Barriers to Help-Seeking in Gender-Based Violence against Women: Implications from the research study

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Research Purpose

This research attempts to identify and explore the barriers being faced by:

• Survivors
• Professionals
Definitions

Violence against Women

‘a violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life;’

(Istanbul Convention, Article 3a).
Definitions

Gender-based Violence against Women

‘violence that is directed against a woman because she is a woman or that affects women disproportionately’.

(Istanbul Convention, Article 3 (d)).
Design

• A **qualitative** research design

• Data collection strategy - **16 qualitative interviews** and **6 focus groups** with both survivors and professionals.

• **50 participants**
Eight Categories of Barriers

(1) Cultural barriers
(2) Socio-economic barriers,
(3) Survivor-related barriers,
(4) Perpetrator-related barriers,
(5) Offspring-related barriers,
(6) Informal networks (family and friends) barriers
(7) Psychosocial / health care / education provision barriers and
(8) Justice system barriers (including police and courts).
Cultural Barriers

• The predominantly patriarchal Maltese society remains an underlying and ubiquitous barrier.

• Gender inequality still manifests itself in social attitudes, gender roles and dominant discourses.

• Survivors experience shame mainly due to the resounding social expectation that (‘good’) women should remain with their male-partners at all costs and that their primary role is to care for the family and keep it together.
Recommended action

• Eradicate gender inequality and culture of misogyny and impunity through mainstreaming of gender equality across policy areas

• All policies should adopt a ‘gender dimension’

• Gender mainstreaming involves the integration of a gender perspective into the preparation, design, implementation, monitoring and evaluation of policies, regulatory measures and spending programmes, with a view to promoting equality between women and men, and combating discrimination.

• Media, civil society and the church

• Concerted awareness campaigns should be held on a regular basis.
13 Functions of the Commission

• (l) to conduct, on a regular basis and at all levels, awareness-raising campaigns or programmes, including those in co-operation with national human rights institutions and equality bodies, civil society and non-governmental organisations to increase awareness and understanding among the general public of the different manifestations of all forms of gender-based violence and domestic violence and the need to prevent and address such violence;

• (o) to provide guidelines to the media in relation to the prevention of the forms of violence covered by the scope of this Act
GBV&DV Strategy and Action Plan

- The Istanbul Convention recognises the structural nature of such violence, which is both a cause and a consequence of unequal power relations and which limits the full advancement of women. To overcome inequality, Government is committed to implement gender equality policies and empower women. The aim is not to treat victims as helpless individuals but rather to treat GBV&DV as a societal concern, where perpetrators are reformed while victims are assisted to restore their lives and dignity as quickly as possible.

- Many forms of discrimination, harmful practices and gender stereotypes are the starting point for violent behaviour. For this reason, the convention and the action specifically tackle gender stereotypes in the areas of awareness-raising, education, the media and the training of professionals. It also creates the obligation to ensure that protective and support measures as well as investigations and judicial proceedings are based on a gendered understanding of violence.
Socio-economic Barriers

• Survivors’ difficult **financial situation** exacerbates the help-seeking process.

• Unaffordable rent conditions

• Job maintenance
Recommended action

• Increase activity of women in the labour market
• Access to accurate information on facilitating services
• Increase number of placements in emergency shelters and longer stay shelters
• Ensure affordable housing

Strategy and Action Plan:
Strengthen housing and training schemes for victims of GBV&DV.
Survivor-related Barriers

• Some barriers appear to be internalised by survivors in the context of the patriarchal Maltese society.

• Prolonged use of defence mechanisms, such as denial, minimisation and rationalisation, together with negative emotions such as shame, shock, fear and confusion seem to block survivors from adopting help-seeking behaviour.

• Moreover, survivors tend not to report or seek help if they somehow assume the responsibility for the perpetrator's violence and blame themselves for it, believing that the abuse is their fault.
Recommended Actions

• Gender responsive intervention needs to adopt a trauma lens’

• Trauma-informed practice addresses the underlying issues of victimisation and shame that are seen as profoundly shaping these women’s trajectories

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Intersectionality

• Survivors may encounter other barriers due to additional challenges such as immigration status, disability, mental health and advanced age.

• Such additional structural variables intersect to make the survivor’s journey even more difficult.
Recommended Actions

• MOU’s between a number of ministries and agencies
• Specialist training to all professionals

As in keeping with Para 4(1) of the GBV & DV Act (Ch.581 of the Laws of Malta):

without discrimination on any ground such as age; association with a national minority; belief, creed or religion; colour, ethnic origin and, or race; disability; family responsibilities and, or pregnancy; family and, or civil status; gender expression and, or gender identity; genetic features; health status; language; migrant or refugee status; national or social origin; political or other opinion; property; sex or sex characteristics; sexual orientation or any other status.
Perpetrator-related Barriers

• Perpetrators presented as one of the major barriers to help-seeking behaviour because of their **manipulative and controlling behaviour.**

• Perpetrators' ‘charm’ tends to deceive not just mutual friends but even professionals.

• The perpetrators’ seem to use these to **institutionalise their control** over them (including litigation abuse).

• **Parental alienation** which is the result of psychological manipulation of a child (by the father) into showing unwarranted fear, disrespect or hostility towards a parent (in this case the mother).
Recommended Actions

• Emergency barring – implementation!
• Reclassifying rape and sexual assault as ‘crimes against the person’ (Criminal Code 198(1) amended 2018 – non-consensual carnal knowledge)
• Avoid mediation
• Services for perpetrators (challenging harmful attitudes, behaviours and stereotypes)
• Ensure that the judiciary, DPP and MPF refer perpetrators to perpetrator programmes.
Off-spring-related Barriers

• Children seem to be the primary motivating factor for the survivor to leave an abusive relationship acting as ‘push factors’.

• However, in other instances, children are the ‘pull factors’ impeding the survivor from moving away from the abusive situation.
Functions of the Commission

• (n) to collaborate with the educational authorities to educate students on the forms of violence covered by this Act and the preventive measures in their regard

• Emergency Barring order – implementation and enforcement and monitoring
Informal Network-related Barriers

While informal support may facilitate a survivor’s process to access services and receive the necessary assistance, this study shows that there are instances where the non-involvement of an informal support network may be the better option.
Functions of the Commission

• (m) to ensure the wide dissemination among the general public of information on measures available to prevent acts of violence covered by the scope of this Act, as well as any means of redress available;
Psychosocial / Health care / Education Provision Barriers

• Survivors report that they find effective help from the supportive system including public agencies and NGOs.

• However, survivors felt that they were not sufficiently informed about the available services, resources and their rights, which hindered them from seeking help.

• Psychosocial services are sometimes perceived as inaccessible, with participants in this study mentioning long waiting lists, limited or lack of placements in the emergency shelters and the issue of distance, particularly for Gozitan residents, as barriers.
• Psychosocial services should be readily available
• Specialised emergency shelter in Gozo
• Narrow the gap between service availability and service accessibility
  • to ensure the wide dissemination among the general public of information on measures available to prevent acts of violence covered by the scope of the law, as well as any means of redress available;
• to collaborate with the educational authorities to educate students on the forms of violence covered by the law and the preventive measures in their regard.
Inter-agency Collaboration

• Poor inter-agency collaboration (in some instances) and the lack of specialisation are considered service-related barriers.

• There seems to be a lack of specialised services (such as an emergency shelter in Gozo), specialised professionals and professionals specifically trained on matters of gender-based violence against women.
• Professionals from different agencies produce something through joint effort, resources, and decision making, and shared ownership
• Memoranda of understanding between Ministries and agencies
• Effective protocols on inter-agency collaboration (including communication and training) should be in place.
• Training for professionals should also include workshops on such specialist protocols.
• An inter-ministerial committee can be set up to enhance and monitor effective inter-agency collaboration and the effective implementation of such protocols.
• Upon the expiry of its mandate with regard to the Full Cooperation: Zero Violence project, the steering group, consisting of representatives of (long list) will continue to coordinate policy development on GBV&DV. It will be responsible for bringing together the main stakeholders working in the sector so as to disseminate good practices for preventing gender-based violence and strengthening support services.

• The remit of the CDV, will be widened to implement Article 10 of the Istanbul Convention regarding the setting up of a coordinating body, and will cover gender-based violence beyond domestic violence.

• There shall be a Commission to be known as the Commission on Gender-Based Violence and Domestic Violence which shall be a co-ordinating body.
Justice System Barriers

• Survivors’ **re-victimisation** through the justice system is a real concern.

• Survivors feel that the justice system is **insensitive** and **inflexible**.

• Perpetrators tend to use the justice system to **institutionalise their control** over the survivor.
The Police

• Survivors and professionals highlighted the crucial role of the police in protecting the survivor, investigating the abuse, collecting evidence and prosecuting the perpetrator.

• The study results indicate some instances of the police being helpful and understanding.

• It seems that generally, the police are perceived as needing to increase their competence in dealing with such situations.

• Survivors and professionals further claimed that some police officers do not deal with domestic violence as ex-officio cases, as required by law.
The Judiciary Process

The judiciary process is another source of re-victimisation for the survivor.

• The process is too **lengthy** and **slow**.

• While legal aid is generally **helpful**, survivors and professionals commented that good lawyers are **expensive, unavailable** and **inaccessible**.

• The fact that the court asks the survivor whether she wants to **forgive** the perpetrator puts the survivor in an awkward and possibly in a **dangerous** position.

• Judiciary members’ **sensitivity** towards survivors and their situation is deemed essential.
Recommended Actions

A systematic programme is needed to eradicate the masculinist police culture which appears to currently dominate the police corp.

1. Recruiting more female police officers;
2. Giving heightened visibility to women in the police corps by assigning them more central roles as front-liners;
3. Promoting more female police officers to higher ranks;
4. Recruiting police officers (men and women) who are gender-sensitive;
5. Providing effective gender sensitivity training to all police officers including high ranking officials.
Recommended Actions (non police specific)

• Professionals in the justice system are to be more survivor-centred in their approach to reduce the likelihood of further victimisation.

• **On-going specialised** training to such professionals is crucial to this effect. 

  the obligation to ensure that protective and support measures as well as investigations and judicial proceedings are based on a gendered understanding of violence.

Identify and put in place measures to ensure that investigations and judicial proceedings in relation to GBV&DV are carried out without undue delay.

13(g): organise specialised training for the said professionals, including, but not limited to, educators, members of the judiciary and law enforcement officers;
Further research

• Research, particularly **prevalence studies**, on gender-based violence against women should take place on a regular basis.
• A question on child witnesses should be included in prevalence studies in order to estimate the number of children affected by domestic violence comprehensively collect and collate relevant disaggregated statistical data at regular intervals on cases of all forms of violence covered by the scope of this Act from the State, public sector, agencies and other relevant entities, as appropriate;

13 (i) to collaborate with the relevant national institutions to conduct population-based surveys at regular intervals to assess the prevalence of and trends in all forms of violence covered by the scope of this Act;
5(2) The public administration shall:

(a) create and adopt, within one year from the coming into force of this Act, an Action Plan which includes effective, measurable, comprehensive and co-ordinated policies encompassing all relevant measures to prevent and combat all forms of gender-based violence and domestic violence, in liaison with the Commission;

(b) ensure the *implementation* of the aforementioned Action Plan by way of effective co-operation among other relevant Ministries, Commissions, agencies, authorities, institutions, organisations, civil society and any relevant bodies;

(c) *allocate appropriate financial and human resources* for the adequate implementation of this Action Plan to prevent and combat all forms of gender-based violence and domestic violence, including those actions carried out by *non-governmental organisations, agencies and civil society*;

(d) review the Action Plan periodically and at least once every three years in liaison with the Commission; and

(e) publish a report, at least once every three years, detailing the progress and status of the Action Plan.
Reference

Thank You