

**Response to Public Accounts Committee Questions and Recommendations on the Elimination of Violence against Women Report**

The Committee has taken note of the Auditor General's Key Findings and Recommendations provided for on page x – xvii. In view of this, the Committee requests if you could provide an update on the recommendations provided by the Auditor General together with the necessary evidence to substantiate the statements that will be provided for during the Committee hearing.

No.	Key Findings	Auditor General's Recommendations	MWCPA Remarks
<b><i>Framework regulating the activities on the Elimination of Violence against Women</i></b>			
1.	Despite the existence of relevant provisions in the Constitution and enactment of various legislations in addressing gender-based violence, there are several challenges in effecting them. These include factors such as legislation being gender neutral whereby victims of gender- based violence can be disadvantaged, problems at the implementation level, and minimal use of legislation by women themselves.	<p>The Department of Women should ensure that:</p> <ul style="list-style-type: none"> <li>• Dialogue with Civil Society Organisations, NGO's and Women Rights Organisations is strengthened to ensure that legislative reform is conducted in a more integrated and comprehensive manner;</li> <li>• Prevention programs are focused on the prevention of coercive control and emotional violence, as well as physical and sexual violence, in addition rights of women and girls should be actively promoted;</li> </ul>	<ul style="list-style-type: none"> <li>• To ensure dialogue and increase awareness of legislation, the MWCPA partners with Civil Society Organizations, NGO's and Women's Rights Organizations. In addition, the Department of Women through the Ministry has established Ministers Forum consisting of the mentioned Organizations. The existence of such forum and strengthening of existing forum has enable the Department of Women to dialogue continuously on issues in relations to women's development. Including the REACH program which brings rights awareness and legal aid to rural communities.</li> <li>• We note your recommendation and we shall advise the EVAW Task Force and work with stakeholders to consider law review.</li> <li>• The Department of Women, through the Ministry's</li> </ul>

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		<ul style="list-style-type: none"> <li data-bbox="804 370 1262 597">• Awareness and prevention programs are be delivered in such a manner that deliberately challenges the patriarchal (male dominated/male controlled) way of thinking for both men and women;</li> <li data-bbox="804 670 1262 898">• More attention is given to targeting isolated and vulnerable communities where various research findings have shown that women and girls to be at the greatest risk;</li> <li data-bbox="804 971 1262 1198">• More effective awareness programs especially on the rights and the various laws and services available to women are implemented at the targeted high risk areas;</li> </ul>	<p data-bbox="1392 264 1927 743">Rights, Empowerment, Awareness, Cohesion (REACH) program provides a range of services to rural communities, inclusive of legal aid, police, medical services, social welfare services and child protection services, consumer rights etc. The REACH bus visits conducts outreach to remote areas. REACH is a whole of Ministry and whole of government program, working with relevant Ministries/Departments and NGO's to bring legal services to rural areas.</p> <ul style="list-style-type: none"> <li data-bbox="1346 768 1927 1044">• Agreed. Gender based violence training has been undertaken continuously, working with Non-Government Organizations. The Ministry recently jointly rolled out the National Service Delivery Protocol for responding to cases of Gender Based Violence in partnership with CSO's.</li> <li data-bbox="1346 1068 1927 1401">• The Department of Women is noting AG's recommendations. The Ministry is embarking on the development of the National Action Plan to Prevent Violence against Women and Girls within this process, is a rigorous national consultation process in order to understand and agree on the causes of VAWG and to develop options and</li> </ul>

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		<ul style="list-style-type: none"> <li>Continue to collaborate with Civil Society Organisations (CSO's), NGO's, Women's Rights Organisations and other bodies in order to provide sufficient awareness to women to exercise their rights under the laws when victimised; and</li> <li>To "unlearn" old beliefs that perpetuates domestic violence such as acceptance of violence from husbands and other beliefs.</li> </ul>	<p>solutions for address this based on evidence.</p> <ul style="list-style-type: none"> <li>The National Action Plan will be accompanied by a National Communications Strategy/Social Marketing) to ensure alignment and consistent messaging on prevention across a variety of channels to reach multiple levels of society in Fiji. To change attitudes nationally and to engage men and boys in collaboration.</li> </ul> <p>The National Action Plan approach will be:</p> <ul style="list-style-type: none"> <li>✓ - Whole of Government</li> <li>✓ - Whole of Population Approach</li> <li>✓ - Inclusive (ALL women and girls)</li> <li>✓ - Transformative (addressing root causes)</li> <li>✓ - Evidenced-Based (strong M&amp;E)</li> <li>✓ - Accountable (with costed budgets and plans)</li> </ul> <ul style="list-style-type: none"> <li>The Department is working with Ministry of iTaukei Affairs to ensure that community members are involved in community programmes. A focused training with ITAB was undertaken at national level in 2017/2018FY and in the 2018/ 2019 Divisional Roll Out of the SDP noted the participation of the</li> </ul>

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			<p>ITAB. Late last year during the 16 Days of Activism to end VAWG, the Ministry partnered with ITAB to further this commitment working with communities.</p>
2.	<p>There is no specific policy developed for ERAW. However, this is incorporated as a section within the National Gender Policy which gives the overarching direction for ERAW and is managed by the MWCPA. Although this effort is acknowledged, the National Gender Policy has not been revised since its adoption in 2014. In addition, the "No Drop Policy" has not been reviewed since its establishment in 1995 and re-affirmation in 2013. However, the Fiji Police Force has indicated that they have recently completed the review process with the revised policy still in its draft stages.</p>	<ul style="list-style-type: none"> <li>• The Department of Women should ensure that policies relating to ERAW are regularly reviewed in consultation with relevant stakeholders.</li> </ul>	<ul style="list-style-type: none"> <li>• The Department of Women is noting AG's recommendations. We shall strategise to work with other stakeholders in terms of review of policies. The Department is currently developing the new Strategic Plan which replaces the former WPA.</li> <li>• The Department of Women has reviewed the National Women's Plan of Action as part of the progress report for the Beijing Declaration and Platform for Action +25.</li> <li>• Recently work undertaken in relation to the reviewing and evaluation of policies is being undertaken through consultation with stakeholders and women's groups.</li> <li>• The ERAW Taskforce is also working on consultations on shelter standards for agencies managing homes for survivors of gender-based violence.</li> <li>• The Department just established the Domestic</li> </ul>



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			<p>Violence Support Fund as a pilot initiative.</p> <ul style="list-style-type: none"> <li>The DoW has now moved into a consultative approach working with CSOs not only on EVAW but on other programs and activities.</li> </ul>
3.	<p>It has been four years since the establishment of the National Gender Policy in 2014 which may not be sufficient to form strong coordination initiatives to address the issue of violence against women. It is therefore pleasing to see that based on the evidence gathered during our audit, coordination exists in four out of six coordinative initiatives outlined in the National Gender Policy regarding gender based violence. However, there is still room for improvements with respect to the following initiatives:</p> <ul style="list-style-type: none"> <li>Monitoring the effectiveness of the No Drop Policy in domestic violence cases in the Fiji Police Force; and</li> </ul>	<ul style="list-style-type: none"> <li>An inclusive and coordinated approach to the review and evaluation of policies and regulations should be spearheaded by the Department of Women.</li> </ul>	<p>Agreed. The Department of Women is noting AG's recommendations. We will strategize on how this can be implemented with the Fiji Police Force under the new 2020-2025 Plan of Action strategic framework.</p> <p>Agreed. The Ministry will consider how to monitor the No Drop Policy. We shall include review of the Domestic Violence Act into the new Strategic Plan.</p>

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	<ul style="list-style-type: none"> <li>Analyzing the effectiveness of the Domestic Violence Act 2009 and ensure continuing review of its provisions based on the effectiveness of the implementation of the law.</li> </ul> <p>Given that the Service Delivery Protocol has just been finalized, its implementation cannot be assessed just as yet.</p>		
4.	<p>Absence of review of Fiji's legislative compliance with CEDAW provisions. However, the DoW has confirmed that for Fiji's current situation, the preparation of the CEDAW State Reports, its follow-up report, the Beijing Platform for Action (BPA) review reports and the Country Gender Assessment will constitute the most suitable review process.</p>	<ul style="list-style-type: none"> <li>The Department of Women should ensure that efforts are coordinated with stakeholders such as NGO's and CSO's to conduct reviews on Fiji's legislative compliance to the CEDAW provisions, based on the most appropriate indicators similar to the one used in the UNDP and UNIFEM review report.</li> </ul>	<p>The Department of Women is noting AG's recommendations. Consultative approach has begun and being strengthened.</p> <p>For example, consultative process of review was undertaken in 2019 for the preparation of the Beijing Platform +25 and the summary report will be available on our website.</p> <p>We intend to continue this review process as advised.</p>
5.	<p>Strategic Objectives of the International Action Plan placed more emphasis on</p>	<p>The Department of Women should ensure that:</p> <ul style="list-style-type: none"> <li>Plans for the development of the next</li> </ul>	<p>The Department of Women is noting AG's recommendations and the recommendations will be</p>

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	<p>preventative or pro- active measures whereas WPA had more focus on reactive measures in terms of responding to victims of gender based violence. Therefore, there is weak alignment between strategic objectives and the action plans due to the lack of effort by the DoW in undertaking research work on the root causes of violence against women.</p>	<p>WPA are properly aligned to the Beijing Declaration and Platform of Action.</p> <ul style="list-style-type: none"> <li>Strategic objectives in the WPA document clearly capture what the action plans purports to reflect.</li> </ul>	<p>observed as the department develops the new WPA aligning to CEDAW, BPA and the SDGs.</p>
6.	<p>The Policy and Research Unit within the DoW depend on the research carried out by Civil Society Organisations and Non-Government Organisations for the development and implementation of Women's programs. They have not engaged or conducted any proper research to gauge the true root-cause of violence that women face. Therefore, there can be a risk that the conclusions drawn from these research findings could lead to ineffective measures and programs implemented, given the change in times.</p>	<p>The Department of Women should:</p> <ul style="list-style-type: none"> <li>Strengthen its Policy and Research Unit.</li> <li>Properly demarcate work, so that research work is separate and distinct from the monitoring and evaluation function of the Department.</li> </ul>	<p>The Department of Women structure has been reorganized as such with effect from 2018.</p> <p>Monitoring and Evaluation is now being conducted by the Poverty Monitoring Unit in conjunction with designated M&amp;E officers.</p>
7.	<p>Indicators for the achievement of target 5.2 of SDG 5 revealed that the provision and</p>	<p>The Department of Women should strengthen its coordinating and data collection</p>	<p>The Department of Women is noting AG's recommendations.</p>

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	<p>availability of data is important. However, given the multiple agencies, in Fiji's context, there is no single responsible agency for coordinating and collating data. However, there is clear correlation between the programs and projects outlined in the NDP to the activities in the WPA.</p>	<p>and collating strategies in collaboration with relevant stakeholders such as the Fiji Police Force and other stakeholders.</p>	<p>The Department is now in the process of undertaking a Cabinet Approved National Gender Assessment which will review evidence.</p> <p>The EVAW Desk of the Department of Women is currently collating information in regards to cases of gender-based violence through the Domestic Violence Helpline and in collaboration with the Fiji Police Force. Information of Gender Based Violence cases from the DPP's office and MEPIR will be included.</p>
8.	<p>In considering the changes over time, the MWCPA was able to properly transit between the two Women's Plan of Action.</p>	<p>We acknowledge this achievement. However, please advise what were the challenges and how was the MWCPA enabled to overcome this?</p>	<p><b>Challenges</b> included the:</p> <ul style="list-style-type: none"> <li>• Commitment from various Stakeholders/Development Partners identified as implementers to the Women's Plan of Action.</li> <li>• The establishment of the Taskforces on the identified five (5) thematic areas of the WPA which also commits Stakeholders to be a part of this forum in implementing the strategic direction for action identified in the WPA.</li> <li>• The non – progression of some Taskforces.</li> <li>• Absence of systematic monitoring and evaluation systems for all programmes under the WPA</li> </ul>

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			<p>thematic areas</p> <ul style="list-style-type: none"> <li>There was no national baseline data available at the time.</li> </ul> <p><b>Enabling Factors:</b></p> <ul style="list-style-type: none"> <li>The first WPA was progressive in its implementation due to the progressive Taskforce that were in place. Taskforces were chaired by designated DS's while the Ministry acts as the Secretariat to the Taskforces;</li> <li>The establishment of the Inter-Ministerial Committee on Women;</li> <li>The Transition between the first WPA to the 2nd WPA noted a midterm review undertaken in 2004. The review provides the basis and recommendation on the way forward for the 2nd WPA (2010 – 2019);</li> <li>The implementation of the WPA was allocated annual budget from government;</li> <li>The Department of Women expanded its staffing since the first WPA was launched in 1998.</li> </ul>
9.	The DoW has successfully transitioned over the years since 1960 from being a section	<p>We acknowledge this achievement.</p> <p>As above - was this a policy decision or was this</p>	<ul style="list-style-type: none"> <li>This was not a policy decision initially.</li> </ul>

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	<p>within Government, looking after Women's interest, to the DoW within the MWCPA in 2009. The Department has continued to pursue its roles as primary advisor to Government on public policies that affect women.</p>	<p>to align Fiji to the international benchmarks/legislations/conventions/etc. Which resulted in the creating of the DoW?</p>	<ul style="list-style-type: none"> <li>The Women's Section became the Ministry of Women mandated by government to undertake a wide range of responsibilities to ensure women's equal and active participation in the economic, social and political sector. Since then, the Ministry of Women portfolio has moved administratively over the year to the Ministry of Education, Science and Technology (1991), Ministry of Information (1997), Ministry of Women and Culture (1998), Ministry of Women, Culture and Social Welfare (1999) and Ministry of Women, Children and Poverty Alleviation (2014).</li> </ul>
10.	<p>While the Fiji Police Force has developed its strategic plan for the duration of four years, the MWCPA, at the time of the audit, did not have a strategic plan. The Ministry however has now formalized a 3 year strategic plan for the years 2019 to 2022.</p>	<p>The Ministry of Women Children and Poverty Alleviation (MWCPA) should tailor make the National Strategic Plan to meet the needs and objectives of their Department, through the development of a strategic plan for the Ministry itself which will be cascaded to the ACP encompassing gender based violence.</p>	<p>The Department of Women is noting AG's recommendations. The MWCPA has now a strategic plan which is a five year plan from 2018 to 2022.</p> <p>However, the WPA has been reviewed and the Department of Women is now developing a Strategic Plan/Framework for the next 5 years.</p>
11.	<p>While we acknowledge the efforts of both lead agencies in publishing their Annual</p>	<p>The Ministry of Women Children and Poverty Alleviation (MWCPA) should develop Annual</p>	<p>Agreed and accepted. Planning is now strengthened with the inclusion of a more robust Corporate Division and more</p>

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	<p>Corporate Plans (ACP), there was a delay in the preparation and endorsement of the MWCPA ACP for the years 2016/2017 and 2017/2018. In addition to the non-preparation of the 2017/2018 Department of Women Business Plan, the formulation of other organisation plans such as the Annual Work Plans for the MWCPA were not consistent over the years. On the other hand, the Fiji Police Force have consistently prepared and published Annual Corporate plans.</p>	<p>Corporate Plans (ACP) for the Ministry and Business Plans for the Department of Women in a timely manner.</p> <p>The Department of Women should:</p> <ul style="list-style-type: none"> <li>• Develop and customize Annual Work Plans (AWP);</li> <li>• Capture targets/outputs in the Individual Work Plans for the effective measurement of the agency's or department's performance.</li> </ul>	<p>efficient monitoring of all Ministry work units.</p> <p>The Annual Report for 2017-2018 which is the year of this audit, has been compiled and published.</p> <p>The Ministry submitted the Cost Operational Plan for 2019 to 2020 on time and has undertaken a midterm review and is now drafting 2020-2021.</p>
12.	<p>Non-establishment of the Executive Gender Management Team and National Advisory Committee since the adoption of the WPA in 2009.</p>	<p>The Department of Women through the EVAW Taskforce should establish the Executive Gender Management Team (EGMT) and the National Advisory Committee.</p>	<p>The Department of Women is noting AG's recommendations. This will be reviewed under the new plan of action/strategy, to determine the process.</p> <p>However, there is now a Permanent Secretary EVAW Task Force established to review National Action Plan and to focus on ending VAWG using a whole of government approach.</p>

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13.	<p>The EVAW Taskforce is the most active thematic desk in the Women's Plan of Action. However, there are weaknesses in relation to inclusivity, coordination, sustainability, and administration of the taskforce.</p>	<p>The EVAW Taskforce should consider:</p> <ul style="list-style-type: none"> <li>Faith-based organisations actively involved in the prevention of violence against women and girls through their missionary work as well as through their welfare and support;</li> <li>Organisations that have been discussed and agreed upon to be part of the Taskforce should be done in a timely and consistent manner.</li> </ul> <p>The EVAW Taskforce should ensure that:</p> <ul style="list-style-type: none"> <li>Scheduled meetings are adhered to as captured in the Taskforce Terms of Reference;</li> <li>Develop a Training register to capture an analysis of each stakeholder involved in the fight for EVAW;</li> <li>List the training facilitators and the type of trainings they provide and the number of training already provided, dates and its facilitator;</li> <li>All issues, recommendations,</li> </ul>	<p>The Department of Women is noting AG's recommendations.</p> <ul style="list-style-type: none"> <li>Faith Based Organizations are a part of the EVAW Task Force. In addition, the NAP Advisory Group includes faith based organizations as key advisors.</li> <li>The Department through the Ministry is holding consultations in 2020 on the development of the Prevention Action Plan and the role of various service providers is critical in this process.</li> <li>The Taskforce members were endorsed by the Ministry Executives. Organizations members of the Task Force were invited to participate at the Taskforce meeting. Last Taskforce meeting was held on 11th October, 2019.</li> <li>The Department is working towards schedule meeting on a quarterly in accordance with the TOR. The last 2 meetings in 2018 were in July and October. The next meeting will be in January, 2019.</li> </ul>



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		<p>proposals, requests and suggestions are resolved and conducted accordingly in a timely manner;</p> <ul style="list-style-type: none"> <li>• The EVAW Taskforce Secretariat should ensure that meeting minutes are properly signed and endorsed by the Chairperson, prior to circulation of the minutes to the members of the Taskforce.</li> </ul> <p>The Department of Women should ensure that:</p> <ul style="list-style-type: none"> <li>• All members of the EVAW Taskforce are present at the scheduled monthly meetings as per Terms of Reference;</li> <li>• A quorum is called before any meeting proceedings.</li> </ul>	<ul style="list-style-type: none"> <li>• The next Taskforce meeting will be held after the delegation has returned from the CSW64 meeting in New York in March 2020.</li> <li>• The Department had developed a Service mapping form which had been sent to Taskforce members. However, only 2 stakeholders responded. This will be looked into as part of the consultation on the Prevention Action Plan.</li> <li>• The Department of Women is noting AG's recommendations. The Department EVAW Desk has recently established a training database consisting of the training provided in collaboration with government and NGO's, dates of training , training participates with sex and age desegregated data.</li> <li>• The Department of Women is noting AG's recommendations on the recommendations, proposals, requests and suggestions are resolved and conducted accordingly in a timely manner.</li> <li>• The Department of Women sent meeting notices to</li> </ul>

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			Taskforce members and follow up ensuring that members are present. We do ensure there is a quorum. As per the Terms of Reference the meeting can only proceed with sixty percent representation or more. The 1st meeting for FY 2020 noted 74% member's agency participating at the meeting.
14.	Management of Financial Resources is compromised by the absence of budget proposals and the non- maintenance of expenditure listings for the EAW vote for the MWCPA.	<p>The Department of Women should ensure that all Budget proposals are properly kept and maintained.</p> <p>The WPA desk officer should maintain an expenditure listing/ledger for the EAW thematic area, and the remaining thematic areas for that matter.</p>	<p>The Department of Women is noting AG's recommendations. The MWCPA Accounts send monthly departmental expenditure breakdown and this keep the department well in check with its utilization.</p> <p>In addition, some of the specific EAW activities have proposals (e.g. DV helpline, SDP roll out, ZTVFC Training etc.)</p>
15.	<p>Management of Human Resources is compromised by the increase in vacant positions at the MWCPA, Policy and Research unit not carrying out its intended purpose and absence and unsigned Individual Work Plans.</p> <p>On the other hand, even though the Fiji Police Force has had increased percentage</p>	<p>The Department of Women to ensure that:</p> <ul style="list-style-type: none"> <li>• All vacant positions are filled with the appropriate candidate as soon as practicable;</li> <li>• Strengthen the Policy and Research Unit;</li> <li>• Properly demarcate work, so that research work is separate and distinct from the monitoring and evaluation</li> </ul>	<p>The Department of Women is noting AG's recommendations. This is an administrative process for the whole Ministry. Corporate's recruitment schedule will see the advertisements of all the DoW posts after DSW. This is currently on schedule in line with the review of DoW JDs.</p> <p>The Policy and Research Unit's strengthening under the reorganized structure effective since 2018.</p>

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	composition of women from 2014 to 2017, women still make up a small percentage of the Fiji Police Force work force. Even so, women in prominent positions within Fiji Police Force are still very low.	<p>function of the Department;</p> <ul style="list-style-type: none"> <li>IWP's for all substantive post holders are properly developed and signed by the incumbent as well as their immediate supervisors.</li> </ul>	We will continue to finalize this work process to do the same for the thematic desks of the department.
<b>Implementation and Monitoring of Activities on Elimination of Violence Against Women</b>			
16.	<p>Review of the National Domestic Violence Helpline Statistics and Challenges report compiled by Fiji Women's Crisis Centre noted that there is a lack of urgency by relevant stakeholders in responding to domestic violence incidents.</p> <p>Several instances were noted where reports were not submitted by FWCC to Ministry of Women, Children and Poverty Alleviation. The inconsistent reporting by the Fiji Women Crisis Centre indicates poor monitoring and reviewing of projects by the Ministry of Women, Children and Poverty Alleviation. As a result, we could not substantiate whether the referral calls have been</p>	<p>The Department of Women should ensure proper maintenance and up keep of records pertaining violence against women.</p> <p>The Ministry of Women, Children &amp; Poverty Alleviation and Fiji Women's Crisis Centre should ensure honoring stipulations (paragraph 5.7, paragraph 5.9, paragraph 5.21, and paragraph 8.2) in the Grant Agreement.</p>	<p>The Department of Women is noting AG's recommendations. The MWCPA Poverty Monitoring Unit Monitored the DV Helpline in 2019 and the review found adequate management controls in place. We acknowledge that the reporting should be more consistent and statistics more timely and in line with the Agreement.</p> <p>Information include in reports to date, includes the number of calls received with sex desegregated data, types of violence reported, areas from which the calls were made, referrals made to agencies/service providers.</p>

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	<p>progressively improved.</p> <p>Review of documents pertaining to the project on National Domestic Violence Helpline noted that the frequency of reporting made by FWCC was not aligned with the reporting period as specified in the Grant Agreement. FWCC submitted reports on a monthly basis whereas the Grant Agreement specified a quarterly reporting system.</p>		
17.	<p>The assessment of the Relevance, Efficiency, Effectiveness, Inclusiveness and sustainability of the Department of Women's Zero Tolerance Violence Free Community were noted through the delays in hiring external evaluator to undertake the evaluation of ZTVFC project.</p> <p>The Ministry did not review the SOP (Standard Operating Procedures) to assess the effectiveness of accountability of records pertaining to each phases of the Zero</p>	<p>The Ministry of Women, Children &amp; Poverty Alleviation should strengthen its internal processes and ensure proper maintenance and up keep of records pertaining to violence against women.</p> <p>The Ministry of Women, Children &amp; Poverty Alleviation in collaboration with relevant stakeholders should ensure that SOPs are reviewed from time to time.</p>	<p>The Department of Women is noting AG's recommendations.</p> <p>The ZTVFC evaluation is now completed with a final report completed. Recommendation of the evaluation have provided lessons which contribute to the development of the National Action Plan on Prevention of VAWG.</p> <p>This is noted regarding SOP's, however, the ZTVFC program is now being phased into the National Action Plan on Prevention of VAWG.</p>

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	Tolerance Violence Free Community Projects. As a result, records pertaining to the identifications, commitment and declaration phases of each project engaged with ZTVFC were generally lacking with the Ministry of Women, Children & Poverty Alleviation.		
18.	The Memorandum of Understanding (MOU) between the MWCPA and Fiji Police Force expired in December 2018 and is yet to be renewed.	The Ministry of Women, Children & Poverty Alleviation must carry out review of the MOU between Fiji Police Force.	Department of Women is noting AG's recommendations. The Department will be reviewing the MOU with Fiji Police Force in 2020.
<b><i>Performance Review and Reporting of the Activities on the EAW</i></b>			
19.	DoW is yet to develop a comprehensive annual monitoring and evaluation plan for monitoring the impact of EAW programs. The amount budgeted for the implementation of the WPA for the years 2014 to 2016/2017 were not fully utilized which resulted in a savings amounting to \$858, 634.56. Such savings could have been used for improving the monitoring process	The Department of Women should appropriately plan and budget the monitoring and evaluation activities for the EAW thematic area as well as the other thematic areas.	Department of Women is noting AG's recommendations.

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20.	The establishment of the monitoring framework which includes the Ministry for Women Executive Team & National Women's Advisory Council did not eventuate. However, the DoW has established a draft monitoring and evaluation framework which is now strengthened through the Annual Planning Process (i.e. through the Costed operational Plan and Strategic Plan).	The Department of Women should ensure that a monitoring and evaluation framework is developed to guide staff in actually carrying out the monitoring and evaluation activity.	Department of Women is noting AG's recommendations. This will be facilitated in the new work plan.
21.	Delays in the preparation and submission of the Fiji State Reports to the CEDAW Committee.	The Department of Women should ensure that timelines set by the CEDAW Committee is adhered to.	Department of Women is noting AG's recommendations.
22.	Collaboration between Government and NGO's on issues regarding violence against women can be strengthened.	The Department of Women should strengthen Collaboration with NGO's on issues regarding VAW.	<p>Department of Women is noting AG's recommendations. This is an area that the Department has been working on and we will continue to strengthen.</p> <p>We have a range of collaborative mechanisms including the EVAW Taskforce, Advisory group and other consultations in progress.</p>
23.	While we acknowledge the efforts of both lead agencies in publishing their annual	The Ministry of Women Children and Poverty Alleviation should ensure that Annual Reports	Department of Women is noting AG's recommendations.

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	reports, the MWCPA Annual reports for 2014, 2015 and January to July 2016 were submitted to the cabinet office in May 2018 which is contrary to the legislative timeframe stipulated in Section 69 of the Finance Instructions 2010.	are prepared and submitted to its Minister according to the timeline specified in section 69 of the Finance Instructions.	All the Annual Reports up to the FY 2017-2018 have been published. The Ministry is currently compiling the 2018-2019 report.
<b>Gender Responsive Budgeting/Mainstreaming</b>			
24.	<p><b>Is public spending reaching both men and women? Who are the beneficiaries?</b></p> <ul style="list-style-type: none"> <li>• We haven't yet analyzed the MWCPA spending to ascertain how it is segregated between males and females. The MWCPA has undertaken Gender Responsive Budget Training and capacity building of staff and developed a Gender Responsive Budget manual and is planning to work with the MoE and other line Ministries to commence Gender Responsive Budgeting. This is a new initiative;</li> <li>• Currently the MWCPA works closely with stakeholders such as the NGOs, FBOs and CSOs to raise awareness to end VAWG and to provide GBV services for men and women;</li> <li>• We recognize there is a need to specifically identify a budget dedicated to EVAW and including appropriate gender analysis on budget allocations across government.</li> </ul>		
25.	<p><b>How effective is the resource allocation in meeting the needs of both men and women?</b></p> <ul style="list-style-type: none"> <li>• The ZTVFC evaluation has indicated that EVAWG budget has indeed created and raised awareness to end VAWG and assisted communities to better response to Gender Based Violence.</li> <li>• With training in Gender Responsive Budgeting, we aim to improve budget analysis across the Ministry.</li> <li>• This GRB will also link with the departments Institutional Capacity Development (ICD) initiative and shall be inclusive of the Fiji Police Force and other Ministries.</li> </ul>		

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26.	<p><b>How effective is the budget implementation in achieving the overall gender goals?</b></p> <p>There is evidence from current evaluations that activities and programs under the EVAWG desk, have raised awareness on EVAWG. We have services and SD and referral protocols in place to respond to VAWG which communities are now more aware of. However, we now need to work on prevention of VAWG. It is evident from current data, that gender-based violence is a nationwide situation. Therefore, we will now conduct a national consultation on prevention.</p>		

**27. Please provide the sex-disaggregated data for cases referred under Violence against women, men, boys and girls,**

Cases referred under Violence against women, men, boys and girls through the Domestic Violence Helpline is as follows:

**Domestic Violence Cases Referrals for Women and Girls from the  
DV Helpline :  
March 2017 – November 2019**

Agency	Year			Total
	2017	2018	2019	
Fiji Police Force	201	163	173	537
Fiji Women's Crisis Centre	279	390	357	1026
Legal Aid Commission	38	27	17	82
Family Court	11	7	6	24
Department of Social Welfare	35	19	13	67
MHMS	0	0	1	1
HRC	0	0	0	0
Cyber Crime	0	0	2	2



**Domestic Violence Cases Referrals for Women and Girls from the  
DV Helpline :  
March 2017 – November 2019**

Online Safety Commission	0	0	2	2
Ministry of Education	0	0	1	1
Ministry of Labour	1	0	1	2
Save the Children	0	0	1	1
FENC	0	0	1	1
Bayly Fund	0	0	1	1
Provincial Office	1	0	0	1
TLTB	1	0	0	1
Total	567	606	576	1749

The above table shows the cases of domestic violence for women and girls for the year March 2017 - November 2019. Most cases were referred to The Fiji Women's Crisis Centre during the three year's period totaling to **1,026 (59%)** followed by the Fiji Police Force with a total of **537 (31%)** Legal Aid Commission with **82 (5%)** cases. Department of Social Welfare **67 (4%)** cases and Family Court with **24 (1%)** cases. There were other cases ( less than 3) referred to other agencies including Ministry of Health and Medical Services, Cyber Crime, Online and Safety Commission and others.

**Domestic Violence Cases Referrals for Men and Boys:  
March 2017 – November 2019**

Cases Referrals for Men and Boys

Agency	Year			Total
	2017	2018	2019	
Fiji Police Force	36	0	3	39

### Cases Referrals for Men and Boys

Fiji Women's Crisis Centre	0	0	0	0
Legal Aid Commission	13	2	7	22
Family Court	8	0	5	13
Department of Social Welfare	13	11	4	28
MHMS	0	0	0	0
HRC	0	0	1	1
Cyber Crime	0	0	0	0
Online Safety Commission	0	0	0	0
Ministry of Education	0	0	0	0
Ministry of Labour	0	0	0	0
Save the Children	0	0	0	0
FENC	0	0	0	0
Bayly Fund	0	0	0	0
Provincial Office	1	0	0	1
TLTB	0	0	0	0
<b>Total</b>	<b>71</b>	<b>13</b>	<b>20</b>	<b>104</b>

The above table shows the cases of domestic violence for men and boys for the same period; March 2017 - November 2019. Most cases were referred to Fiji Police Force totaling **39 cases (38%)**; followed by the Department of Social Welfare with **28 cases (27%)**; Legal Aid Commission with **22 (21%)**; Family Court with **13 (13%)** There were other cases referred to other agencies including Human Rights Commission and Provincial Office. Interestingly, there was no cases referred to the Fiji Police Force for men and boys in 2018.

End.



**FIJI POLICE FORCE**  
**OFFICE OF THE COMMISSIONER OF POLICE**

Vinod Patel Building, 4½ Miles, Nasinu, P O Box 239, Suva, Fiji Islands  
Telephone: (679)3343 777 Fax: (679)3343 818 email: [fjcompol@gmail.com](mailto:fjcompol@gmail.com)

**Ref: A/11/15**

**Your Ref: Parl. 7/26**

28<sup>th</sup> January, 2020

The Chairperson  
Public Accounts Committee  
Parliament of the Republic of Fiji  
Government Building  
SUVA

Dear Mr. Maharaj

**Re: Fiji Police Response Report to the Auditor General of the Republic of Fiji  
Performance Audit Report on the Coordination of Actions on the Elimination of  
Violence Against Women [Evaw]**

- 1.0 Reference is made to your correspondence dated 16 December, 2019 on the subject above.
- 2.0 We acknowledge with sincerity your invitation for the FPF to present its views on the same on 3 February, 2020 and we look forward to this session.
- 3.0 The FPF submission is appended as Appendix "A", and we shall be available for any further clarification.

Vinaka vakalevu.

Sitiveni.T.Qiliho  
**Brigadier General**  
**Commissioner of Police**

28 Jan, 2020

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FIJI POLICE

DIRECTORATE OF STRATEGIC PLANNING, POLICY,  
RESEARCH & DEVELOPMENT  
FIJI POLICE HEADQUARTERS

FIJI POLICE RESPONSE  
REPORT OF THE AUDITOR GENERAL OF THE REPUBLIC OF FIJI  
PERFORMANCE AUDIT REPORT ON THE COORDINATION OF ACTIONS ON  
ELIMINATION OF VIOLENCE AGAINST WOMEN [EVAW]  
(PARLIAMENTARY PAPER No. 129 OF 2019)

File Ref No: Parl 7/26  
16 December 2019

Hon. Alvick Maharaj  
Chairperson, Public Accounts Committee

Sir,

Key Findings & AG Recommendations [No.]	Status (FPF Response)
1.	<p>a. A <b>No Drop Policy</b> and a '<b>Zero Tolerance</b>' approach exists within the workings of the Fiji Police on any reports lodged in line with Gender Based Violence (GBV), Domestic Violence [DV] or DVRO Violations, and offences against Children. This Instruction is also extended on complaints against staff in the above regards, who are immediately suspended, pending police tribunal, and open court proceedings.</p> <p>b. There is a dedicated <i>Sexual Offences Unit</i> based under the Directorate of CID/HQ as well as the respective five (5) Divisional Police Commanders [DPC's] of the Fiji Police. These Units are further decentralized to the stations across Fiji, dedicated to investigations of sexual abuse and violations of Women and Child victims. Officers in these Units are trained and specialised to attend, and investigate offences and complaints in the likes of the above nature.</p> <p>c. Supervisors are held accountable, ensuring all reports or complaints (within the organisation) are attended and investigated</p> <p>d. Violations does occur, in the likes of: case(s) being unregistered or uninvestigated; reconciliation being prompted; delays in the issue of DVRO and complaints in breach of the <i>No Drop Policy</i>, and instruction(s) in respect to these and other cases. These breaches are dealt with accordingly.</p> <p>e. Training and development, awareness, weekly station and section 'lectures', Command Instructions and '<i>Skype Briefs</i>', advocacy work are carried on and by our officers in various forms. These are inform of in-house staff development and those dedicated for community through our Community Policing, Sexual Offences Unit outreach and other dedicated initiatives dedicated to GBV, DV, and Child Abuse, as well as external stakeholder driven etc. These are conducted throughout the year. Likewise, the Fiji Police partners with a numbers of reputable training and stakeholder agencies (govt. ministries and departments, civil society, embassies, Donor/AID agencies) offering training for its own staff, and those in the community.</p>

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	<p>f. Rightly, a data base or catalogue system needs to have been developed, both for/by Fiji Police and for national stakeholder agencies (local and abroad) for these training (volume, number of officers trained, communities, victims violators, householders visited/counseled, ongoing assessments, medical or professional referrals etc) to be logged for better record keeping, references, audit, and periodical reviews etcetera.</p> <p>Though the Fiji Police conducts its Monthly reporting &amp; Verification exercises (through the Directorate of Strategic Planning, Policy, R &amp; D, which also extends to the monitoring of our corporate Key Performance Indicators (KPI's), two (2) of which are dedicated to Offences Against Women and Children). Capturing data on whatever that has been conducted throughout the month, on a more cohesive and 'real-time' systems based platform dedicated to subject areas such as <i>No Drop Policy</i>, <i>EVAW</i>, <i>GBV</i>, <i>Child Abuse</i> etc is much desired. This will surely enhance our higher level monitoring, audits and reporting capacities.</p> <p>g. A <i>National Committee</i> and dedicated <i>Taskforce(s)</i> exists in the Chairmanship of Minister of Women (MWCPA), and co-chairmanship of Fiji Police (Dpty Commissioner) and other partner agencies.</p> <p>h. A dedicated, automated online web-based portal shall further compliment the works done by the many agencies linked under such a network. Now that the online and sexual offences registration legislation have been enacted, and a commission set-up accordingly, its critical to make these inroads, These systems based interventions shall be for the betterment of all stakeholder agencies (Fiji Police included), elevating national interests, compliance protocols and reporting as well.</p>
2.	<p>a. The revised '<i>No Drop Policy</i>' had been drawn prior to the workings of the Family Law Act; the <i>DVRO</i>; the <i>EVAW</i>; the <i>National Gender Policy</i>; and now the National Committee and Taskforces &amp; Commission. These frameworks and platforms incorporate a variety of framework(s), audit(s), reporting and workings of UN CEDAW and other Women &amp; Child related Conventions, treaties, protocols, here and abroad (Geneva, UNHQ-New York).</p> <p>The review of the Fiji Police '<i>No Drop Policy</i>' is therefore, to systematically incorporate, and reflect the aforementioned frameworks (including those of UN Conventions), standards and compliances, reporting and acquired deliverables etc. These shall/has been materialized through the operational and tactical level compliances of the Fiji Police. Often, standards of compliance, quality and delivery are highly benchmarked, costly, time consuming, infrastructure led investment(s), specialised, and outreach based, to name a few.</p> <p>The full compliance to the workings of <i>No Drop Policy</i> and that required under National and/or International Conventions, protocols and compliance, audits monitoring is more than mere execution of the <i>No Drop Policy</i>, complaints or investigation <i>per se</i>. More of infrastructural change(s), financial and human investment, co-ordination etc is needed.</p>
3.	<p>a. Accurate! the absence of a workforce (or national) database, template or catalogue system of Fiji Police agency, or cross-agency (government) wide coordinated central system or portal of record keeping, all the variety, volume and nature of training, awareness, advocacy, compliance, executions etc becomes difficult, This negates the ability of a cohesive and fully monitor, evaluate, review and evaluate platform for its effectiveness and measure of returns.</p> <p>b. As stated in '1' above, Fiji Police continually engages its workforce on in-house, outsourced and donor/AID based training, development, awareness, advocacy works throughout the year. There are huge varieties of these up skilling and empowerment initiatives, including the delivery of <i>Domestic Violence</i>, <i>EVAW</i>, <i>National Gender Policy</i>, <i>No Drop Policy</i>, <i>Child Welfare &amp; Domestic/Gender Based Violence(s)</i> etc.</p> <p>These are initiated throughout the year by the <i>Training, Operations, Community Policing and Outreach</i> programs and initiatives. A large number of community-govt. and civil society agencies; faith based organisations; women's &amp; youth groups, child welfare, education – schools, sporting clubs, municipal &amp; community policing carnivals, traditional and communal and advisory council set-up are all involved in these programs.</p>



	<p>Nonetheless, the onus is to capture these many initiatives on a cohesive and coordinated platform and record keeping, upon which the workings of <i>Domestic Violence Act, National Gender Policy, DVRO, No Drop Policy, Welfare &amp; Restraining Orders On Child</i>, along with other social data on suicide; gender based assaults, abuse, violations of DVRO, child abuse; homicides, missing persons (women and children), domestic dispute; child welfare can be logged, catalogued and used by stakeholders in various capacities.</p> <p>c. The workings of the Domestic Violence Act 2009, and the associated Service Delivery protocol is a cross-sectorial and a cohesive, centralized framework. This requires human interventions from all parties involved (staffing, training &amp; development, dedicated sections/units), infrastructure development &amp; investment (safe housing, detention and holding centres), sustainable growth, enforcement and monitoring capacities, outreach and advocacy, research etc that is well co-ordinated, catalogued on a digitized online platform etc. to secure measure of implementation, assessments, monitoring, review etc.</p>
4.	<p>a. The Fiji Police is mandated by the law (Constitution and its subsequent Police Act, along with other legislation in the likes of Family Law Act/Domestic Violence; the UN International Conventions to which Fiji has ratified), inclusive of other policy instruments (both National and in-house [Fiji Police]) that warrants this institution to be the 'driver', and in other cases, key stakeholder in this arrangement of EVAW and child abuse and exploitation.</p> <p>The '<i>Function of the Force</i>' as stipulated s.5 Police Act Cap 85 outlines the functions not only bracketed to these propositions of domestic violence [DV], GBV, EVAW, and child abuse etc, but across all spheres of maintenance of law and order, peace, investigation, prevention and detection of crime and abuse etc.</p> <p>b. These equates, to Fiji Police doing and being involved in any in-house as well as stakeholder initiatives that works in line of training &amp; development; empowerment; awareness and advocacy work; enforcement and execution, investigations &amp; detection; prosecutions; extending the cause and functions of fellow Govt. and stakeholder agencies in our quest in EVAW and children. Some activities in these regards include:</p> <ul style="list-style-type: none"> <li>✓ visiting residences, places of confinements (e.g. welfare houses, evacuation centres (disaster-DISMAC), aged care centers, juvenile centres to name a few) and talking to families for not resorting to, and being aware of violence, abuse, neglect, torture, exploitations, and harassment etc</li> <li>✓ increased police presence and participation in all relative programs, initiatives etc</li> <li>✓ conduct police-community and schools, faith based centres and gathering awareness</li> <li>✓ increased enforcement, police helpline (call centre toll-free line), media and PR, radio-tv talk back shows, awareness on DV and DVRO related matters, lectures and presentations in schools, universities, expo, carnivals, conferences, workshops etc</li> </ul>
5.	<ul style="list-style-type: none"> <li>• EVAW Taskforce Committee &amp; Secretariat</li> </ul>
6.	<p>a. Certainly, there has been a shift and increase of percentage of women and children in criminal data, and these are attributed to the changes in legislation (new laws e.g. women and child related, domestic violence, family law, DVRO, welfare and holding and rehab. laws and centres), increased sensitization on GBV, gender equality and fairness, National Taskforces (women and child related), National Policy, awareness, confidence in reporting, contributions of all sectors of society, including CSO's, regional &amp; international agencies, embassies and consulates, awareness and advocacy work from a large number agencies/individuals, groups etc.</p> <p>b. These new and revised laws has brought about increased commitment to enforcement and monitoring by law enforcement &amp; advocacy agencies.</p> <p>c. Relative to the increased manpower, the Fiji Police has incorporate a Cabinet approved Restructure and Reform (R&amp;R) Corporate Project (2018-2022) that shall enable the dramatic increase of staff that will entice better disposition of them to the many demand related areas, such as frontline Operations and Investigations areas. The new structure has a specialised</p>





	sections (Family Protection, Sexual Offences, Women & Children Cells) tagged to each Divisions and stations respectively.
7.	<p>a. Compliance to current legislative comes with the ability of the Fiji Police, and its associated stakeholders agencies (like judiciary (courts), welfare, corrections, ministry health, ministry of women, ministry of labor etc), other CSO advocacy and enforcement agencies, national committees and taskforces to cohesively voice on the current legislation apparatus. This including the Gap Areas to a modern, workable and compliant framework.</p> <p>b. The Fiji Police works closely with the ODPP, the Solicitor-General's Office (Law Reform), the Ministry of Women (national taskforce), Ministry of Welfare, on the agenda of gaps to the current Domestic, Gender and Labor based legislation. Much on the compliance and standards is related to policies, infrastructure, timeliness, reporting &amp; monitoring frameworks, efficient service deliveries etc. The Fiji Police is also drawing up the revised Police Act that shall enable these Gap areas to be plugged in a more co-ordinated manner. The apparent demands of change from the international communities, legal and courts systems, in upon the ability of the Fiji Police to improve upon its enforcement and reporting capabilities.</p>
8.	<p>a. The precursor MOU between the MWCPA and Fiji Police had indeed enabled much cohesion and respectability for the two agencies to achieve much, as they had held Chairmanship and Deputy Chairmanship respectively to the National Taskforces on EVAW, GBV, Women and Child reporting of Fiji to the UN Geneva based Convention Forum.</p> <p>b. The MOU which has lapsed does provides the opportunity for renewed MOU which captures the Gaps in workability of the two agencies, including the policy direction, infrastructure and service delivery gaps and delays. The speedy (efficient) execution of DVRO, warrants, and apparent dilemmas related to courts (DVRO, sentencing, reconciliations) prompts these gap areas to be ever present. The <i>No Drop Policy</i> harbors a stringent control systems of compulsory of enforcement and reporting, whereas spouses many a times harbor reconciliation before proceedings heading courts way. Geographical isolation, unknown whereabouts of spouses, children more at times in their traditional and domestic settings delays compliances and workings of the legislative and MOU frameworks.</p> <p>c. Absence of a centralized, online-database systems linked across the two agencies, as well as shared to other key stakeholders also creates administrative, operations, and reporting/monitoring platform in the above regards.</p>
9 – 11.	<p>a. Unless funded by Donor/AID or government (ministerial) cross-sectorial funding, all funding to these programs, regardless of men or women (gender) or child related are sourced from the mainstream budget of the Fiji Police, as operational, community policing, or training routine activities. These are in turn tagged to the accomplishment of all Corporate KPI's of the Fiji Police, two of which are directly pegged to the reduction women and children related crimes, violence, abuse, exploitation, harassment etc.</p>
12.	<p>a. Comparative data of gender based violence against women, children (boys and girls), Appended as Appendix 'A'</p>

<<<< Ends >>>>



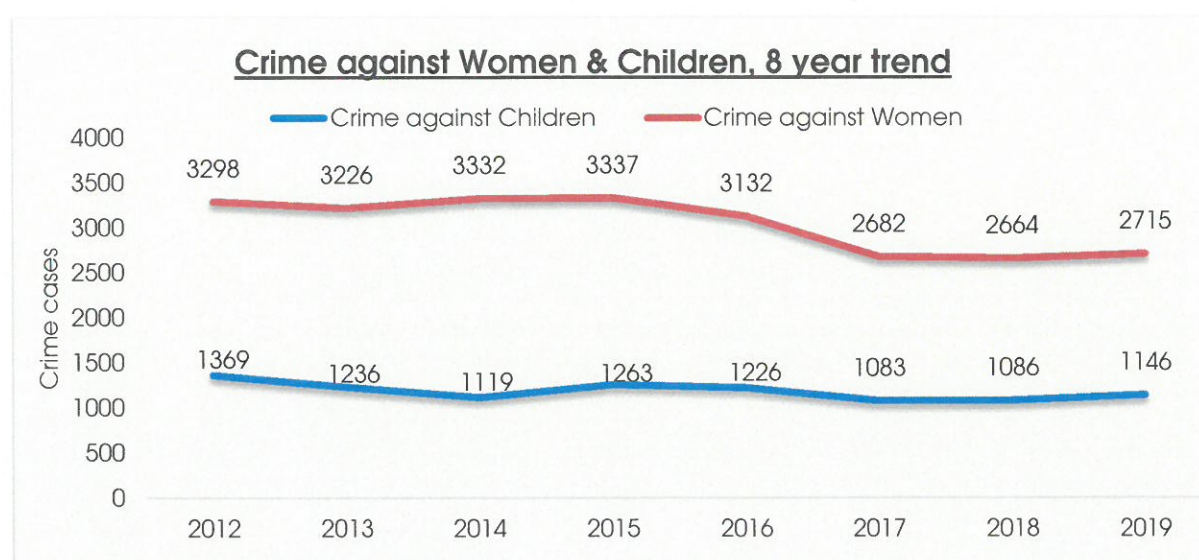
## Appendix A

### GBV – Violence against Women and Children

**Table 1**

Gender Based Violence	2012	2013	2014	2015	2016	2017	2018	2019	Total
Crime against Children	1369	1236	1119	1263	1226	1083	1086	1146	<b>9528</b>
Crime against Women	3298	3226	3332	3337	3132	2682	2664	2715	<b>24386</b>
<b>Total</b>	<b>4667</b>	<b>4462</b>	<b>4451</b>	<b>4600</b>	<b>4358</b>	<b>3765</b>	<b>3750</b>	<b>3861</b>	<b>33914</b>

**Graph 1**



The graph above shows the Crime against Women and Children for the past eight years (2012-2019). The Crime against Women and Children seem to have a downward slope with 2019 showing a slight upward trend. The year 2019 reported a total of 2,715 cases against women; this is an increase of 2% when compared to the 2018 which recorded 2,664 cases.

For the Crime against Children, the year 2019 recorded a total of 1,146 crime cases; this is an increase of 6% when compared to the year 2018 which recorded 1,086 crime cases.





## CRIME AGAINST WOMEN

**Table 2: Sexual Violence against Women by Offence Type**

Sexual Offences against Women by Year									
Sexual Offences	2012	2013	2014	2015	2016	2017	2018	2019	Total
<i>Rape</i>	80	89	67	96	106	49	47	78	612
<i>Attempt to commit rape</i>	37	14	22	17	10	6	10	6	122
<i>Assault with intent to commit rape</i>	1	0	0	1	4	5	0	2	13
<i>Sexual assault</i>	3	9	11	6	13	13	28	16	99
<i>Abduction of person under 18 years of age with intent to have carnal knowledge</i>	2	12	5	4	9	6	5	2	45
<i>Indecent assault</i>	95	79	44	58	79	68	64	64	551
<i>Indecently insulting or annoying ant person</i>	919	1137	1108	897	363	193	122	89	4828
<i>Defilement of children under 13 years of age</i>	0	0	0	0	1	0	0	0	1
<i>Defilement of young persons between 13 to 16 years of age</i>	0	3	3	1	5	1	0	1	14
<i>Defilement of intellectually impaired persons</i>	2	1	3	0	1	1	2	0	10
<i>Incest with any relative</i>	0	1	0	0	5	0	0	0	6
<b>Total</b>	<b>1139</b>	<b>1345</b>	<b>1263</b>	<b>1080</b>	<b>596</b>	<b>342</b>	<b>278</b>	<b>258</b>	<b>6301</b>

The table above shows the types of sexual offences against Women for the years 2012 - 2019. The recent years have recorded vast decreases. For the year 2019, of the total 2,715 crime cases reported, 9.5% of the cases were sexual crimes against women.

**Table 3: Assault-related Offences against Women by Offence Type**

Assault-related Offences against Women by Year									
Assault Offences	2012	2013	2014	2015	2016	2017	2018	2019	Total
Murder	6	5	9	7	7	2	5	13	54
Attempted Murder	1	3	2	0	3	1	8	4	22
Manslaughter	0	0	0	0	0	0	0	2	2
Infanticide	1	0	0	0	0	0	0	1	2
Serious Assault	0	4	1	7	4	9	14	16	55
Act with intent to cause grievous harm	104	54	50	56	37	40	62	43	446
Assault causing actual bodily harm	1669	1470	1602	1727	1943	1764	1734	1812	13721
Assault on Police	6	2	0	0	0	0	2	1	11
Common Assault	182	167	175	189	208	249	257	277	1704
Others against the Person (Criminal Intimidation, Grievous Harm, Unlawful Wounding, Impersonation)	188	174	228	254	291	274	303	288	2000
<b>Total</b>	<b>2157</b>	<b>1879</b>	<b>2067</b>	<b>2240</b>	<b>2493</b>	<b>2339</b>	<b>2385</b>	<b>2457</b>	<b>18017</b>

The table above shows the Assault-related offences against women for the past eight years. The assault-related offences have increased in 2019 by 3% when compared to 2018. The offences that have drastically increased are: Murder, Assault causing actual bodily harm and Common assault.

## CRIME AGAINST CHILDREN

**Table 4: Sexual Violence against Children by Offence Type**

Sexual Offences against Children by Year																		
Type of Sexual Offences	2012		2013		2014		2015		2016		2017		2018		2019		Total	
	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M
1	189	94	17	23	11	1	13	1	17	1	10	1	10	1	12	2	111	9
2	20	1	5	2	12	2	11	0	13	3	9	8	4	1	8	6	82	23
3	0	0	0	0	0	0	1	0	1	0	0	1	0	0	0	0	2	1
4	0	7	22	9	17	3	48	2	58	7	47	8	53	6	44	4	289	86





5	80	4	10	9	99	3	60	3	94	6	85	6	10	7	76	9	695	47
6	137	18	10	12	81	4	89	9	85	9	78	4	94	5	89	8	755	119
7	145	31	10	42	10	3	94	4	56	1	46	1	44	8	34	7	631	185
8	3	0	5	0	8	0	6	0	1	0	5	0	0	0	3	0	31	0
9	98	3	13	3	15	0	12	3	10	1	91	1	83	5	73	4	867	32
10	0	0	1	0	0	0	2	0	0	0	0	0	0	0	1	0	4	0
14	1	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	2	0
17	0	0	3	0	1	0	1	0	0	0	1	0	0	0	0	0	6	0
<b>Total</b>	<b>673</b>	<b>15</b>	<b>65</b>	<b>10</b>	<b>59</b>	<b>8</b>	<b>57</b>	<b>8</b>	<b>58</b>	<b>6</b>	<b>46</b>	<b>5</b>	<b>48</b>	<b>8</b>	<b>45</b>	<b>7</b>	<b>448</b>	<b>704</b>
<b>G/Total</b>	<b>831</b>	<b>750</b>	<b>679</b>	<b>650</b>	<b>649</b>	<b>528</b>	<b>565</b>	<b>535</b>	<b>5187</b>									

F-Female, M-Male

Key: 1 - Rape, 2 - Attempt to commit rape, 3 - Assault with intent to commit rape, 4 - Sexual assaults, 5 - Abduction of person under 18 years of age with intent to have carnal knowledge, 6 - Indecent Assault, 7 - Indecently insulting or annoying any person, 8 - Defilement of children under 13 years of age, 9 - Defilement of young persons between 13 years and 16 years of age, 10 - Defilement of intellectually impaired persons, 11 - Procurement for unlawful practices, 12 - Procuring defilement by threats or fraud or administering drugs, 13 - Householder permitting defilement of a child on premises, 14 - Householder permitting defilement of a person under 16 years of age on premises, 15 - Conspiracy to defile, 16 - Unnatural offence with animals and 17 - Incest by any relative

The table above shows the types of sexual offences committed against Children (persons below the age of 18 years) for the years 2012 – 2019. The sexual crime against children comprised of 85% girls and 15% boys as victims.

**Table 5: Assault-related Offences against Children by Offence Type**

Assault offences (Children)																		
Assault Offences	2012		2013		2014		2015		2016		2017		2018		2019		Total	
Gender	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M
Murder	1	3	1	1	2	0	3	0	1	0	0	0	2	0	3		13	4
Attempted Murder	0	0	4	0	0	1	1	0	1	0	0	0	1	0	1		8	1
Manslaughter	0	0	5	5	0	0	0	1	1	2	1	0	2	0			9	8
Infanticide	0	0	0	0	0	0	0	0	0	0	0	0	0	1			0	1
Serious Assault	0	0	3	0	0	1	2	2	3	0	0	2	0	0	1	1	9	6
Act with intent to cause grievous harm	14	11	7	7	3	4	4	6	4	8	4	6	4	5	2	1	42	48



Assault causing actual bodily harm	99	201	108	165	108	172	132	183	151	199	108	210	114	191	128	246	948	1567
Common Assault	28	37	27	24	15	24	33	52	21	33	22	46	30	49	45	36	221	301
Others against the Person (Criminal Intimidation, Grievous Harm, Unlawful Wounding, Impersonation)	9	9	4	13	14	14	12	14	24	24	14	21	9	12	14	18	100	125
<b>Total</b>	<b>151</b>	<b>261</b>	<b>159</b>	<b>215</b>	<b>142</b>	<b>216</b>	<b>187</b>	<b>258</b>	<b>206</b>	<b>266</b>	<b>149</b>	<b>285</b>	<b>162</b>	<b>258</b>	<b>194</b>	<b>302</b>	<b>1350</b>	<b>2061</b>
<b>G/Total</b>	<b>412</b>	<b>374</b>	<b>358</b>	<b>445</b>	<b>472</b>	<b>434</b>	<b>420</b>	<b>496</b>	<b>3411</b>									

The table above shows the Assault-related offences against children the past eight years. The assault-related offences have increased in 2019 by 18% when compared to 2018. It was noted that boy child are likely to fall victims of physical violence than the girl child.

#### DOMESTIC VIOLENCE AGAINST WOMEN AND CHILDREN

**Table 6: Domestic Violence against Women and Children by Year**

Year	2012	2013	2014	2015	2016	2017	2018	2019
Domestic Violence against Women (Females, age is 18 years or more)	410	358	378	368	652	777	480	621
Domestic Violence against Female Children (Age is less than or equal to 17 years)	41	55	55	48	84	90	87	90
Domestic Violence against Male Children (Age is less than or equal to 17 years)	10	12	14	21	47	41	24	45
<b>Total</b>	<b>461</b>	<b>425</b>	<b>447</b>	<b>437</b>	<b>783</b>	<b>908</b>	<b>591</b>	<b>756</b>

The year 2019 recorded a total of 756 domestic violence cases against women and children while recording 591 cases in 2018. This is an increase of 28%.

**Table 7: Domestic Violence against Women and Children by Division**

Division	2012	2013	2014	2015	2016	2017	2018	2019
Central	-	-	-	-	-	-	-	16
Southern	159	135	213	160	283	325	182	124
Western	100	96	63	133	304	392	278	477
Eastern	130	127	115	86	106	66	25	19
Northern	72	67	56	58	90	125	106	120
<b>Total</b>	<b>461</b>	<b>425</b>	<b>447</b>	<b>437</b>	<b>783</b>	<b>908</b>	<b>591</b>	<b>756</b>

The table above shows the domestic violence cases against Women & Children by division for the years 2012 to 2019. The Western division recorded the highest in 2019 with 477 cases followed by the Southern division with 124 cases, Northern division with 120 cases, Eastern with 19 cases and Central with 16 cases.

**Table 8: Domestic Violence against Women and Children by Ethnicity**

Domestic Violence	Ethnicity	2012	2013	2014	2015	2016	2017	2018	2019
Women Victims	i-Taukei	275	248	282	253	439	533	332	427
	Fijian of Indian Descent	127	106	93	115	185	233	146	188
	Others	8	4	3	0	28	11	0	6
	<b>Total</b>	<b>410</b>	<b>358</b>	<b>378</b>	<b>368</b>	<b>652</b>	<b>777</b>	<b>478</b>	<b>621</b>
Children Victims	i-Taukei	39	51	48	51	88	78	83	86
	Fijian of Indian Descent	12	13	20	18	25	50	25	49
	Others	0	3	1	0	18	3	3	0
	<b>Total</b>	<b>51</b>	<b>67</b>	<b>69</b>	<b>69</b>	<b>131</b>	<b>131</b>	<b>111</b>	<b>135</b>

The table above shows the domestic violence cases against Women & Children by Ethnicity for the years 2012- 2019.

**Table 9: Domestic Violence against Women and Children by Age group**

Domestic Violence	Age Group	2012	2013	2014	2015	2016	2017	2018	2019
Women Victims	18 - 24 years	105	85	99	82	141	170	126	141
	25 - 31 years	121	100	99	119	206	228	121	191
	32 - 38 years	108	81	87	71	149	186	113	137
	39 - 45 years	45	50	43	47	93	111	63	90
	46 - 52 years	19	27	29	31	44	49	26	35
	53 - 59 years	7	7	13	16	13	22	20	16
	60 years and Over	5	8	8	2	6	11	11	11
	<b>Total</b>	<b>410</b>	<b>358</b>	<b>378</b>	<b>368</b>	<b>652</b>	<b>777</b>	<b>480</b>	<b>621</b>
Children Victims	0 - 5 years	5	6	8	10	11	13	12	14
	6 - 12 years	16	22	23	26	50	31	36	45
	13 - 17 years	30	39	38	33	70	87	63	76
	<b>Total</b>	<b>51</b>	<b>67</b>	<b>69</b>	<b>69</b>	<b>131</b>	<b>131</b>	<b>111</b>	<b>135</b>

The table above shows the domestic violence cases against Women & Children by Age group for the years 2012 to 2019.





**FWCC**

**Fiji Women's Crisis Centre**

**FIJI WOMEN'S CRISIS  
CENTRE SUBMISSION:**

**PERFORMANCE AUDIT REPORT ON  
THE COORDINATION OF ACTIONS  
ON ELIMINATION OF VIOLENCE  
AGAINST WOMEN**

**(PARLIAMENTARY PAPER NO. 129 OF 2019)**

### ACRONYMS

<b>CEDAW</b>	<b>Convention on the Elimination of all forms of Discrimination Against Women</b>
<b>CSO</b>	<b>Civil Society Organisations</b>
<b>DV</b>	<b>Domestic Violence</b>
<b>DVA</b>	<b>Domestic Violence Act</b>
<b>DVRO</b>	<b>Domestic Violence Restraining Order</b>
<b>DOW</b>	<b>Department of Women</b>
<b>EVAW</b>	<b>Elimination of Violence Against Women</b>
<b>FBOS</b>	<b>Fiji Bureau of Statistics</b>
<b>FPF</b>	<b>Fiji Police Force</b>
<b>FWCC</b>	<b>Fiji Women's Crisis Centre</b>
<b>GBV</b>	<b>Gender Based Violence</b>
<b>LAC</b>	<b>Legal Aid Commission</b>
<b>MOA</b>	<b>Memorandum of Agreement</b>
<b>MWCPA</b>	<b>Ministry of Women, Children and Poverty Alleviation</b>
<b>NGO</b>	<b>Non – Government Organisations</b>
<b>ODPP</b>	<b>Office of the Director of Public Prosecutions</b>
<b>PS</b>	<b>Permanent Secretary</b>
<b>UDHR</b>	<b>Universal Declaration of Human Rights</b>
<b>UN</b>	<b>United Nations</b>
<b>UNFPA</b>	<b>United Nations Population Fund</b>
<b>VAW</b>	<b>Violence Against Women</b>
<b>VAWG</b>	<b>Violence Against Women and Girls</b>
<b>WHO</b>	<b>World Health Organisation</b>
<b>WPA</b>	<b>Women's Plan of Action</b>
<b>FBOS</b>	<b>Fiji Bureau of Statistics</b>
<b>ZTZ</b>	<b>Zero Tolerance Violence Free Zones</b>

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## 1. BRIEF ON FIJI WOMEN'S CRISIS CENTRE

The Fiji Women's Crisis Centre (**FWCC**) is a human rights organisation, based on the principles as set out in the *Universal Declaration of Human Rights (UDHR)*, democracy and the rule of law and has been in existence for over 35 years.

The goal of the Fiji Women's Crisis Centre (FWCC) is to eliminate violence against women in Fiji and the Pacific, to lobby for women's rights in all spheres of society. FWCC implements this vision through an integrated and comprehensive program designed to prevent and respond to violence, by reducing individual and institutional tolerance of violence against women, and increasing available and appropriate services for survivors, including access to justice.

FWCC addresses the problem of violence against women using a human rights and development framework. This focus on human rights includes a feminist analysis of the problem and permeates all aspects of FWCC's work, recognising that the root causes of violence against women are unequal gender power relations, embedded in patriarchy and the lack of knowledge and belief in human rights<sup>1</sup>.

## 2. INTRODUCTION

Violence against women is a pandemic that is globally recognised as a political, social and health problem. It is a grave violation of human rights. In Fiji, 64% of Fijian women who have been in an intimate partner relationship experienced physical or sexual violence or both by their husband or intimate partner in their lifetime.<sup>2</sup> This is almost double the global average. Though efforts have shown an increase in the number of reported cases, it still remains a crisis.

FWCC has spent the past 35 years in the work towards the Elimination of Violence Against Women (EVAW) at the grassroots level and experience has shown that in order to understand EVAW, one needs to recognise, analyse and understand existing gender dynamics.

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<sup>1</sup> Fiji National Service Delivery Protocol for Responding to Cases of Gender Based Violence *Standard Operating Procedures for Interagency Response among Social Services, Police, Health and Legal/Justice providers* June 2017, p.5

<sup>2</sup> Fiji Women's Crisis Centre, National Research on Women's Health and Life Experiences in Fiji (2010/2011): A survey exploring the prevalence, incidence and attitudes to intimate partner violence in Fiji, *Somebody's Life Everybody's Business*, 2013, p. 146

Fiji has ratified CEDAW and has implemented the Women's Plan of Action with the thematic area on EVAW. The State obligations required by such international treaties and covenants need to permeate through society at all levels starting from executive level to rural and maritime communities.

Bearing this in mind, this submission will discuss the challenges raised in the report of the Office of the Auditor General and will highlight proposals, from the Fiji Women's Crisis Centre's experiences, that can constructively contribute towards the efforts in EVAW work that is being undertaken by the State.

### **3. KEY FINDINGS 1, 2, 3, 4, 10 and 17- CHALLENGES IN EFFECTING LEGISLATIONS IN ADDRESSING GBV**

A significant contributing factor in the lack of proper implementation of the Domestic Violence Act (DVA) is the entrenched belief system, the lack of knowledge of laws and its application, by all service providers in the legal system. Fiji has ratified CEDAW and therefore has undertaken not only to protect women from gender-based violence but also to eradicate social and cultural norms, which prevent women from accessing justice. Attitudinal changes and cultural norms can only be achieved through awareness and training - Gender, Human Rights and Violence against Women trainings (which has a legal literacy component) in the police force as well as all other legal entities so that the legislative provisions are understood and properly implemented because no matter how well a law may appear to set out a framework for equality the real test of the law is in its implementation.

#### **3.01 GENDER NEUTRAL LEGISLATION**

The DVA is a gender-neutral legislation and does not specifically address the fact that the survivors of gender-based violence are mostly women. —

A gender-neutral approach does not take into account the gendered nature of Violence Against Women (VAW). All data shows that most perpetrators are male and victims/survivors are female. —

Gender-neutral laws do not recognise that while everyone is equal before the law, men and women do not have equal bargaining power and standing. It does not pay special attention to the unequal power



relations between men and women and the existing attitudes meting out justice.

Gender-neutral approaches may be responding more to male priorities than addressing women's needs. In reality, women find it more difficult to access the justice system because the laws and society fail to recognise the gendered nature of domestic violence.

FWCC acknowledges that survivors of gender-based violence can be men also however, as data throughout show, most survivors are female<sup>3</sup> and most domestic violence is perpetrated by men. Refer Appendix 1 and 2.

### **3.02 COLLABORATION WITH NON-GOVERNMENT ORGANISATION**

Government through collaboration can draw on the wealth of experience from Civil Society Organisations (CSOs) and Non-government organisations (NGOs) to enable pathways to effective legislative and institutional reforms. ↔

Fiji has a robust feminist women's movement and with 35 years of work in EAW, the Fiji Women's Crisis Centre is recognised nationally, regionally and internationally, should be utilised by the government.

We encourage the government to continue with round table discussions and with that, there should be more open and frank discussions. It is important that the policy makers, lawmakers and the government take on board constructive criticism, along with the accolades.

FWCC recommends that at the government level, a Scrutiny group for EAW and Women's Human Rights be formed. The members of this group can be bipartisan and include the EAW taskforce and experts like FWCC to scrutinize every legislation, reform, programme or policy that addresses EAW.

The Ministry Of Women, Children and Poverty Alleviation/Department Social Welfare (MWCPA) should not take the lead on EAW but play a very integral role on EAW. The CSOs and NGOs have the expertise and programs in place that are already yielding results. In addition, the MWCPA is involved in all spheres of women's development and does not specifically focus on EAW. The magnitude of their mandated work has caused unnecessary delays, which would in turn affect the progress and efficiency of EAW programmes, laws, policies and response work. Furthermore, the necessary qualifications might not be present. We would like to acknowledge that the current leadership of the MWCPA,

<sup>3</sup> Ibid8

in the form of the Minister, has been very conducive in promoting women's human rights and EVAW.

Another challenge is the leadership of relevant stakeholders. Recently a Senior Court Judge while hearing a bail application made the comments that "*Ms Shamima Ali does not support or agree with setting up a Men's Crisis Centre*" and that "*In some cases, husbands get frustrated and they kill their wives*"<sup>4</sup>. Unfortunately, the Judiciary has been silent on these comments. These comments were totally irresponsible because his comments on women's behaviour were verging on justifying men's violence against women.

Furthermore, while FWCC works closely with the Office of the Director of Public Prosecutions (ODPP), the Director of Public Prosecutions had made false written allegations against the head of FWCC and he has failed to respond after all allegations have been refuted. When leadership such as this exists, it is difficult for constructive collaboration to occur. We need progressive leadership if we are committed to ending VAW. /

In 2018, the National Services Delivery Protocol was launched and all the relevant stakeholders undertook to have a survivor centred approach when dealing with survivors of gender-based violence. However, FWCC still faces challenges with the other signatory stakeholders such as the Legal Aid Commission (LAC). Assisting clients in following up on their cases or statuses of their applications with LAC has become a difficult task. There are numerous delays in processing the urgent applications and briefing out of the conflict applications. A lot of emphasis is placed on their internal procedures rather than the urgent needs of the women for protection and remedies under the law. LAC is not responsive to women in emergencies and the delays caused have at times put women's and children's lives in danger. Therefore, FWCC has had to step in to provide assistance. /

Another challenge to EVAW in Fiji is inadequate funding provided for EVAW to MWCPA. In order to meet the deliverables of their programs the MWCPA becomes desperate and looks for funding. This has resulted in acceptance of funds from donors who have their own agendas and the funds usually come with conditions. A good example of this could be seen in projects such as GBV in Disasters.

In addition, another challenge is that international agencies such as UN agencies and other donor entities competing with each other and with

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<sup>4</sup> Naidu.S, (2019), 'Women Gets Burnt on Face For Serving Husband With Biscuit Instead of Dalo: Court Hears', *The Fiji Sun*, 18 December <https://fijisun.com.fj/2019/12/18/woman-sustain-burns-on-face-for-serving-husband-biscuit-instead-of-dalo-court-hears/> [Retrieved 4/2/20]



other local CSOs and NGOs for EAW work. While UN agencies and the other international donor agencies can provide technical assistance, it is important that local experts are not overlooked.

FWCC's experience is that local experts are usually overlooked for outside experts. Consequently, local ideas are not considered and introductions of new programs for EAW, which do not recognize the cultural and religious context nationally are carried out. Here we acknowledge the great initiative of this government to develop a National Action Plan for the Prevention of all forms of Violence against Women and Girls. It is vital that this work is driven by Fiji and not international agencies.

FWCC recommends that a memorandum of understanding be drawn up between MWCPA and international agencies to ensure that there are no duplication of programs, that proper consultations are conducted, and that funds and assistance responds to the needs and development of the people of Fiji.

### **3.03. PROBLEMS AT THE IMPLEMENTATION LEVEL.**

#### **3.03.1 TRAININGS**

##### **i. THE FIJI POLICE FORCE**

The Fiji Police Force is a major stakeholder and they are usually one of the first point of contact for survivors of gender-based violence (GBV).

It has been recommended in the Auditor General's Report that Police recruit adequate manpower to effectively control the increasing incidents of crime including crimes against women. Whilst this is commendable, an increase in manpower is not the solution to combating VAW.

One of the major challenges, which FWCC has experienced, is that the police, including new recruits, lack the knowledge to deal with GBV cases. This has resulted in FWCC employing a Police Liaison Officer to consistently follow up on complaints to ensure that the necessary actions are taken by the Police.

Although the duties of the police officers are outlined in the DVA, there is still a need to provide legal trainings in a very practical manner to the police officers on the implementation of the DVA. Essentially, a thorough understanding of gender, VAW, human rights and the relevant laws would better equip officers to handle GBV cases.

Therefore, there is a need for police officers to undergo mandatory Gender, Human Rights and VAW Trainings which are offered by EVAW experts such as the Fiji Women's Crisis Centre. It is recommended that such trainings be conducted at the recruitment level of the Fiji Police Academy and should take a minimum of at least 3 days. However, it is best that these systematic trainings be conducted over a period of 5 days. All officer-qualifying courses should also include this training as before.

In addition, these trainings should be re-introduced into the academy's curriculum as a qualifying course inclusive of a written exam, as was the process before.

It is important that police officers understand the gendered nature of VAW to be able to respond sensitively and effectively. Data throughout shows that there is a high number of VAW cases being reported to the police as compared to other general crimes.

## **ii. STAKEHOLDERS**

One of the challenges that FWCC faces is when the relevant stakeholders involved in EVAW do not understand the gender dynamics of GBV therefore resulting in insensitive, and sometimes potentially dangerous, responses to survivors. A Senior Court Judge while presiding over a rape case commented that *"Girls also have human rights but practically it's a stupid decision to go and drink with boys in the bushes as the boys easily get sexually active when drunk"*<sup>5</sup>

Entrenched beliefs are hard to shift, however ongoing trainings on Gender, Human Rights and VAW can achieve attitudinal changes. FWCC recommends that the relevant stakeholders such as Legal Aid, Judiciary, the Ministries and the Members of Parliament should undergo ongoing trainings by experts like FWCC on Gender, Human Rights and VAW.

## **iii. COMMUNITY AWARENESS TRAINING BY POLICE**

FWCC does not agree with the recommendations that awareness and trainings on the DVA ought to be provided by the Fiji Police Force as things stand at present.

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<sup>5</sup> Deo.D (2016), 'Girls have rights but practically it's stupid to go and drink with boys in the bushes – Judge', *Fiji Village News*, 24 November, <https://fijivillage.com/news/Girls-have-rights-but-practically-its-stupid-to-go-and-drink-with-boys-in-the-bushes--Judge--ks92r5> [Retrieved 4/2/20] **Refer to Appendix 4**



Practical difficulties with this recommendation includes the lack of in depth knowledge of the law on all forms of violence against women, a lack of understanding of the gendered nature of such violence and the gender insensitive contents of training materials. Understanding of the law ensures proper implementation and only then, can its effectiveness be evaluated.

The Office of the Auditor General had also indicated in their recommendations on Key Finding 1 that the Fiji Police Force need legal literacy training of various provisions of legislations as legal knowledge is an issue with them. Therefore, the Fiji Police Force is not in a position to conduct trainings and evaluations on the DVA unless a cohort is specifically trained for this.

Currently, NGOs such as FWCC have prevention programs in place which includes Community Education and Trainings which cover all forms of violence against women and girls and legal literacy.

As part of its prevention work, FWCC and its branches conduct a lot of community awareness and workshops to a wide range of audiences around Fiji including the maritime areas. From January 2016 to June 2019 FWCC and its branches conducted a total of 115 community workshops and 434 awareness raising sessions around Fiji and its maritime areas. 11473 women, 5518 men and 19011 children participated in these community awareness and workshops.<sup>6</sup>

The Domestic Violence Act was drafted by the Office of the Attorney-General while the Legal Aid Commission practice laws on domestic violence on a daily basis. Therefore, it would be practical for trainings and awareness on the Domestic Violence Act be carried out by State bodies such as the Attorney-General's Office in conjunction with the Legal Aid Commission. However, without being gender sensitised, the contents and delivery of such awareness would not be fully effective. It should be noted that gender sensitisation trainings of such bodies can be done by experts in the EVAW field, such as FWCC.

### **3.03.2 NO DROP POLICY**

FWCC and its branches between 2004 to 2018 have recorded a total of 240 complaints by women where police officers have failed to

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<sup>6</sup> Fiji Women Crisis Centre, *Programs to Eliminate Violence Against Women in Fiji and the Pacific*, Annual Report No. 3, (2019), p143

implement the 'No Drop Policy'. On the contrary some police officers have compelled women to reconcile with perpetrators or some police officers fail to record complaints and investigate. Some of these cases have been highlighted in appendix 2 of the Office of the Auditor General's Report 2019.

The No Drop Policy is an internal policy of the Fiji Police Force which affects everyone, especially the work carried out by the FWCC. Whilst the Fiji Police Force has indicated that they have recently completed the review process with the revised policy still in its draft stage, it is crucial for EVAW work that such a document contains input from relevant stakeholders and the EVAW taskforce members. Unfortunately, FWCC and the EVAW Taskforce were not consulted in the revision of the No Drop Policy. Such consultations will offer strategies to address existing challenges in the implementation of the No Drop Policy and the review will be more meaningful.

In order to have an effective and robust policy there must be a monitoring and evaluation system in place. This should include maintaining of proper records, transparent complaints procedures and outcomes of complaints received.

Despite the existence of the No Drop Policy since 1995, there has been a lack of systematic training given to police officers in recent years to ensure proper implementation of this policy.

There is also a great need to train the police officers on policies such as the 'No Drop Policy' as well as the Service Delivery protocol.

From collected data in appendix 1, it is evident that the majority of victims of domestic violence related killings are females rather than males. It is for this reason that police officers at the ground level must ensure that the No-Drop Policy is systematically, sensitively and effectively enforced. Such a positive response from the police will boost women's confidence in the system of law enforcement. When survivors trust the system, they feel safer reporting.

## **4. KEY FINDINGS 6 AND 7 – RESEARCH AND DATA COLLECTION**

### **4.01. REVIEW OF LEGISLATIVE COMPLIANCE AND RESEARCH:**

FWCC has conducted a national research, in partnership with Bureau of Statistics (FBOS), '*Somebody's Life Everybody's Business*', on women's health and life experiences in Fiji for 2010 and 2011. It is a survey exploring the prevalence, incidences and attitudes to intimate partner violence in Fiji. The national research was conducted in accordance with the World



Health Organisation (WHO) methodology including standardized procedures and formats. By using the WHO methodology, FWCC followed the international best practice in the research design and implementation.

Consequently, the findings are robust and reliable with the most accurate estimates possible of the prevalence of violence against women. However, with this type of research design it is possible to identify statistically significant association between violence and various impacts described and to apply FWCC's many years of experience in interpreting the findings of the survey.<sup>7</sup>

Tentative plans are underway for FWCC to carry out a comparative study in 2021 with a partnership with DOW and FBOS.

The national survey has provided impetus and guidance to developing strategies and programs and policies on EVAW and women's human rights and recognising and addressing the root causes of VAW for FWCC, other stakeholders and government. We do not agree that the Ministry should drive this to find the root causes of VAW. The global evidence based literature on EVAW has already established the root cause of VAW, which has already been mentioned in this paper. FWCC should take the lead in partnership with government and namely the MWCPA and FBOS and potential donors. For FWCC to lead this, using the same methodology as the last survey, as a comparative study will indicate whether the last 10 years of work has had an impacted on prevalence rates. Moreover, that will be so essential on the work on EVAW.

#### **4.02. DATA COLLECTION:**

Department of Women needs to have a mechanism in place whereby they are able to consistently and systematically source data. Statistics relating to violence against women can be requested from stakeholders such as FWCC, Fiji Police Force, Director of Public Prosecutions, Bureau of Statistics, Health and Judiciary. By creating and maintaining a hub as a data source, the Department of Women would be able to effectively monitor, evaluate and respond to progress, programs and policy implementations.

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<sup>7</sup> Fiji Womens Crisis Centre, National Research on Women's Health and Life Experiences in Fiji (2010/2011): A survey exploring the prevalence, incidence and attitudes to intimate partner violence in Fiji, *Somebody's Life Everybody's Business*, 2013, p. 28 and 30

## 5. KEY FINDINGS 14 and 15– EVAW TASKFORCE

Since the re-establishment of the EVAW taskforce in 2013 there have been some positive outcomes, namely the National Gender Policy, Service Delivery Protocol and National Domestic Violence helpline and the review of the Zero Tolerance Communities and the announcement of the National Prevention Plan of Action.

However, the inconsistent meetings of the EVAW Taskforce members is a challenge in the effort to achieve the goals within the annual work plan. As per the findings of the Office of the Auditor General, out of the 60 meetings that were planned, only 15 meetings eventuated.<sup>8</sup>

In order to strengthen the policies and formulate action plans for effective implementation, there needs to be a monitoring and evaluation process. This could be achieved through consistent EVAW meetings by the taskforce members. Meetings as such are vital to identify what is working and challenges that needs to be improved.

The sustainability of the EVAW taskforce can be strengthened with regular meetings and having a head of a government agency such as the Commissioner of Police or the Minister for Women as the Chair. This will raise the profile of the taskforce and can be a good advocacy and lobbying strategy.

## 6. KEY FINDINGS 18 – NATIONAL DOMESTIC VIOLENCE HELPLINE 1560

The Fiji Women's Crisis Centre operates the National Domestic Violence Helpline on behalf of the Ministry of Women, Children and Poverty Alleviation. This work was enabled by a memorandum of agreement signed between the Ministry of Women and Fiji Women's Crisis Centre in September, 2016. The national violence helpline was launched on 8 March, 2017 to coincide with International Women's Day<sup>9</sup> and the line became operational on the same day.

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<sup>8</sup> Report of the Auditor General of the Republic of Fiji, Coordination of Actions on Elimination of Violence Against Women – Performance Audit, Parliamentary paper No. 129/2018, p 57

<sup>9</sup> Ministry of Women, Children and Poverty Alleviation, Annual Report for the period of 1<sup>st</sup> August 2016 to 31<sup>st</sup> July 2017, Parliamentary Paper No. 122/2018, p31 – 32,  
[http://www.mwcpa.gov.fj/images/stories/Files/2018/MOWCPA\\_AR2016-2017\\_final%20approved\\_web.pdf](http://www.mwcpa.gov.fj/images/stories/Files/2018/MOWCPA_AR2016-2017_final%20approved_web.pdf)  
(accessed 31.01.2020).



While the memorandum of agreement had stipulated for reports to be submitted by FWCC, the reality was that it was impossible to provide any report between the period September 2016 to March 2017 on a line which was not yet operational.

Nevertheless, ever since the line became operational, the FWCC has been consistently submitting reports to the Ministry of Women on a monthly basis at the request of the Ministry as required by the agreement. This can be noted in the report of the Auditor General.<sup>10</sup>

Providing sufficient funding and having contracts signed on a timely basis are also important in operating a toll free line that caters for women who are in great need of a lifeline support. One of the challenges that FWCC has experienced is funding. We have had to utilise Centre funds to keep the helpline operational while we await the relevant ministries to sort out funding issues.

To ensure that this service continues to be effective, there has to be a dedicated officer appointed by the Ministry with the relevant background knowledge on gender and well versed with the stipulations of the agreement. This appointment will allow a timely and efficient response to contract needs and requirements. With this being said, it is further recommended that timely contracts are signed before the next tranche is due and that adequate funding is made available on a timely basis.

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<sup>10</sup> Ibid , pages 93-94

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# APPENDIX 1

### Victims Gender(sex) – Murder cases

Victims Gender(sex)	2018	2019
Infant	-	1
Women	6	14
Child (Baby to 12 years)	2	3
Men	8	8

Figure 2 Source: Fiji Police Force

The data shows that number of male deaths in 2019 were 8 and none of which were related to Domestic Violence (DV). However, out of the 14 women that were murdered in 2019, 9 women died due to DV.

### Domestic Violence Restraining Order (DVRO)

#### Breach of DVRO's Initiated In Court

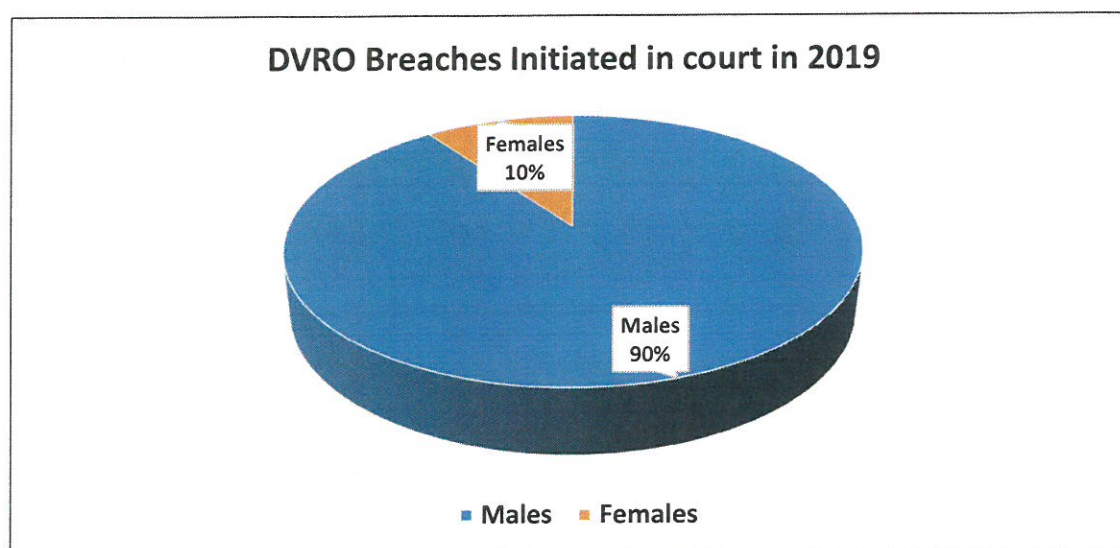


Figure 3: Source- Fiji Judicial department

Total	SEX	
	M	F
272	245	27

Figure 4: Source- Fiji Judicial department

In 2019, there were 272 cases of DVRO breaches initiated in court. Out of the 272 cases, 245 males and 27 women breached DVRO's. 90% were males and 10% females.



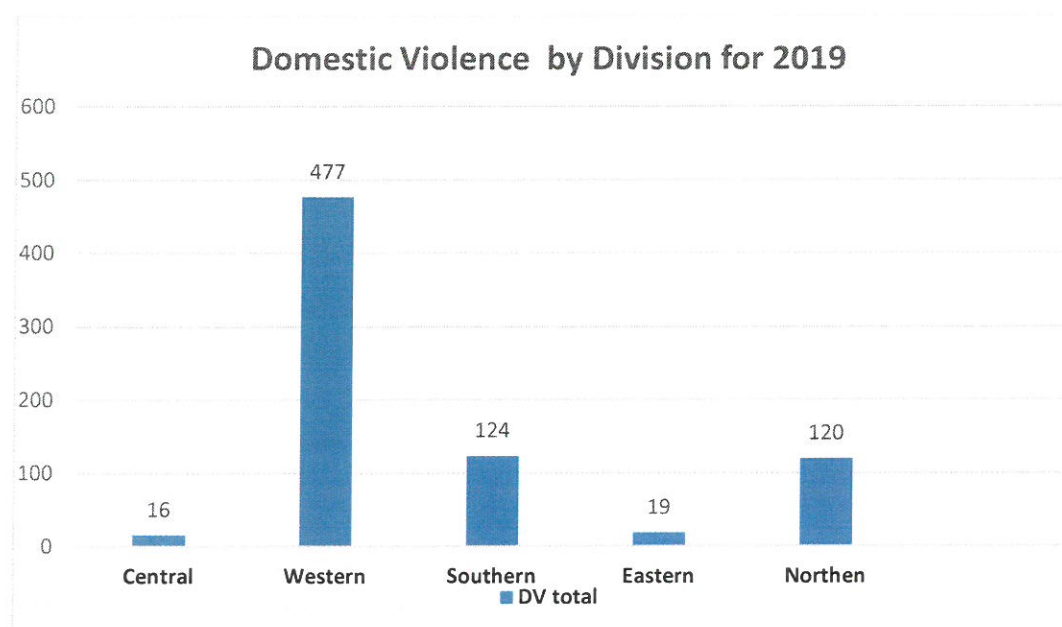


Figure 7 Source: Fiji Police Force

### Domestic Violence against Women and Children **by Age group**

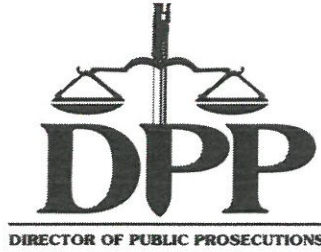
Domestic Violence	Age Group	2012	2013	2014	2015	2016	2017	2018	2019
Women Victims	18 - 24 years	105	85	99	82	141	170	126	141
	25 - 31 years	121	100	99	119	206	228	121	191
	32 - 38 years	108	81	87	71	149	186	113	137
	39 - 45 years	45	50	43	47	93	111	63	90
	46 - 52 years	19	27	29	31	44	49	26	35
	53 - 59 years	7	7	13	16	13	22	20	16
	60 years and Over	5	8	8	2	6	11	11	11
	<b>Total</b>	<b>410</b>	<b>358</b>	<b>378</b>	<b>368</b>	<b>652</b>	<b>777</b>	<b>480</b>	<b>621</b>
Children Victims	0 - 5 years	5	6	8	10	11	13	12	14
	6 - 12 years	16	22	23	26	50	31	36	45
	13 - 17 years	30	39	38	33	70	87	63	76
	<b>Total</b>	<b>51</b>	<b>67</b>	<b>69</b>	<b>69</b>	<b>131</b>	<b>131</b>	<b>111</b>	<b>135</b>

Figure 8 Source: Fiji Police Force

The table above shows the domestic violence cases against Women & Children by Age group for the years 2012 to 2019.

# APPENDIX 2





## ODPP MEDIA UPDATE

### ODPP Rape and Sexual Offences Statistics –1 January to 31 December 2019

The following data is authorised for release by the Office of the Director of Public Prosecutions (ODPP) and relates to the number of **formal indictments (*Information*) filed in the High Courts** of Fiji by the Director of Public Prosecutions. This media update consolidates data released by the ODPP from 1 January to 31 December 2019.

This data is confined to incidents of serious sexual offences only.

There were 271 people charged with a total of 578 counts of serious sexual offences as of 31 December 2019. Of the 271 accused persons, 37 were juveniles and five were police officers.

The offences were rape (368), attempted rape (17), aiding and abetting rape (1), assault with intent to rape (5), abduction with intent to rape (22), indecent assault (26), defilement (26), attempted defilement (1) and sexual assault (112).

There were 269 victims of whom 183 victims were under the age of 18 years.

All accused persons charged with sexual offences were male however victims of the sexual offences were both male and female comprising of 256 female victims and 13 male victims.

There were 107 offences that occurred in domestic relationships or where the accused was known to the victims.

The youngest accused person was a 13-year-old boy while the youngest victim was a 3-year-old girl.

A total of 44 cases were withdrawn after discontinuances (*Nolle Prosequi*) were filed in 2019.

Refer to the table and graph below for a breakdown of the statistics from *1 January to 31 December 2019*.



## ODPP Rape and Sexual Offences Statistics 1 January-31 December 2019

	Rape	Attempted Rape	Aiding and abetting rape	Assault with intent to Rape	Abduction with an intent to Rape	Indecent Assault	Defilement	Attempted defilement	Sexual Assault	Total
January	10	3	0	0	1	1	0	0	0	15
February	27	5	0	2	1	1	0	0	7	43
March	36	0	0	0	1	0	0	1	20	58
April	34	2	0	0	0	3	3	0	15	57
May	50	2	0	1	4	4	5	0	21	87
June	30	0	0	0	9	1	3	0	2	45
July	36	1	0	0	0	5	6	0	5	53
August	42	3	0	0	1	1	2	0	9	58
September	42	0	0	1	2	8	1	0	16	70
October	20	0	1	0	0	0	5	0	10	36
November	25	1	0	0	3	1	1	0	4	35
December	16	0	0	1	0	1	0	0	3	21
Total	368	17	1	5	22	26	26	1	112	578

Source: ODPP Fiji



**ODPP Rape and Sexual Offences Statistics**  
**(Total Offences, Number of Accused and Victims)**  
**1 January - 31 December 2019**

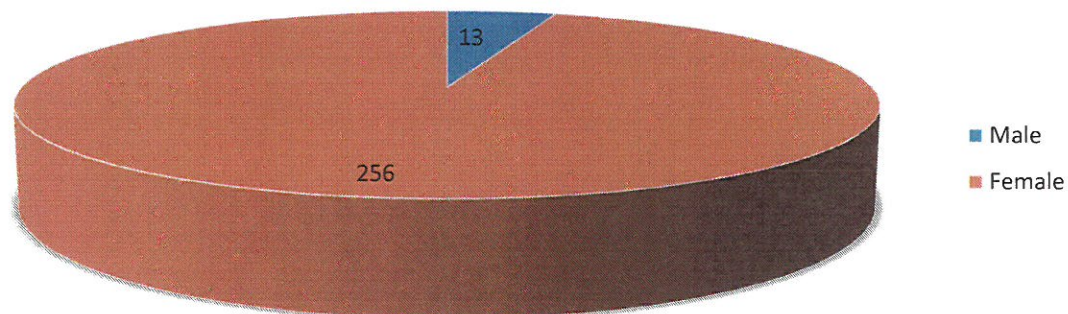
	Total Counts	Total Accused	Total Accused U18	Total Accused Police	Total Victims	Total Victims U18	No. of Domestic incidents	No. of Nolle filed
January	15	10	3	0	11	7	5	0
February	43	18	1	0	20	12	8	3
March	58	28	1	0	30	19	15	5
April	57	20	2	2	21	13	4	1
May	87	42	3	0	45	27	18	7
June	45	24	2	1	22	13	10	4
July	53	28	4	0	25	17	6	8
August	58	23	7	1	24	19	10	6
September	70	30	4	0	28	22	15	5
October	36	23	9	0	17	14	7	1
November	35	14	0	0	17	13	5	3
December	21	11	1	1	9	7	4	1
<b>Total</b>	<b>578</b>	<b>271</b>	<b>37</b>	<b>5</b>	<b>269</b>	<b>183</b>	<b>107</b>	<b>44</b>

Source: ODPP Fiji





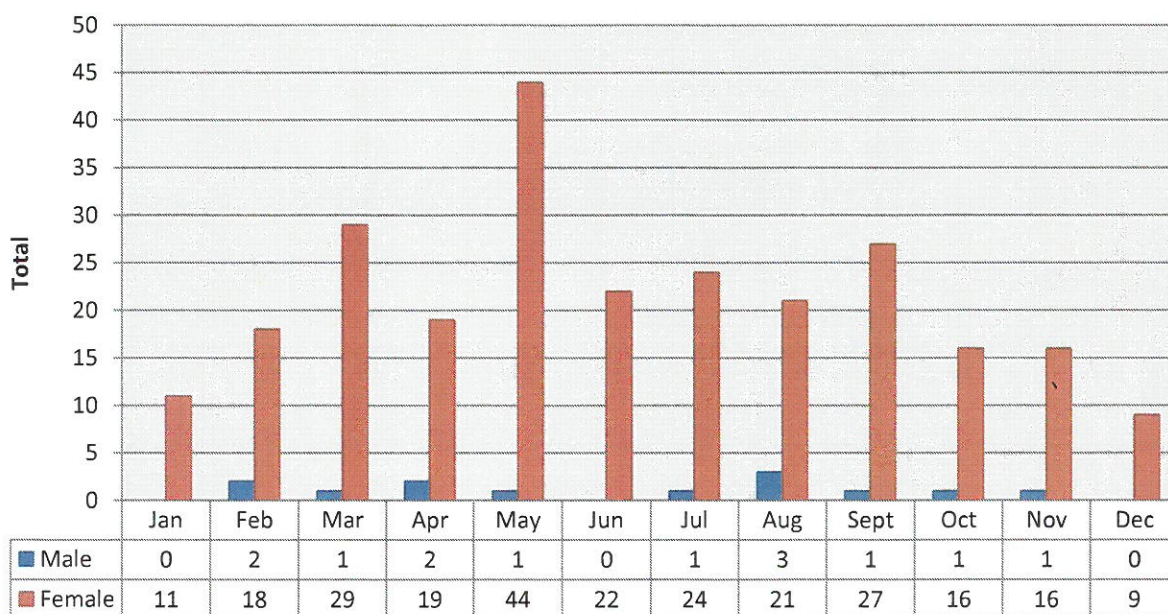
## Total Victims based on Gender - 1 January to 31 December 2019



Source: ODPP FIJI



## Total Victims based on Gender per month- 1 January to 31 December 2019



Source: ODPP FIJI

-End-

23 January 2020

# APPENDIX 3





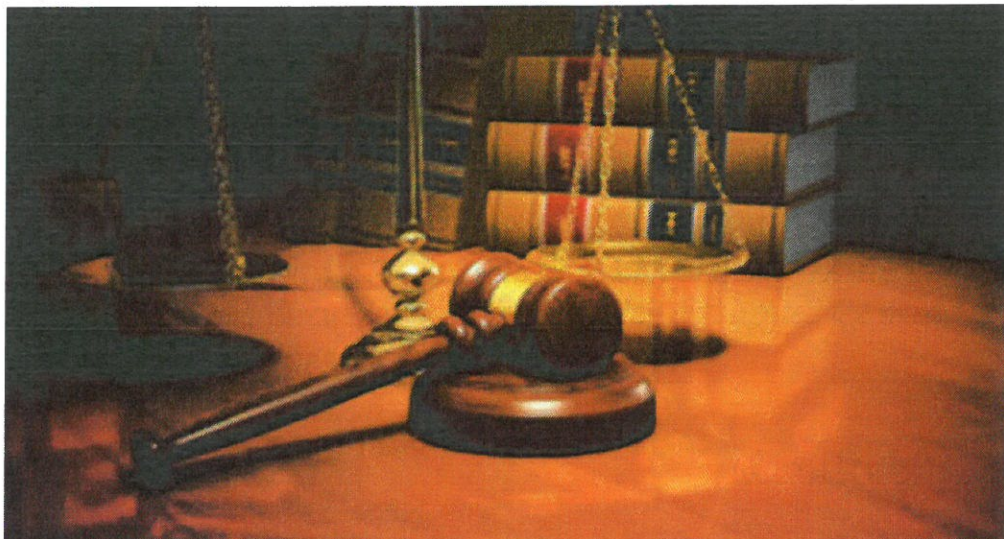
## NEWS

# Woman Sustain Burns On Face For Serving Husband Biscuit Instead Of Dalo: Court Hears

*High Court Judge Justice Salesi Temo and Kohli and Singh Associates lawyer Ami Kohli's discussion in court yesterday highlighted the need to have a men's crisis centre in Fiji. Mr*

By Shratika Naidu

18 Dec 2019 10:42



High Court Judge Justice Salesi Temo and Kohli and Singh Associates lawyer Ami Kohli's discussion in court yesterday highlighted the need to have a men's crisis centre in Fiji.

Mr Kohli had submitted a bail application for his client, Suliano Kailavala, who in anger over being served with biscuit and tea for breakfast instead of dalo, allegedly kicked the thermos containing hot water at his wife, who sustained burns on her face.

The alleged incident happened on November 22 on Taveuni Island. The farmer was charged with act with intent to cause grievous harm.

Justice Temo said he often told the court that there was a need to have a men's crisis centre in Fiji where they can get help.

"Unfortunately, Shamima Ali doesn't agree and support my concern," Justice Temo said.

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"We need a men's crisis centre where men who are not happy or angry with their wives can seek advice. I am sure the centre will counsel or tell him how to deal with anger or provide them with information and examples of cases of men and women.

"We don't like wives to throw water at us or vice versa. Nowadays, a wife also pours hot water on her husband and I have attended to one case. In some cases, husbands get frustrated and end up killing their wives."

Justice Temo said violence was not the answer.

"I have done many cases especially in our country where wives don't treat their husbands well. There are many women and men in the world. If they are not happy, they can marry the person who can provide them with good and right food."

Mr Kohli, in response, said he would be the first person in Labasa to establish a men's crisis centre.

The complainant admitted in court that it was her fault. She raised her voice and everyone in the village heard and that's when the husband reacted.

She said she didn't report the matter to the Police Station, but it was the health professionals at the Taveuni Hospital who informed the Police.

The accused was released on strict bail conditions.

**Edited by Ivamere Nataro**

**Feedback:** [shratikan@fijisun.com.fj](mailto:shratikan@fijisun.com.fj)

High Court judge Justice Salesi Temo

Police

Shamima Ali

Suliano Kailavala

Taveuni Hospital

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# APPENDIX 4



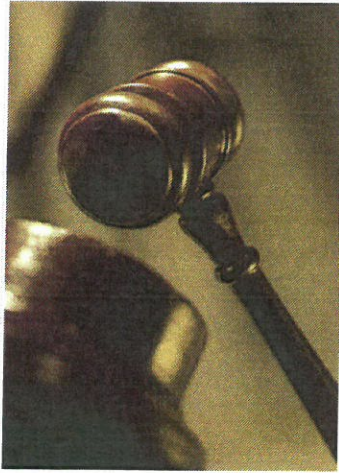
## Girls have rights but practically it's stupid to go and drink with boys in the bushes - Judge

By Dhanjay Deo

Thursday 24/11/2016

Twitter

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"Girls also have human rights but practically it's a stupid decision to go and drink with boys in the bushes as the boys easily get sexually active when drunk."

High Court Judge, Justice Salesi Temo made this comment this morning during a rape case where four men are alleged to have raped two women while drinking beer in the bushes in Korovou between the 9th and 10th of October, this year.

Justice Temo was responding to state lawyer, Yogesh Prasad who advised the court that the two women had given consent to the men to go and drink in the bushes.

Justice Salesi Temo then said that in his days, girls did not go with boys in the bushes.

Napolioni Leiloma, Luke Sotovakatini, Wame Baleimakogai and Sanjay Lal allegedly to have raped two women aged 19 and 20 years in the bushes in Korovou earlier this year.

The four have been released on bail.

The matter has been adjourned to the 25th of January next year.

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Rakiraki	99	92.6	103.8	96.6	101.4

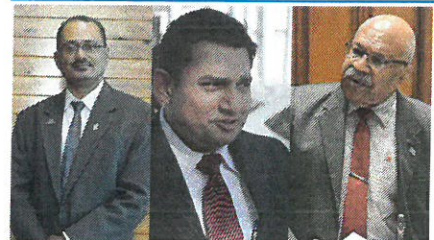
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