्ताव किया जाता है तो अक्सर उसके बाद उन्हें धमकी दी जाती है कि वह इसके बारे में अपनी माता या अन्य किसी को न बतायें। बच्चों को सिखाया जाता है कि वे बड़ों की बात मानें। यह धारणा इस गलतफहमी से बनी है कि माताओं को यह पता होना चाहिये कि उनके बच्चों के साथ क्या हो रहा है।

गलतफहमी- पिता अपनी पुत्रियों के साथ इसलिये बलात्कार करते हैं क्योंकि उन्हें सेक्स के मामले में अपनी पत्नियों से संतोष नहीं मिलता।

सच्चाई- जो पुरुष बच्चों के साथ सेक्स संबंध रखते हैं वे अपनी मर्जी से ऐसा करते हैं। यह धारणा गलत है कि पिताओं को अपनी पत्नियों से संतोष नहीं मिलता इसलिये वे अपनी बेटियों का बलात्कार करते हैं। माता का इसमें कोई दोष नहीं है। बल्कि इसके लिये जिम्मेदार पुरुष, उसकी मर्दानगी दिखाने की चाहत और बच्चे पर उसका काबू ही है।

INCEST CASE

A 15-year old girl had come to further her education in Suva, where she resided with her aunt and uncle. Within months, her uncle began fondling her until one day in January he raped her. The rapes were continuous to the extent that she fell pregnant. To secure her submission, he threatened to kill her if she ever disclosed his crime and had it not been for the sharp observations of a relative, the abuse would have contin-

ued. Consequently, the victim was taken away and her parents informed.

The matter was reported to police in August 2001, before she returned with her child to her parents. The perpetrator was charged for rape in 2002, one year after the complaint was reported and the hearing will commence in December.

This is one amongst the many cases of incest and child sexual abuse that the Centre receives on a regular basis and which is allowed to stagnate for considerable lengths of time by legal authorities.

• Part 2

WHAT IS INCEST?

Incest is defined as sexual relations between a victim and a member of his/her family-typically a blood relation. The perpetrators are most often the father, step-father, grandfather, brother or another close relative of the victim.

A central concept of incest is the control the perpetrator has over the victim and the use of threats to keep the sexual relationship a secret. Difficulties arise when the perpetrator also abuses the mother of the child, which is a factor in her lack of active intervention to protect the child, due to threats. On the other hand, the intimidation of a victim by the perpetrator could also keep the mother and other family members ignorant of the situation.



Source: Domestic Violence Service, Australia

to life imprisonment. Consent of the victim is immaterial as a defence. Carnal knowledge is complete upon proof of penetration only (s. 183).

The Penal Code also makes provisions for incest by females, whereby a female who is 16 years and over and knows that the male person is her grandfather, father, brother or son and consents to have sexual intercourse with him, can be liable to up to 7 years' imprisonment if found guilty (s. 179).

Recommendations for a review of child laws by the Fiji Law Reform Commission:

- The age threshold of 13 years in section 178 (1) of the Penal Code be raised to 18 years
 - The maximum penalty of life imprisonment should apply to an incestuous relationship with a child under 18 years of age
 - The term 'carnal knowledge' be amended to sexual intercourse
 - A defence of coercion introduced in s.179
- Alas, a very low percentage of cases ever make it to court. If the police do not charge, the perpetrator may be arrested and kept in gaol overnight but could soon be allowed out on bail and possibly return to his family. The rapist often utilizes this time to further intimidate the victim and/or the mother into dropping the charges.

Forms of Child Sexual Abuse

TOUCHES

- the adult touches, strokes or rubs the child in a sexual manner

ORAL SEX

- the adult puts his mouth on the child's genitals and/or makes the child touch his genitals with her/his mouth

VAGINAL/ANAL PENETRATION

- penetration by a finger, penis or other object

PORNOGRAPHY

- the adult shows the child videos or photographs of sexual practices



PHOTOGRAPHS

-the adult takes photographs of the child to be used in a sexual manner

KISSING

- the adult kisses the child in an uncomfortable manner

EXPOSING

The adult exposes his/her sexual organs to the child

-Watching the child undress or bathe and engaging in suggestive behaviour or comments

-Any other means by which children are used by someone for sexual purposes

What to do if you experience violence

• from page 1

PROTECTIVE BEHAVIOUR FOR ABUSED WOMEN

- Ensure there are convenient exits at home so you can escape if the abuse begins
- Keep a clean set of clothes (including clothes for your children) at a reliable family/neighbor's house
- Brief older children about what they ought to do if you are being abused by your partner
- Do not attempt to reason with your partner if he is under the influence of alcohol/drugs.
- Always keep important documents in a safe place and ensure that you take them with you if you have to leave the house (birth certificate of you and your children, marriage certificate, passport, contracts/agreements, etc.)
- Always keep a spare house key
- Always keep the contact details of reliable people near you so that you and your children can contact them if you are being abused. Ensure that your children also know whom to contact in an emergency

HOSPITAL

- It is important that you seek medical attention if you are experiencing violence at home because you may suffer internal injuries and in the long-term, these injuries may prove fatal
- If the doctor/nurse asks you how you received your bruises, you should tell them the truth so that they can provide you with advice (including legal advice) on how to take care of yourself. They can also refer you for counselling

FWCC

FWCC has trained counsellors to give you face-to-face or telephone counselling and discuss the various options available-

to you

- Counsellors can accompany you to hospital for a medical check-up upon request
- Assist to lodge a legal complaint to Police against your abusive partner if you request
- Accompany you to court if you decide to take your abusive partner to court
- Assist to provide temporary shelter if you are unable to secure accommodation on your own
- Assist you to apply for assistance from the Legal Aid Commission
- Explain legal procedures to you, including court system, maintenance, child custody claims and divorce proceedings
- Assist in securing welfare assistance if you are not living with your abusive partner and he is physically unable to pay for maintenance

POLICE

- Submit a statement with the police if you decide to lodge a formal complaint against your abusive partner
- You will be given a medical form and examined by a government doctor and the police will compile a medical report on you. Any charges against your abusive partner will be based on the results of the medical report. Police will also take a statement from your partner
- Police will take your abusive partner to court when the court summons is served
- If the police feel that your life is in

imminent danger, they may accompany you home and wait outside whilst you collect your belongings. It is your RIGHT to ask the court for a Court Order so that police can accompany you to collect your belongings

- The police CANNOT force you to reconcile with your abusive partner if you DO NOT want to

COURT

- If you want to **RECONCILE** with your abusive partner, you can reconcile in court
 - The court will take out a Restraining Order during the court case. A restraining order is a court order that warns your partner not to abuse you within a certain time period
 - The judge will weigh the seriousness of your case and decide whether your partner should be charged or not. The judge will also decide on bail conditions
 - **IMPORTANT:** you should always get a written copy of the Restraining Order so that you can present it to the police as proof if your partner hits you during the period that he is not allowed to. If you cannot get a copy of the order, then remember the date of the court case, the name of the Magistrate who heard your case, and the name of the court in which the restraining order was given
 - If you feel that the court judgement was not good, then you can appeal to the DPP's Office. The DPP will advise police on what action to take next and your case will be heard in court again



Source: MATCH International Centre

Gender training for Social Welfare

Front-line officers from the Department of Social Welfare converged in Suva on the 29th of August for a 2-day Workshop on Gender. The workshop was a first for the staff of Social Welfare and was conducted by the Fiji Women's Crisis Centre.



Gender Agenda - participants at the workshop

In his opening address, Mr. Aseri Rika, the Director of Social Welfare informed the participants of the government's pledge to UN Conventions and national statutes that commits Fiji to address social and gender inequalities and inequities.

Shamima Ali, the key resource person

for the workshop told the participants that an objective of the workshop was to encourage them to examine their attitudes towards gender issues, so that they were better able to comprehend the dynamics of gender in the context of work and personal life.

In explaining his Ministry's mandate, Mr. Rika stressed that gender awareness and mainstreaming was a critical tool in their field of work. In particular, the Ministry was targeting men in eliminating gender disparity by encouraging them to analyze gender roles and expectations in society.



FWCC attachment

Three staff members of FWCC were sent on a practical attachment programme to Australia between 12th - 23rd August. Farida Khan, the Research Officer for the Ba centre, Bimla Singh, a counsellor at the Labasa centre and Bimla Madhavan, a counsellor at the Lautoka centre, attended various training programmes by specialists in their field of work and were attached to service organisations for the duration of their training, which was sponsored by NZAID.

Crisis Centre Community Contact

AUGUST:

- 3rd - SDA CHURCH, SUVA: Role of FWCC, Violence Against Women - Rape, Domestic Violence, Child Sexual Abuse
- 6th - PENANG HIGH SCHOOL, RAKIRAKI: Role of FWCC, Child Abuse, Rape, Children's Rights
- NAKAUVADRA HIGH SCHOOL, RAKIRAKI: Children's Rights, Child Abuse, Rape
- SOROPTOMIST, RAKIRAKI: Role of FWCC, Violence Against Women
- 7th - RAKIRAKI PUBLIC SCHOOL, RAKIRAKI: Children's Rights, Child Abuse, Rape

SEPTEMBER:

- 2nd - STAFF OF COLONIAL BANK, SAMABULA: Role of FWCC
- 17th - POLICE OFFICERS, NASINU POLICE MOBILE: Domestic Violence
- 9th - 12th - SCHOOL TEACHERS, RAKIRAKI: Child Sexual Abuse
- 24th - MALE POLICE, POLICE MOBILE, NASINU: 42 officers participated at Nasinu, where Shamima spoke on the myths surrounding Domestic Violence. The officers were divided into small groups and engaged in focus-group discussions on the various popular myths of Domestic Violence. A representative of each group then had to tell the other participants as to whether his group believed in the myths or not. The participants were honest and candid with their opinions on the expected roles of men and women in society and how such



Edwina with Rakiraki Public School students



Rakiraki teachers discuss Child Sexual Abuse

expectations often led to misunderstanding and violence in the home. Throughout the duration of the programme, a diverse range of views surfaced as to how best police officers could approach the issue of domestic violence in their communities. In particular, the officers were aware of the fact that cultural beliefs could impede their work in upholding the law but that they had to be firm in apprehending people who committed criminal offences in the home,

such as domestic violence.

- USP COUNSELLING STUDENTS: FWCC interventions with clients

OCTOBER:

- 1st - POLICE OFFICERS, NASINU POLICE MOBILE: Domestic Violence
- 5th - ZANANA MUSLIM LEAGUE: Domestic Violence, Child Abuse
- 8th - POLICE OFFICERS, NASINU POLICE MOBILE: Gender, Violence Against Women
- REGIONAL MEDIA, NASINU: Domestic Violence, Reproductive Health
- 10th - DREKENA VILLAGERS, REWA: Domestic Violence
- FULTON COLLEGE: Counselling Skills
- FIJI COLLEGE OF ADVANCED EDUCATION, NASINU: Child Sexual Abuse
- HOLY TRINITY SCHOOL (Classes 7-10), SUVA: Child Abuse, Domestic Violence
- 12th - PRIMARY SCHOOL PREFECTS SEMINAR, SUVA: Child Abuse, Preventative Behaviour
- FIJI ASSOCIATION OF WOMEN GRADUATES, SUVA: Gender Issues for young women
- 14th - NAMOLI WOMEN'S GROUP, MAHASANTOSHI WOMEN'S GROUP, NAMOLI: Role of FWCC, Domestic Violence
- 15th - STUDENTS (Classes 6-8) AND TEACHERS, JASPER WILLIAMS PRIMARY SCHOOL: Role of FWCC, 8 Rules of Safety, Good/Bad touches
- 17th - YEAR II NURSING STUDENTS, SUVA: Sexual Assault, Rape, Child Sexual Abuse
- 21st - VATUKOULA WOMEN'S GROUP, VATUKOULA: Domestic Violence, Rape, Child Sexual Abuse
- 22nd - POST-NATAL MOTHERS, VATUKOULA HEALTH CENTRE: Role of FWCC
- 24th - ZANANA MUSLIM LEAGUE: Role of FWCC, Domestic Violence

STAFF PROFILES



NAME: Naeemah Khan (Suva Centre)
POSITION: Research/Information Officer
EDUCATION: BA (Majors in Population Studies/Demography and Sociology, USP)
JOB DESCRIPTION:

Identifying and coordinating research relevant to FWCC work, compiling monthly statistics, compiling information packages for students and awareness raising

REFLECTIONS: "I joined FWCC in 2001 and I have found it to be an enriching experience to date. My field of work has greatly empowered me as a young woman and has reaffirmed my belief that we need to work towards a society free from violence."



NAME: Sera Bogitini (Labasa Centre)
POSITION: Project Officer
EDUCATION: currently pursuing a BA in Sociology and Psychology, USP
REFLECTIONS: "It is a

privilege and a challenge to work for the Labasa Crisis Centre. I am privileged in that I am able to utilise my knowledge to contribute in some way towards our target of eliminating all forms of violence against women and children. My work also proves to be a challenge in that I have to regularly remind myself to be assertive and not allow my emotions to take over me when assisting clients."

LISTEN TO US ON RADIO EVERY WEEK

You can listen to FWCC staff on the radio talking about the work of the Crisis Centre and the issues that we deal with. These radio programmes are available in English, Fijian and Hindi on the Bula Network.

Fijian: 4.45pm on Radio Fiji 1 Every second Sunday

English: 9.30am on Bula 100.4FM Every Tuesday

Hindi: 11.15am on Radio Fiji 2 Every second Tuesday